

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 18 January 2022	Classification DECISION	Enclosure
TEMPORARY EVENT NOTICE – COUNTER NOTICE: 119 Wallis Road, London, E9 5LN	Ward Hackney Wick	

1. SUMMARY

- 1.1 The Police and Environmental Protection have given the Licensing Authority and the premises user notice of objection to Temporary Event Notices for an event to be held on **29/01/2022** from **00:00** finishing on **30/01/2022** at **22:00** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. RECOMMENDATION

- 2.1 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.

3. TEMPORARY EVENT NOTICES - BACKGROUND

- 3.1 Part 5 the Licensing Act 2003 permits small scale events to take place at which alcohol will be sold or other licensable activities will take place. The numbers attending the event must not exceed 499 people and there are restrictions on the number of events that can be held per year.
- 3.2 The individual must give notice of her/his intention to hold the event to the Licensing Authority, police and environmental health at least 10 working days (or 5 days in the event of a late notice) before the event is scheduled to take place by issuing a Temporary Event Notice (TEN). The event will be permitted to take place unless the Licensing Authority issues a counter notice.
- 3.3 The Licensing Authority can issue a counter notice if the number of permitted events has been exceeded or if, upon consideration of an 'objection notice' given by the police or those in the Council that exercise environmental health functions, it is satisfied that the event would undermine one or more of the licensing objectives.
- 3.4 If the police or those in the Council that exercise environmental health

functions give an objection notice to the Licensing Authority, the Authority must convene a hearing to consider if it wishes to issue a counter notice. If the Authority determines to issue a counter notice it must give two copies to the premises user – a notice of its decision and a notice of the reasons for its decision. The decision must be made and the notices given at least 24 hours before the event is to begin. There is a right of appeal to the magistrates' court against the giving of a counter notice as a result of an objection notice

4. BACKGROUND

- 4.1 The premises are not licensed under Licensing Act 2003.

5. TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 29/01/2022 - 30/01/2022

- 5.1 A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice and additional information is attached as Appendix A.
- 5.2 The Police have objected to the TEN on the grounds of the prevention of crime and disorder, public safety and prevention of public nuisance and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the Police and Environmental Protection objections is attached as Appendix B1 & B2.

6. HUMAN RIGHTS ACT 1998 IMPLICATIONS

- 6.1 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.

7. MEMBERS DECISION MAKING

- A. **Option 1**
That the Licensing Authority decides not to give a counter notice.
- B. **Option 2**
That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

8. CONCLUSION

- 8.1 That Members decide whether or not to issue a counter notice for the event scheduled to take place on **29/01/2022** from **00:00** finishing on **30/01/2022** at **22:00** at location **above**.

Acting Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Suba Sriramana Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
Office File: 119 Wallis Road, London, E9 5LN	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

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 to 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			
Surname	Stuart			
Forenames	Glen			
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		Day	Month	Year
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)	
119 WALLIS ROAD HACKNEY LONDON E9 5LN	
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	
Club premises certificate number	
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)	
Tens Space 1 as shown in the site plan "119 Wallis Road floor plan and tens spaces"	
Please describe the nature of the premises below. (Please read note 4)	
<p>Licensable activities will only take place in tens space 1 with music in the top left corner, this is a well sound insulated space with another storey above and brick walls on three sides. The other areas of the ground floor will be used to provide chill out area, cloakroom, additional wc facilities etc.</p> <p>I have applied for sale of alcohol to be both on and off the premises in order to allow guests to take drinks into the chill out area, all drinks served will be prevented from leaving the greater event site and no drinks (open or closed) will be permitted to leave the site to the public highway. We are happy to discuss off street queuing, dispersal plans and any other concerns you may have.</p>	

The premises has been granted a 5 year planning permission from the LLDC for use as a D2 Events Venue (application no 2018/3295 – hackney planning portal)

When the tens notice is approved we will ensure that all relevant compliance documentation is completed prior to the first event, e.g. fire risk assessment, emergency evacuation plan, security site instructions, site specific staff training, COVID19 risk assessment etc, again we are happy to discuss this with you further.

Please describe the nature of the event below. (Please read note 5)

This tens application represents the first in a series of 8 planned weekends of events spanning from the 29th Jan 2022 to the 5th June 2022. I am the Director the successful Tottenham events venues “Costa del Tottenham” & “The Cause”

Our time as a late night music venue is coming to an end on our current site at Ashley Road and we are hoping to relocate to another large multi room venue by the middle of next year. In the interim I intend to use Wallis Road as a short term pop up allowing us to continue to employ our hard working & experienced Operations and Security teams whilst the correct planning & licences are gained and refurbishment of the next venue takes place.

I am a highly experienced venue operator having produced over 300 events with over 100,000 attendees since April 2018 at “The Cause” alone. I would be operating the 119 Wallis Road space using my current well trained events operations team and our S.I.A. registered and approved security provider Twinings. Our approach to upholding the four licensing objectives is to work closely with all of the responsible authorities and to take on board any and all concerns, address them and consistently improve procedures to rectify any issues, we would ask that you contact our local Police licensing team directly for their views, Monika.Malecka@met.police.uk & derek.h.ewart@met.police.uk.

At present I do not know exactly which events will be booked in for the proposed operating times on this notice and can only reassure you that the events we book in will be the best in terms of crowd and general behaviour from our pool of hundreds of events that we have produced, we really need this project to work to keep our team in employment so we will be 100% committed to working with you to achieve this.

