



L I C E N S I N G S U B C O M M I T T E E

Tuesday 7 November 2023 at 2.00pm

Until further notice, all Licensing Sub-Committees
will be held remotely

**Supplementary papers: Item 6
Temporary Event Notices – Counter
Notice - 5D Stoke Newington Road,
London N16 8BH**

Dawn Carter-McDonald
Interim Chief Executive
Published on: Friday 27 October 2023
www.hackney.gov.uk

Contact: Gareth Sykes
Governance Officer
governance@hackney.gov.uk

Licensing Sub Committee E

Tuesday 7 November 2023

Order of Business

Supplementary papers: Item 6 Temporary Event Notices – Counter Notice: 5D Stoke Newington Road, London N16 8BH

6 Temporary Event Notices - Standing Item (Pages 3 - 156)

Temporary Event Notice – Counter Notice: 5D Stoke Newington Road, London N16 8BH.

Covering the following periods:

1. 10/11/2023 from 12:00 finishing on 11/11/2023 at 23:59
2. 24/11/2023 from 12:00 finishing on 25/11/2023 at 23:59
3. 01/12/2023 from 12:00 finishing on 02/12/2023 at 23:59
4. 08/12/2023 from 12:00 finishing on 09/12/2023 at 23:59
5. 15/12/2023 from 12:00 finishing on 16/12/2023 at 23:59
6. 22/12/2023 from 12:00 finishing on 23/12/2023 at 23:59
7. 27/12/2023 from 12:00 finishing on 30/12/2023 at 23:59



For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **10/11/2023** from **12:00** finishing on **11/11/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 10/11/2023 - 11/11/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **10/11/2023** from **12:00** finishing on **11/11/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers Daytime	██████████
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
Friday 10th November 2023 - 12:00 until 01:00 Saturday 11th November 2023 - 12:00 until 23:59		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
Friday 10th November 2023 - 12:00 until 01:00 Saturday 11th November 2023 - 12:00 until 23:59		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p>None</p>
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4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes ✓	No
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)

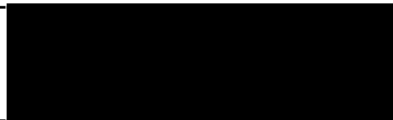
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	3rd/Nov/2023 (Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)
Name of Person signing	David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENs submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENs state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENs are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
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The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
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Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

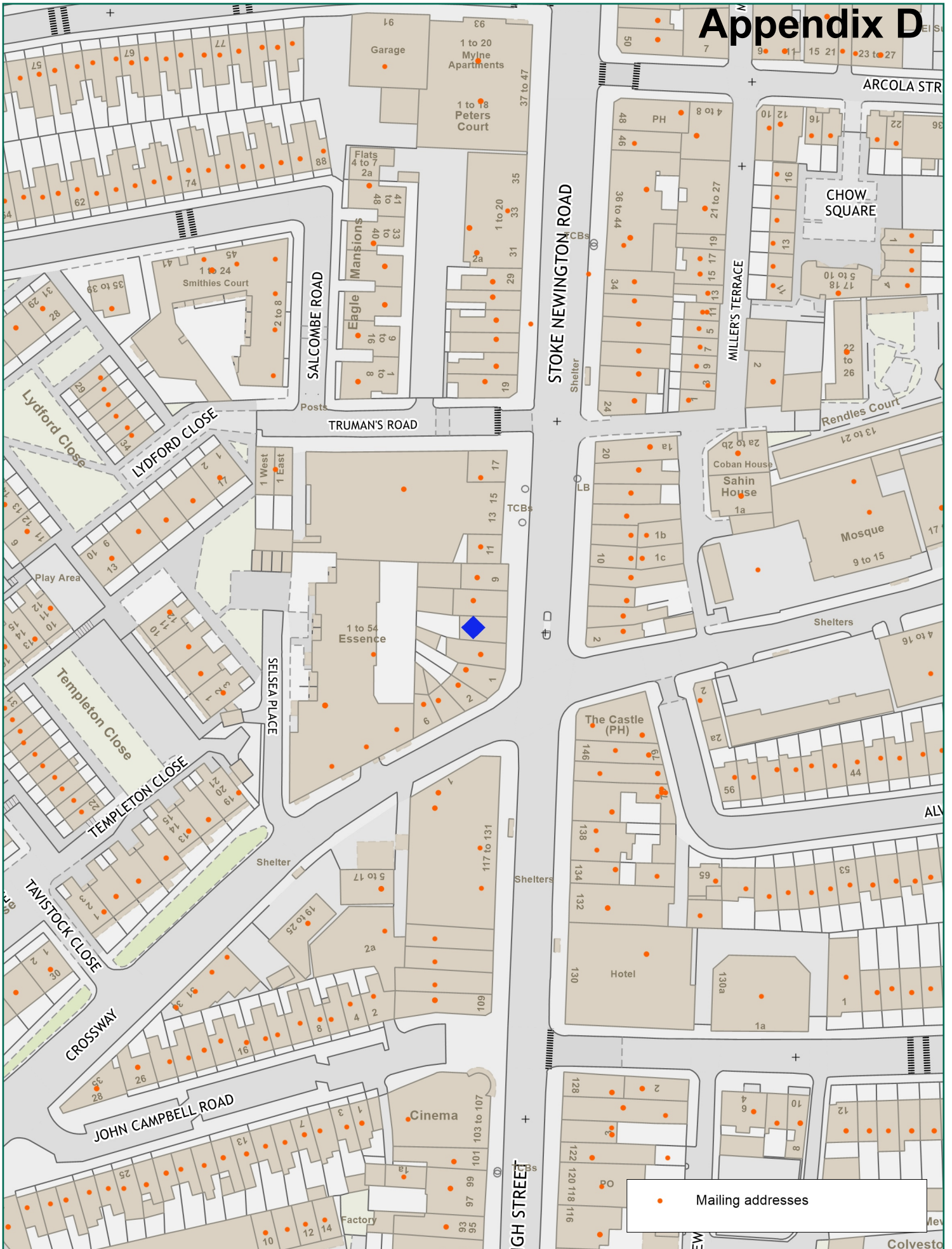
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Appendix D



