

For Consideration By	Licensing Sub-Committee
Meeting Date	26 May 2022
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5a Prince Edward Road, London E9 5LX
Classification	Decision
Ward(s) Affected	Hackney Wick
Director	Aled Richards

1. Summary

- 1.1. The Environmental Protection have given the Licensing Authority and the premises user notice of objection to Temporary Event Notice for an event to be held on **05/06/2022** from **12:00** finishing on **05/06/2022** at **00:00** 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 not licensed under the Licensing Act 2003.

3. TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 05/06/2022 - 05/06/2022

- 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 Environmental Protection has objected to the TEN on the grounds of the prevention of public nuisance. A copy of the Environmental Protection objection is attached as Appendix B.

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**

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
- 6.1. 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 **05/06/2022** from **12:00** finishing on **05/06/2022** at **00:00** at location **above**.

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

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 <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Milne Turner		
Forenames	Izzie		
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	N/A		
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)			
<div style="background-color: black; width: 100px; height: 40px;"></div>			
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)	
N/A	
Post town	
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	N/A
Evening (optional)	N/A
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)	
5a Prince Edward Road, London, E9 5LX	
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	n/a
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)	
N/A	
Please describe the nature of the premises below. (Please read note 4)	
Warehouse conversion that is used as multi purpose arts venue & music studio complex- hosting theatre, live music, visual artists, yoga & healing workshops.	

Please describe the nature of the event below. (Please read note 5)
<p>We are collaborating with Fynn Studio curators & Beautiful Records to host a half day one-off event taking place at Open House Hackney on Sunday 5th June 2022 as part of a longer one week exhibition called 'MOVE' which examines queer black culture.</p> <p>Between midday - 7pm both floors of the venue will be opened up to guests & the local community to view the visual art in the MOVE exhibition.</p> <p>We also plan to have some street facing entertainment: A combination of live, in-person talks, live instrumental music and recorded produced music played from the first floor venue windows into the street.</p> <p>We plan to keep at this at a moderate volume and for it to be inclusive for our wider community ie. although there will be dance music player at certain points in the afternoon, it will not be continuous and intrusive.</p>

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 type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		X
The provision of regulated entertainment (Please read note 7)		X
The provision of late night refreshment		<input 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)		
Sunday 5th June 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)		
12 - midnight		
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)		120
If the licensable activities will include the sale or supply of alcohol, please state	On the premises only	X

whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	Off the premises only	<input type="checkbox"/> N/A
	Both	<input type="checkbox"/> N/A

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)

Between midday - 7pm both floors of the venue will be opened up to guests & the local community to view the visual art in the MOVE exhibition.

Between midday & 7pm we also plan to have some street facing entertainment: A combination of live, in-person talks, live instrumental music and recorded produced music played from the first floor venue windows into the street.

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/>	No X
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number	[REDACTED]	
Date of issue	[REDACTED]	
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 X	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		
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 X

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 X
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 X
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 X
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.	1	
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 X

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	X
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	X
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	X
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 type="checkbox"/> N/A
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 type="checkbox"/> N/A
If the premises are situated in one or more local authority areas, sent a copy of this notice to each	<input type="checkbox"/> N/A

additional local authority exercising environmental health functions	
Made or enclosed payment of the fee for the application	X
Signed the declaration in Section 9 below	X

8. Condition (Please read note 18)

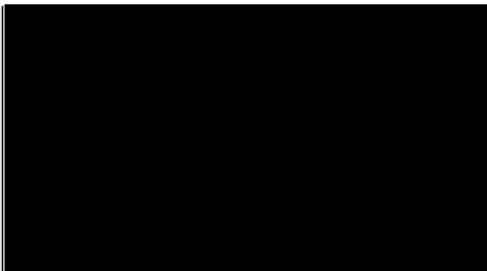
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

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	04.05.2022
Name of Person signing	Isabella Milne Turner

For completion by the licensing authority



Re: TEN for MOVE event 05.06.22 - TEN/050622/5aPRINCE

1 message

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

17 May 2022 at 18:09

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

Cc: HackneyLicensingUnit-GN@met.police.uk, Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Olalekan Olaosebikan <Olalekan.Olaosebikan@hackney.gov.uk>

Dear Licensing Team,

Please see comments from the Environmental Protection Team below.

In respect to the temporary event notice scheduled for:

Start Date : 05-06-2022 End Date : 05-06-2022

Start time: 12:00 End Time: 00:00

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

Grounds of Objection

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 and dispersal policy in relation to this TEN.

