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| | |
| For Consideration By | Licensing Sub-Committee |
| Meeting Date | 25 August 2022 |
| Type of Notice | TEMPORARY EVENT NOTICE – COUNTER NOTICE |
| Address of Premises | Gillett Square, London |
| Classification | Decision |
| Ward(s) Affected | Dalston |
| Director | Rickardo Hyatt |

1. **Summary**

- 1.1. The 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 **28/08/2022** from **12:00** finishing on **28/08/2022** 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. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence documents are attached as Appendices C1 and C2.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 28/08/2022 - 28/08/2022**

- 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 public nuisance. A copy of the objection is attached as Appendices 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 **28/08/2022** from **12:00** finishing on **28/08/2022** at **22:00** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from Environmental Protection

Appendix C – Current Premises Licences

Appendix D – 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) | |
| Gillette square dalston kingsland | |
| 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) | |
| Gillette square only | |
| Please describe the nature of the premises below. (Please read note 4) | |
| Gillette square, it is a public space in dalston square and its behind Halifax bank | |
| Please describe the nature of the event below. (Please read note 5) | |

This is free event to celebrate the Nigerian community in London, we will showcase the best of Nigerian culture, music and food, thereby bringing quality entertainment in Hackney, some local artists will have the opportunity to showcase their talent before the band from Nigeria comes out to entertain the crowd with live music.

| 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"/> yes |
| The provision of regulated entertainment (Please read note 7) | | <input type="checkbox"/> yes |
| The provision of late night refreshment | | <input type="checkbox"/> yes |
| 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) | | 28-08-2022 |
| 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) | | |
| 12pm to 22.00 | | |
| 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) | | 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"/> yes |
| | Off the premises only | <input type="checkbox"/> |
| | Both | <input 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) Live entertainment as in live band music

| 4. Personal licence holders (Please read note 14) | | |
|---|------------|-------------------------------------|
| Do you currently hold a valid personal licence? (Please tick) | Yes | <input checked="" 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 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 | | |
| 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 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 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 type="checkbox"/> 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 <input type="checkbox"/> | No <input type="checkbox"/> 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. | None | |
| 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 type="checkbox"/> 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"/> yes |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | <input type="checkbox"/> yes |
| 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"/> yes |
| 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"/> yes |
| 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"/> yes |
| 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"/> yes |
| Made or enclosed payment of the fee for the application | <input type="checkbox"/> yes |
| Signed the declaration in Section 9 below | <input type="checkbox"/> yes |

| 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 | 06-08-2022 |
| Name of Person signing | Oluwole Amodemaja |

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 | |



Re: Fw: event - TEN280822GILLETTSQ

1 message

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

11 August 2022 at 17:51

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

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

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 : 28-08-2022 End Date : 28-08-2022

Start time: 12:00 End Time: 22:00

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, dispersal policy and layout plan for this TEN.

Kind regards,

Gurch

On Mon, 8 Aug 2022 at 19:27, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached TEN for your comments.

Kind Regards,

Licensing Service
London Borough of Hackney



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

084421

Part 1 – Premises details

Gillett Square
Gillett Street
Hackney
London
N16 8AZ

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Plays
Films
Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Late Night Refreshment

The times the licence authorises the carrying out of Licensable activities

Plays

Standard Hours:

BOTH:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-23:00

Films Standard Hours:

BOTH: Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-23:00

Live Music Standard Hours:

BOTH: Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-23:00

Recorded Music Standard Hours:

BOTH: Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-23:00

Performance of Dance Standard Hours:

BOTH: Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-23:00

Other Entertainment Standard Hours:

Similar to Live or Rec Music or Dance Performance
BOTH: Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-23:00

**Late Night
Refreshment**

Standard Hours:

BOTH:

Fri 23:00-00:00
Sat 23:00-00:00

The opening hours of the premises

Standard Hours:

Mon 00:00-00:00
Tue 00:00-00:00
Wed 00:00-00:00
Thu 00:00-00:00
Fri 00:00-00:00
Sat 00:00-00:00
Sun 00:00-00:00

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

N/A

Part 2 –

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

Hackney Co-Operative Developments
62 Beechwood Road
Hackney
London
E8 3DY

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

1673378

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

N/A

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: 16 November 2017

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Exhibition Of Films

1. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
 - (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question."film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

Door Supervision

2. Each individual who is to carry out a security activity at the premises must be licensed by the Security Industry Authority.