NORTH

Scale: 1:1250 at A4

Hackney

5D Stoke Newington Road, N16 8BH

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Ref: _____ please specify copyright statement

Sunday, November 5, 2023 email: _____

For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **24/11/2023** from **12:00** finishing on **25/11/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 24/11/2023 - 25/11/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **24/11/2023** from **12:00** finishing on **25/11/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers Daytime	██████████
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
Friday 24th November 2023 - 12:00 until 01:00 Saturday 25th November 2023 - 12:00 until 23:59		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
Friday 24th November 2023 - 12:00 until 01:00 Saturday 25th November 2023 - 12:00 until 23:59		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p>None</p>
--

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes ✓	No
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN 1x Standard TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)


It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	3rd/Nov/2023 (Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)
Name of Person signing	David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
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The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
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Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

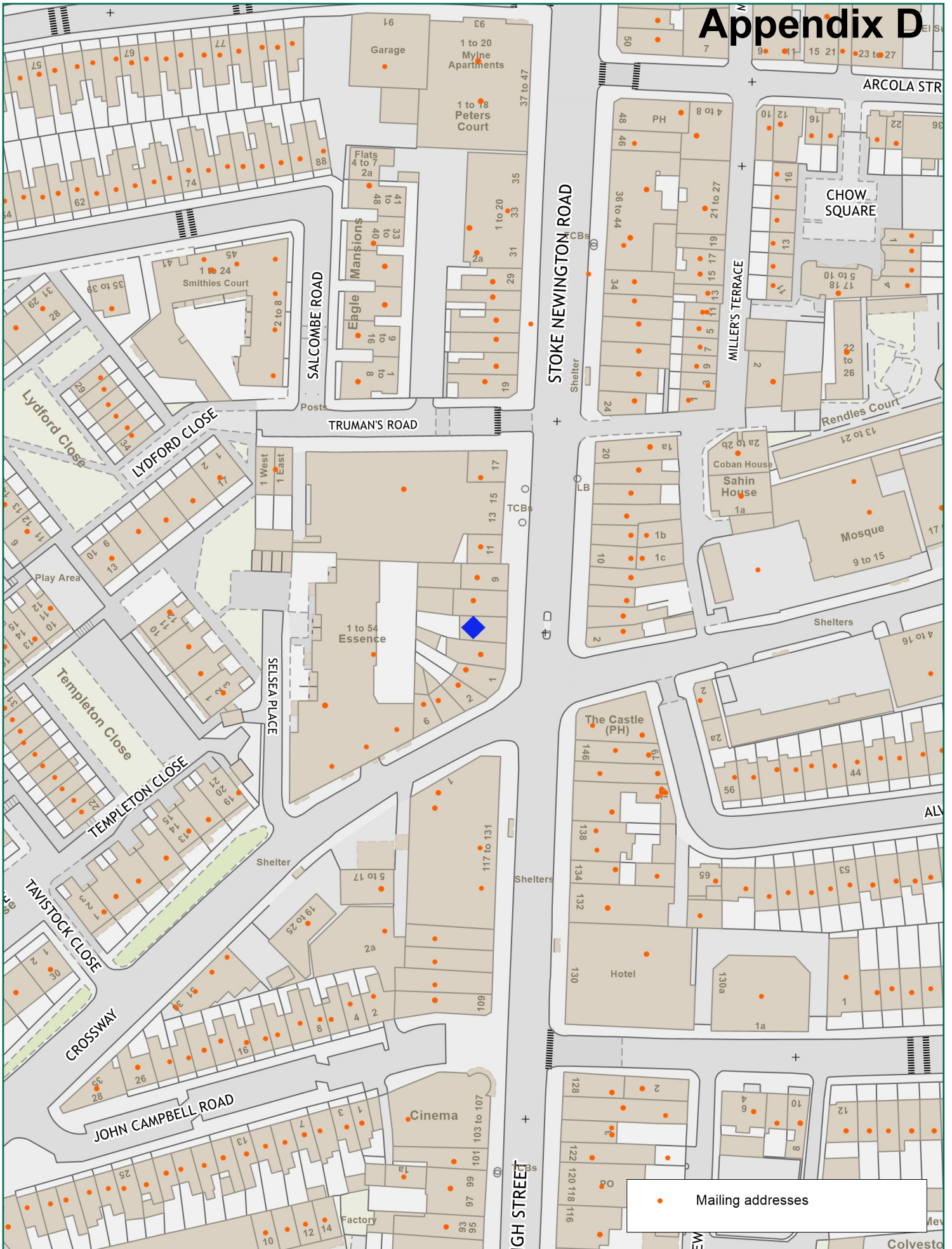
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Appendix D