Kind regards,

Gurch

On Mon, 16 May 2022 at 11:04, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached TEN for your comments.

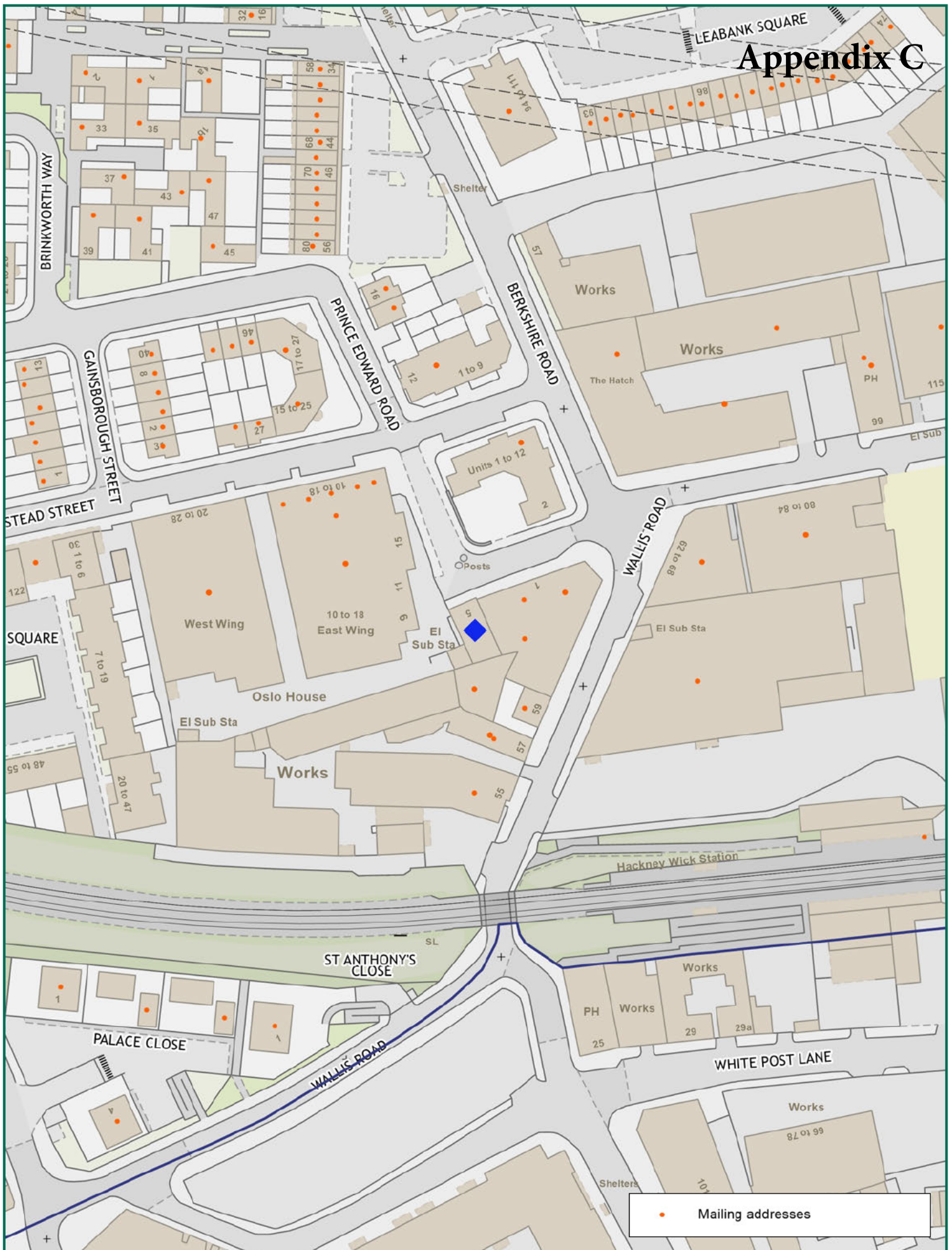
Kind Regards,

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

----- Forwarded message -----

From [REDACTED]
Date: Wed, 11 May 2022 at 16:04
Subject: Re: TEN for MOVE event 05.06.22
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Appendix C



Scale: 1:1250 at A4

5a Prince Edward Road, E9 5LX



Ref:

Friday, May 20, 2022

Produced by: unspecified

email:

please specify copyright statement