

For Consideration By	Licensing Sub-Committee
Meeting Date	21 June 2022
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	5 Prince Edward Road, London E9 5LX
Classification	Decision
Ward(s) Affected	Hackney Wick
Director	Aled Richards

1. **Summary**

- 1.1. The Police has given the Licensing Authority and the premises user notice of objection to Temporary Event Notices for an event to be held on **25/06/2022** from **12:00** finishing on **25/06/2022** at **23:00** 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 25/06/2022 - 25/06/2022**

- 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 Police have objected to the TEN on the grounds of the prevention of crime and disorder, public safety and public nuisance. A copy of the 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**

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 **25/06/2022** from **12:00** finishing on **25/06/2022** at **23:00** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from the Metropolitan Police

Appendix C – Location Map

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

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)	
<p style="text-align: center;">Open House Hackney 5 Prince Edward Rd, London E9 5LX</p>	
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. In the process of applying!	
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)	
Please describe the nature of the premises below. (Please read note 4)	
<p style="text-align: center;">An open space used for arts projects and showcasing up-and-coming arts</p>	
Please describe the nature of the event below. (Please read note 5)	
<p>An intimate crowd-funder event for a multi-arts festival. Will involve DJ, acoustic and live music alongside a BBQ running throughout the day. Alcohol will be sold on the premises and BBQ food as well as tickets. BBQ will run until 10pm and music until 11pm. Our focus as an organisation is local talent and a sense of community. This is to help raise funds for 42 Degrees multi-arts festival: XXXXXXXXXX</p>	

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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"/> YES	
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 type="checkbox"/> YES	
The provision of late night refreshment	<input type="checkbox"/> NO	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/> NO	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
25th 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)		
12:00 - 23:00		
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)	200	
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"/> YES
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<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>We will play music from 1pm-11pm, we have a strict plan in place to ensure music turns off immediately at 11pm</p>
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	YE S	
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		

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?		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?		NO

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?		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?		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?		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?	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	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input 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 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 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 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 type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input 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)
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(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</p> <p>(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.</p>

Signature	
Date	10/6/22
Name of Person signing	Jessica Prince

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	

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	0208 217 6694
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	5A Prince Edward Road London E9 5LX
NAME OF PREMISES USER	Jessica Prince

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 25th June 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):

We require more information on what this event proposes so that we may ensure that the licensing objectives are not undermined. The event is described as “intimate” yet the TEN states that there will be up to 200 people in attendance. The event space at the venue is small and we would seek clarification as to if any of this event will be outside in the street. We would also seek clarification as to where the BBQ will be housed and whether any music will be audible outside. We would also ask what security personal will be employed for this event.

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

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

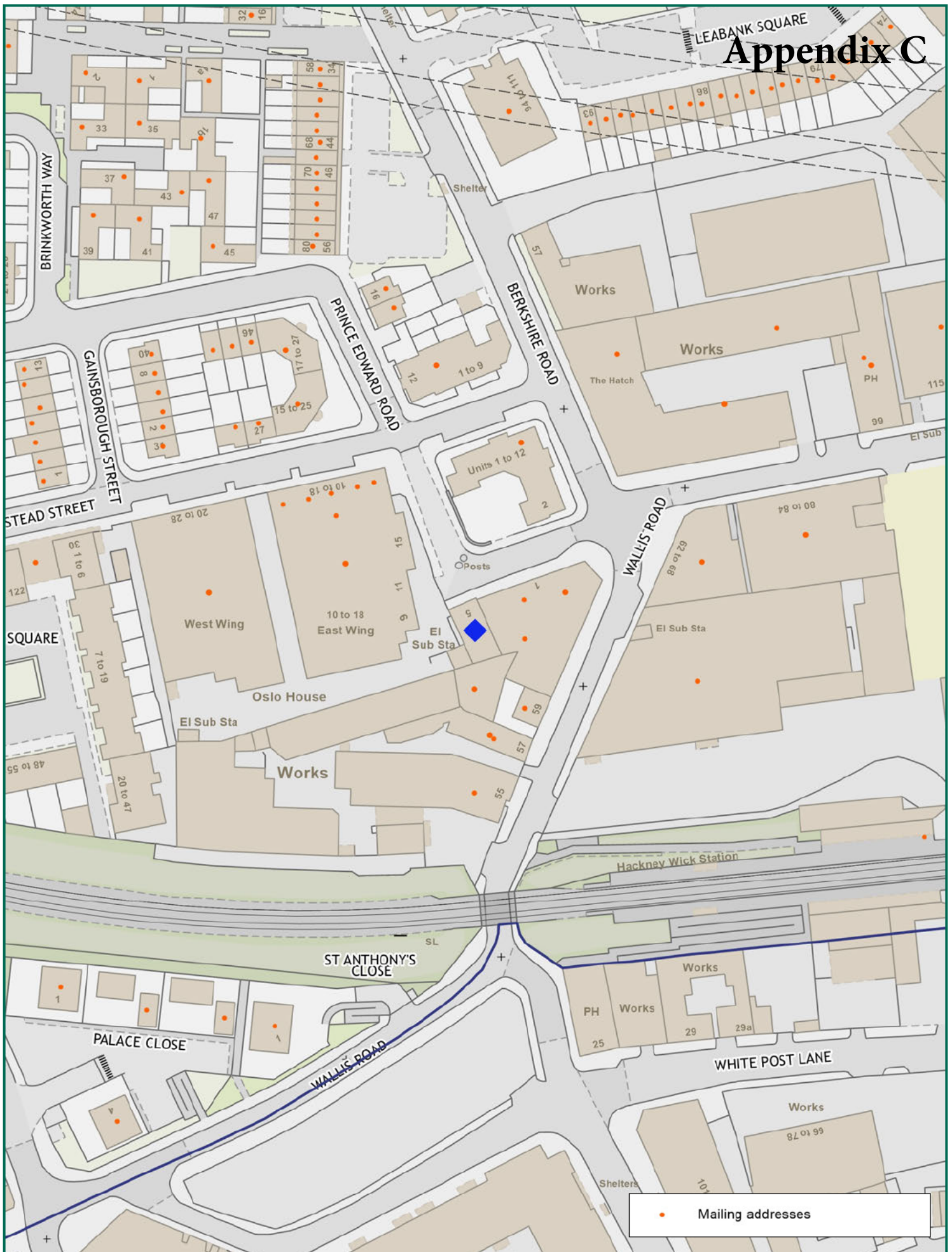
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Details as requested

Signed PC590GD HUNWICK (By E-mail)

Name PC590GD HUNWICK (Printed)

Appendix C



Scale: 1:1250 at A4

5 Prince Edward Road, London, E9 5LX



Ref:
Friday, June 17, 2022

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