 NORTH
 Scale: 1:1250 at A4
 Hackney

5D Stoke Newington Road, N16 8BH
 Ref: _____
 From: _____
 please specify copyright statement
 Sunday, November 5, 2023
 email: _____

For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **01/12/2023** from **12:00** finishing on **02/12/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 01/12/2023 - 02/12/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **01/12/2023** from **12:00** finishing on **02/12/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers	██████████
Daytime	
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical, Christmas themed experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around christmas, magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of a Christmas theme and the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
<p>Friday 1st December 2023 - 12:00 until 01:00</p> <p>Saturday 2nd December 2023 - 12:00 until 23:59</p>		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
<p>Friday 1st December 2023 - 12:00 until 01:00</p> <p>Saturday 2nd December 2023 - 12:00 until 23:59</p>		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p>None</p>
--

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes ✓	No
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN 2x Standard TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)


It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	3rd/Nov/2023 (Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)
Name of Person signing	David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENs submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENs state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENs are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
--------------------------	---

The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
--	---

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Web Page

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

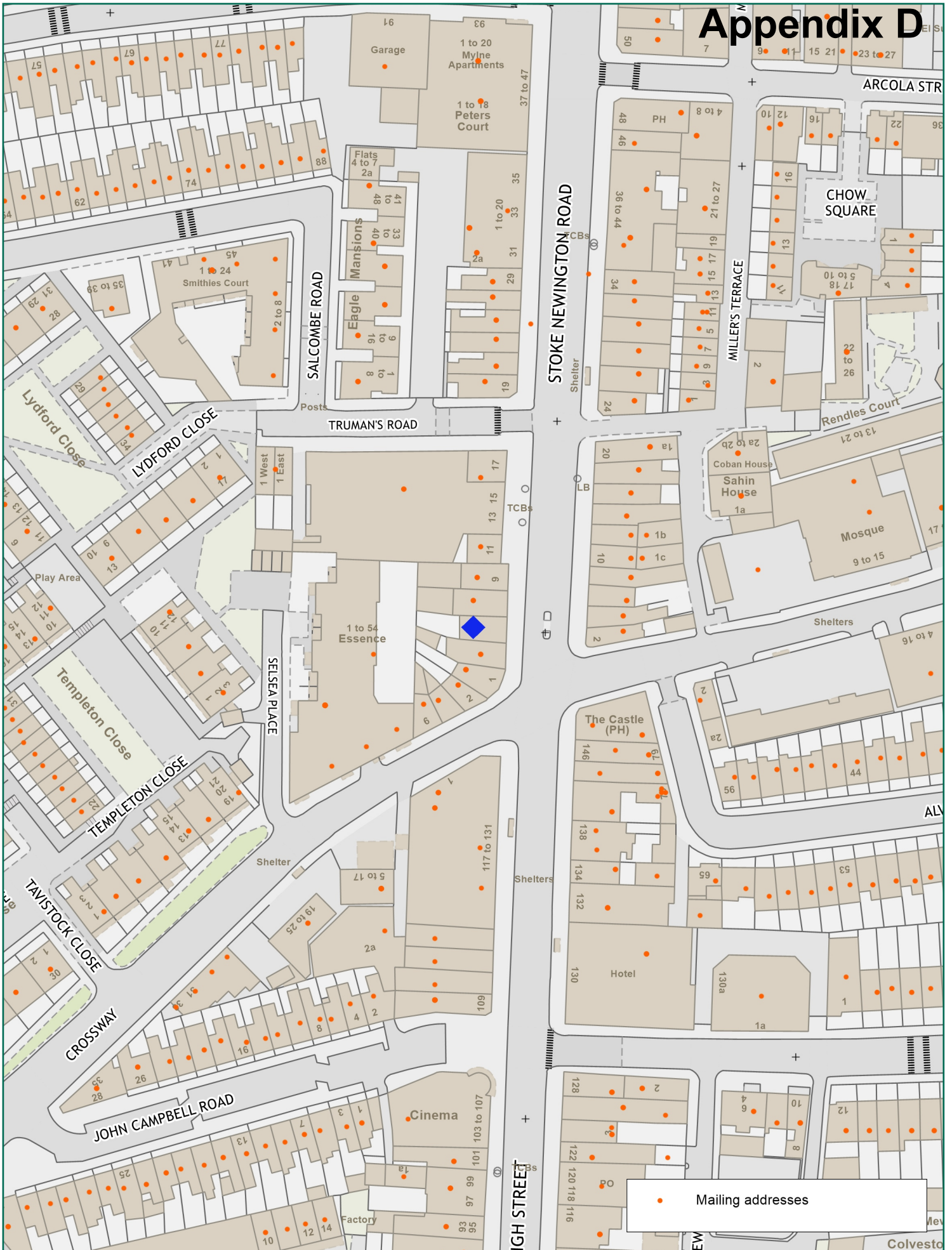
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Appendix D