3. 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	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>

Are you giving a late temporary event notice? (Please read note 8)		<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
29/01/2022 & 30/01/2022		
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)		
00:00 – 06:00 29/01/2022 13:00 – 22:00 29/01/2022 23:00 – 23:59 29/01/2022 00:00 – 06:00 30/01/2022 13:00 – 22:00 30/01/2022		
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)		499
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	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input checked="" type="checkbox"/>

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)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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	1	
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"/>

6. 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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <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 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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>

If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

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	05/11/2021
Name of Person signing	Stuart Glen

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	

Wallis Road

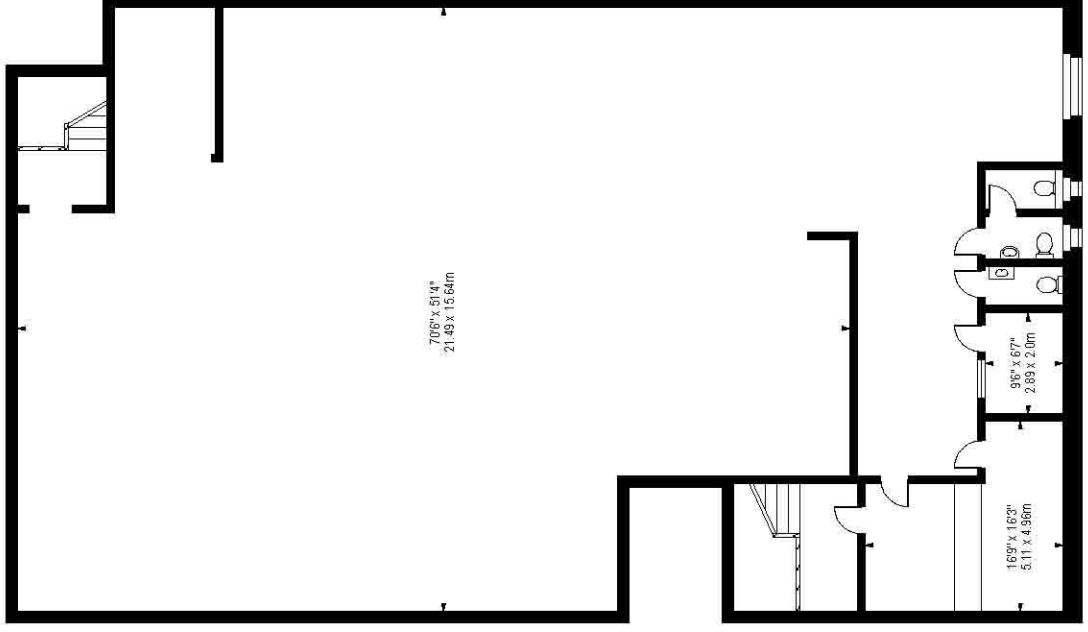
119 Wallis Road Current Layout



& proposed ground floor tens spaces



Ground Floor



First Floor

Approx. Gross Internal Area 10068 Sq Ft - 1018.96 Sq M
For Illustration Purposes Only - Not To Scale
Floor plan by www.creativeplanetit.com

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street Stoke Newington London N16 8DS
CONTACT NAME	PC590GD Hunwick
TELEPHONE NUMBER	0207 275 3146
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	119 Wallis Road London E9 5LN
NAME OF PREMISES USER	Stuart Glen

COMMENTS

I make the following relevant representations in relation to the above application to the TEN at the above address.

- | | | |
|----|--------------------------------------|---|
| 1) | the prevention of crime and disorder | ◆ |
| 2) | public safety | ◆ |
| 3) | the prevention of public nuisance | ◆ |
| 4) | the protection of children from harm | □ |

Representations (which include comments and/or objections) in relation to:

Police object to the granting of this TEN for the 29th/30th January 2022 on the grounds of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm for the following reason(s):

Whilst the TEN has provided plenty of information we have concerns that the nature of the events has yet to be finalised and the performers have yet to be booked. The venue is located in a dead end street with several late night venues already in existence and we have concerns that dispersal will be possible.

A period of engagement between the Police and the Premises User will be required before this can go forward as with so many unknowns we can not adequately assess the event's effect on the Licensing Objectives.

The above representations are supported by the following evidence and information.

Police National Computer (PNC) data, Criminal Intelligence Reports, personal knowledge

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Details as requested

Signed PC590GD HUNWICK (By E-mail)

Name PC590GD HUNWICK (Printed)

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

Wed, 10 Nov
2021, 20:34

to Licensing, stuart, HackneyLicensingUnit-GN, Subangini, Olalekan

TEN - OBJECTION

Dear Licensing Team,

Please see comments from the Environmental Protection Team below.

In respect to the above Temporary Event Notices scheduled for:

Start Date : 29-01-2022 End Date : 30-01-2022
Start time: 00:00 End Time: 22:00

The Environmental Protection Team **objects** to the above Temporary Event Notice.

The Prevention of Public Nuisance:

Environmental Protection have concerns with the addition of regulated entertainment this event could amount to a statutory noise nuisance hence undermining the licensing objective (Public Nuisance). Environmental Protection would like to see evidence of a noise management plan, dispersal policy and COVID-19 risk assessment for the proposed TEN.

Kind regards,

Gurch