NORTH

Scale: 1:1250 at A4



5D Stoke Newington Road, N16 8BH

Page 68

Ref: Sunday, November 5, 2023	From: [unspecified] please specify copyright statement	email:
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For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **08/12/2023** from **12:00** finishing on **09/12/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 08/12/2023 - 09/12/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **08/12/2023** from **12:00** finishing on **09/12/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers Daytime	██████████
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical, Christmas themed experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around christmas, magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of a Christmas theme and the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
Friday 8th December 2023 - 12:00 until 01:00 Saturday 9th December 2023 - 12:00 until 23:59		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
Friday 8th December 2023 - 12:00 until 01:00 Saturday 9th December 2023 - 12:00 until 23:59		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

None

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes ✓	No
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN 3x Standard TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)


It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	3rd/Nov/2023 (Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)
Name of Person signing	David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENs submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENs state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENs are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
--------------------------	---

The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
--	---

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Web Page

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

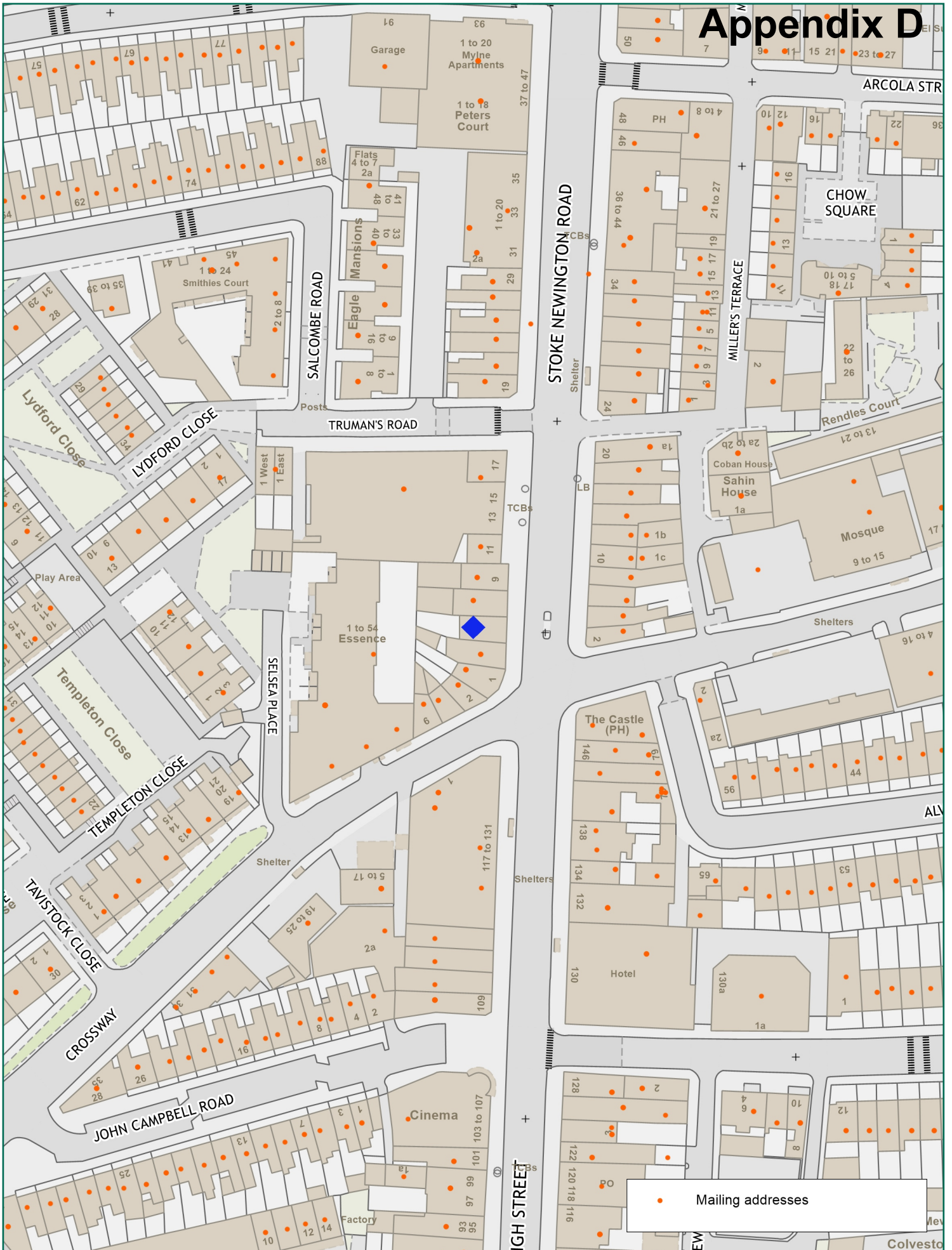
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Appendix D



NORTH

Scale: 1:1250 at A4

5D Stoke Newington Road, N16 8BH

Page 90

Ref: Sunday, November 5, 2023	From: [unspecified] email:	please specify copyright statement
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For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **15/12/2023** from **12:00** finishing on **16/12/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 15/12/2023 - 16/12/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **15/12/2023** from **12:00** finishing on **16/12/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
----------------------	---

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers Daytime	██████████
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical, Christmas themed experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around christmas, magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of a Christmas theme and the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
<p>Friday 15th December 2023 - 12:00 until 01:00</p> <p>Saturday 16th December 2023 - 12:00 until 23:59</p>		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
<p>Friday 15th December 2023 - 12:00 until 01:00</p> <p>Saturday 16th December 2023 - 12:00 until 23:59</p>		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

None

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN 4x Standard TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)

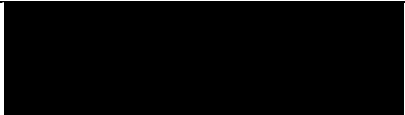
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	3rd/Nov/2023 (Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)
Name of Person signing	David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENs submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENs state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENs are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
--------------------------	---

The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
--	---

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

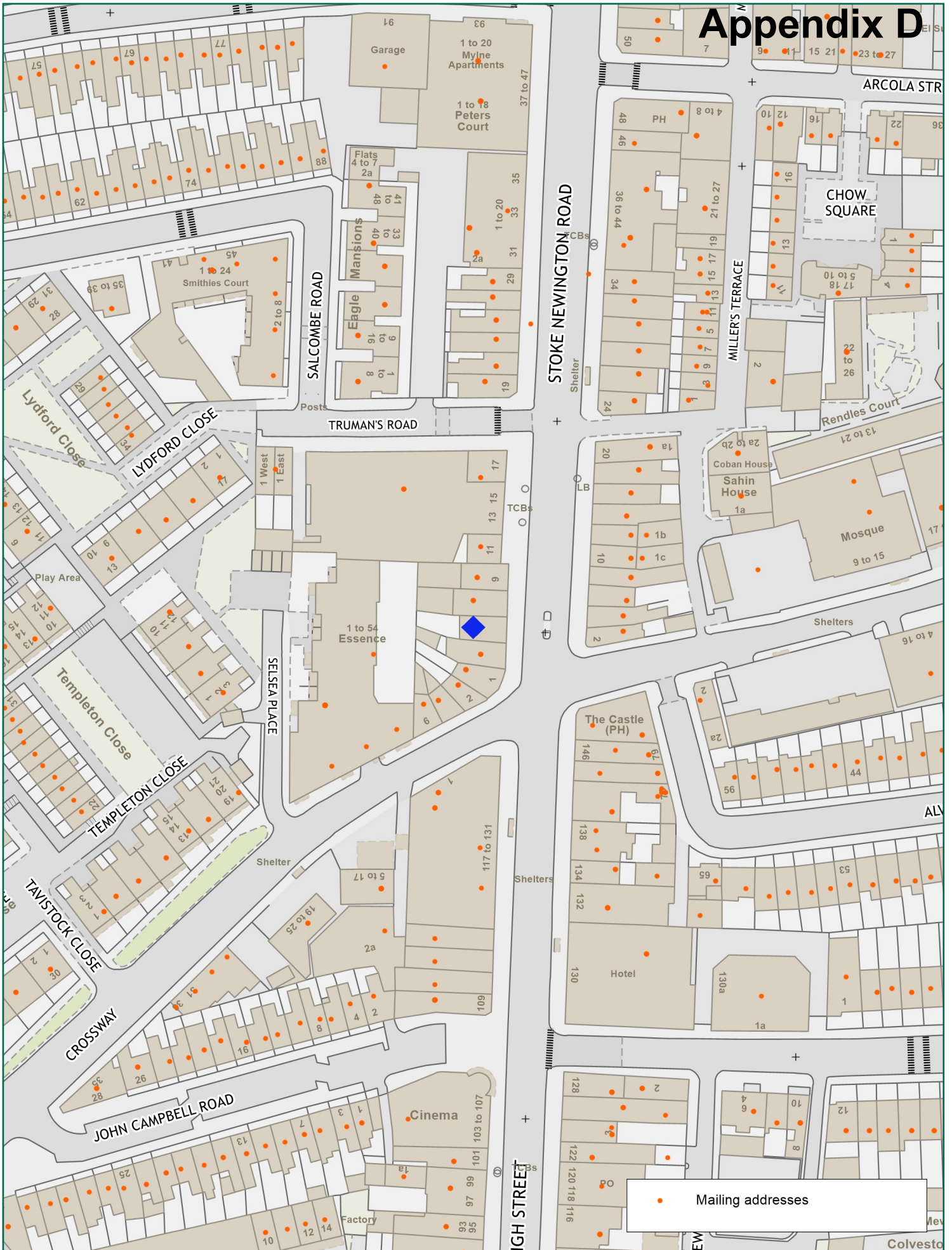
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Appendix D



• Mailing addresses

NORTH

Scale: 1:1250 at A4

Hackney

5D Stoke Newington Road, N16 8BH

Page 112

Ref: _____

Created by: _____

Sunday, November 5, 2023

email: _____

please specify copyright statement

For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **22/12/2023** from **12:00** finishing on **23/12/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 22/12/2023 - 23/12/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **22/12/2023** from **12:00** finishing on **23/12/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
----------------------	---

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers Daytime	██████████
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical, Christmas themed experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around christmas, magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of a Christmas theme and the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
<p>Friday 22nd December 2023 - 12:00 until 01:00</p> <p>Saturday 23rd December 2023 - 12:00 until 23:59</p>		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
<p>Friday 22nd December 2023 - 12:00 until 01:00</p> <p>Saturday 23rd December 2023 - 12:00 until 23:59</p>		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

None

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN 5x Standard TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

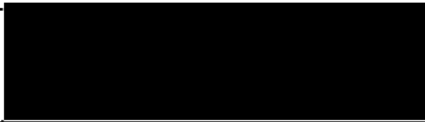
9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature



Date

3rd/Nov/2023
(Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)

Name of Person signing

David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature

On behalf of the licensing authority

Date

Name of Officer signing



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENs submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENs state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENs are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
--------------------------	---

The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
--	---

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

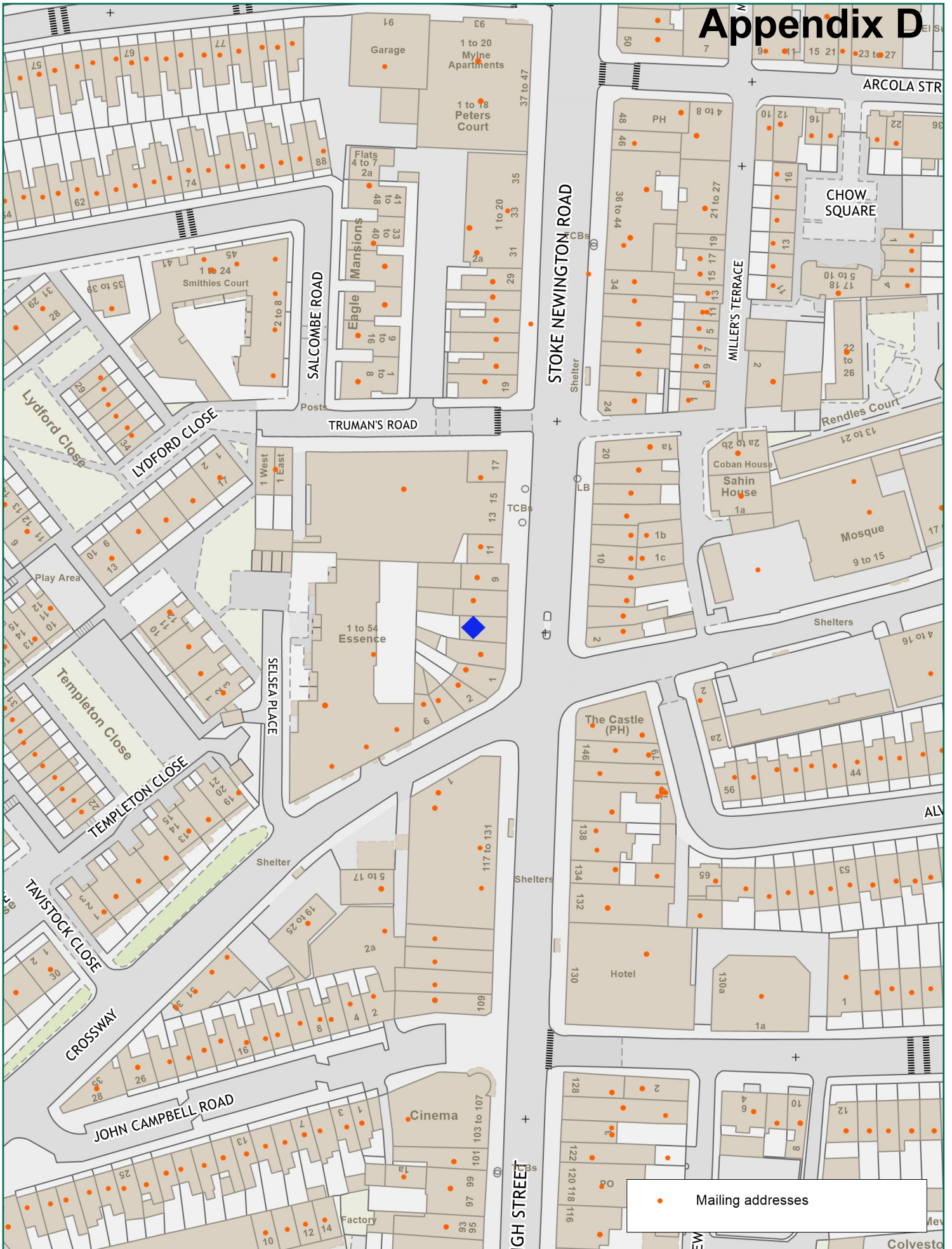
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Appendix D



 NORTH
 Scale: 1:1250 at A4
 Hackney

5D Stoke Newington Road, N16 8BH
 Page 134
 Ref: _____
 Sunday, November 5, 2023
 email: _____
 please specify copyright statement

For Consideration By	Licensing Sub-Committee
Meeting Date	07 November 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5D Stoke Newington Road, London N16 8BH
Classification	Decision
Ward(s) Affected	Shacklewell
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **27/12/2023** from **12:00** finishing on **30/12/2023** at **23:59** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 27/12/2023 - 30/12/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing; **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **27/12/2023** from **12:00** finishing on **30/12/2023** at **23:59** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Responsible Authorities

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Duckworth
Forenames	David Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	███ ███ ███ ███
4. Your place of birth	██████
5. National Insurance Number	██████████
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██████████ ██████████ ██████████	
Post town: ██████	Postcode : ██████
7. Other contact details	
Telephone numbers Daytime	██████████
Evening (optional)	
Mobile (optional)	

Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
5d Stoke Newington Rd, London N16 8BH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	091910
Club premises certificate number	N/A
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	

All indoor licensable areas
Please describe the nature of the premises below. (Please read note 4)
Interactive Art Gallery playing host to a magical, Christmas themed experience.
Please describe the nature of the event below. (Please read note 5)
<p>A ticketed entry event and a seated, interactive art exhibition experience themed around christmas, magic and fantasy. Bar on site also for passing trade limited to table service only. The time restricted experience centres around the theme of potion making with limited Alcohol as an option.</p> <p>With the exception of a Christmas theme and the acceptance of passing trade for the bar (limited to table service only) The experience in question is run very regularly within the premises in accordance with its existing premises licence - meaning that from a public standpoint, no additional attention or opportunity to infringe on any licensing objectives is even perceptible.</p> <p>This coupled with the venue's history of responsible operation, family friendly offering and TEN's that have run in many previous years with exactly the same format as this one (to quiet success) means that it is reasonable to conclude that the event is a very low-risk, tried and tested event. As a result, it is not believed that SIA licensed individuals are required, however, should the authorities evidence that the risk is higher, we would look to have a conversation and address any concerns appropriately and proportionately inclusive of SIA.</p> <p>The reason for the TEN to take place is so that the exhibit may benefit from increased operating hours during its more commercially successful winter months.</p> <p>All staff and responsible licensed individuals have been briefed on the specifications of the TEN and the venue and responsible persons are happy to work as closely as necessary with the licensing authorities to ensure a smooth and successful event.</p> <p>This Ten has been updated from previous submissions that incorrectly cited halloween themed celebrations.</p>

b. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	

The provision of regulated entertainment (Please read note 7)		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Please read note 8)		
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
Wednesday 27th December 2023 - 12:00 until 01:00 Thursday 28th December 2023 - 12:00 until 01:00 Friday 29th December 2023 - 12:00 until 01:00 Saturday 30th December 2023 - 12:00 until 23:59		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
Wednesday 27th December 2023 - 12:00 until 01:00 Thursday 28th December 2023 - 12:00 until 01:00 Friday 29th December 2023 - 12:00 until 01:00 Saturday 30th December 2023 - 12:00 until 23:59		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		40
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both please tick as appropriate). (Please read note 12)	On the premises only	✓
	Off the premises only	
	Both	

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13) None

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	[REDACTED]
Licence number	[REDACTED]
Date of issue	[REDACTED]
Any further relevant details	[REDACTED]

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3x late TEN 6x Standard TEN	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

5. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No ✓
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No ✓

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	✓
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	✓
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	✓
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	✓
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	✓
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	✓
Made or enclosed payment of the fee for the application	✓
Signed the declaration in Section 9 below	✓

8. Condition (Please read note 18)

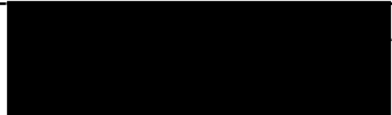
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	3rd/Nov/2023 (Originally submitted on Oct 26th 2023 and amended in accordance with Hackney licensing authorities requests)
Name of Person signing	David Duckworth

For completion by the licensing authority

10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

Signature	 On behalf of the licensing authority
Date	



TENS x7 for 5D Stoke Newington Road

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

1 November 2023 at 13:56

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TENS submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENS state that they are for Halloween celebrations. Halloween passed on the 31st October and the description is we suspect cut and pasted across all these TENS. Police will give further consideration to these submissions upon clarification of what these TENS are for.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: TEN - 5D Stoke Newington Road (3rd & 4th November 2023)

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 November 2023 at 10:45

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>, [REDACTED]

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All,

Environmental Protection object to the TENs submitted for the 10th/11th and 24th/25th November and the 1st/2nd, 8th/9th, 15th/16th 22nd/23rd and the 27th-30th December 2023 as there is insufficient information regarding the event for us to adequately assess the impact on the licensing objectives.

All of the TENs state that they are for Halloween celebrations. Halloween passed on the 31st October. Environmental Protection will give further consideration to these submissions upon clarification of what these TENs are for.

Regards

Gurch

On Tue, 31 Oct 2023 at 19:07, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached 6 TENS for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

091910

Part 1 – Premises details

5d Stoke Newington Road
Hackney
London
N16 8BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00
--------------------------	---

The opening hours of the premises

	Standard Hours: Mon 12:00-22:30 Tue 12:00-22:30 Wed 12:00-22:30 Thu 12:00-22:30 Fri 12:00-22:30 Sat 12:00-22:30 Sun 12:00-22:30
--	---

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

David Duckworth
22 Cairns Drive
Stafford
ST16 3PW

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

David Duckworth

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 31 January 2018

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued : 24/10/2023

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in

accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The licence holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time

19. The maximum capacity of the premises at any one time will be 50 excluding staff

20. The front of the premises shall be kept clean and swept at the close of business each day.

21. Reasonable steps shall be taken to ensure that an authorised person is a member of the local pubwatch.

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip hazard.

25. The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino.

Annex 3 – Conditions attached after a hearing by the licensing authority

26. The licensee, DPS or a member of staff will always be present at The venue whenever alcohol is being served or sold.

27. The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.

28. Deliveries will only take place on any day between 07:00 and 20:00 hours

29. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse'

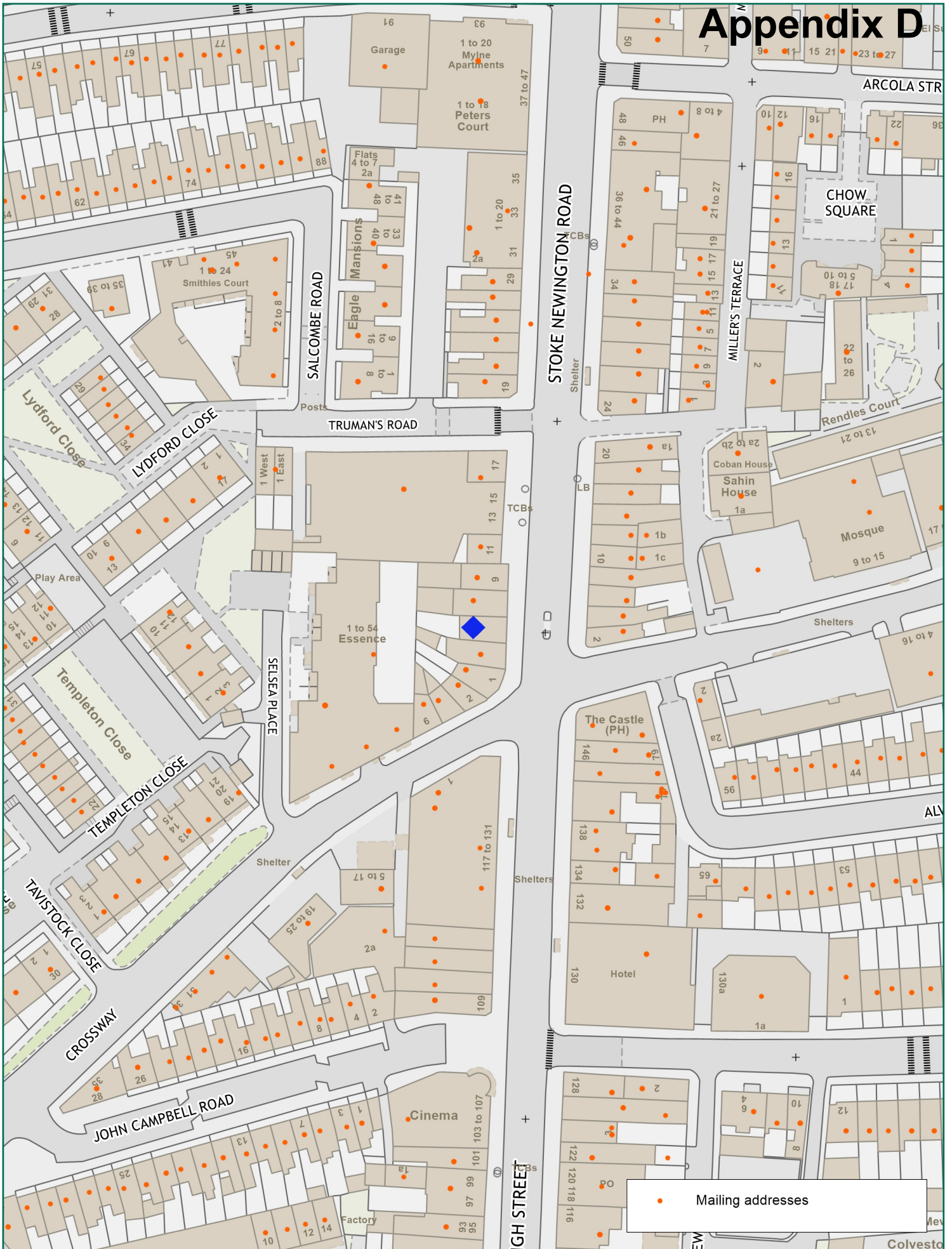
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Appendix D



NORTH

Scale: 1:1250 at A4

5D Stoke Newington Road, N16 8BH

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Ref: Sunday, November 5, 2023	Please specify copyright statement	email:
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