Conditions derived from operating schedule

3. All events to operate with the Operating Schedule submitted with the application.
4. All events that meet level 2 or above according to the Operating Schedule will be submitted via Hackney Events Action Team (HEAT) process.
5. All events assessed as level 2 or above according to the Operating Schedule will include SIA security staff and additional stewarding where necessary.
6. Where an event is likely to impact upon local residents or businesses as a result of increased noise levels, residents and local business are to be informed of the plans in advance of the event. Noise is to be kept to reasonable levels for such an event and reviewed regularly throughout.

Conditions derived from Responsible Authority representations

7. The premises licence holder will provide police with a regularly updated schedule of Level 2 and 3 events taking place in Gillett Square and the event management made available to police or other authorised officer upon request.
8. A contact number should be available to police for the Licence Compliance Coordinator during all events.
9. Amplified music performances at Level 3 events will cease at 2200hrs to enable a quieter wind down period and slow close procedure.

10. There shall be a written dispersal policy. This policy shall be produced to police or other authorised officer upon request.
11. Where alcohol sales are authorised for an event through the granting of a Temporary Event Notice, the bar staff shall be suitably trained on the legislation relating to the sales of alcohol to underage persons and drunken persons. During these events a Challenge 25 policy shall operate.
12. There shall be clear signage requesting that people attending an event do not bring glass bottles into the event area. Any glass bottles etc found during the event shall be removed by staff/security.
13. SIA registered door supervisors shall be employed at the premises, on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.
14. 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 refusal of the sale of alcohol (when operating a Temporary Event Notice)
 - e. any visit by a relevant authority or emergency service.
15. Hackney Co-operative Developments (HCD) shall operate in accordance with the operating schedule submitted with the application. A copy of this should be kept on the premises with the Premises Licence and plan and produced to police or other authorised officer upon request.

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

N/A

Annex 4 – Plans

PLAN/084421/161117



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0791

Part 1 – Premises details

Gillett Square
Gillett Street
Hackney
London

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Plays
Films
Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Late Night Refreshment

The times the licence authorises the carrying out of Licensable activities

Plays

Standard Hours:

Premises:

Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-00:00

Films **Standard Hours:**

Premises: Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-00:00

Live Music **Standard Hours:**

Premises: Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-00:00

Recorded Music **Standard Hours:**

Premises: Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-00:00

Performance of Dance **Standard Hours:**

Premises: Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-00:00

Other Entertainment **Standard Hours:**

Similar to Live or Rec Music or Dance Performance
Premises: Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-00:00

**Late Night
Refreshment**

Premises:

Standard Hours:

Mon 23:00-00:00
Tue 23:00-00:00
Wed 23:00-00:00
Thu 23:00-00:00
Fri 23:00-00:00
Sat 23:00-00:00
Sun 23:00-00:00

The opening hours of the premises

Standard Hours:

Not Known

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

Not Applicable

Part 2 –

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

New Vortex Jazz Club Ltd
Unit E1
3 Bradbury Street
London
N16 8JH

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

04866739

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

Not Applicable

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: 10 October 2006

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

1. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
 - (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

Annex 2 – Conditions consistent with the Operating Schedule

2. The licensee will work closely with the local police, safer neighbourhoods team and LBH community safety officers and ensure there is adequate stewarding for all organised events in the square.
3. The square shall be well covered by CCTV and close links shall be maintained with the local Business Watch system
4. A dedicated administration office shall be maintained on site with all necessary facilities and equipment for meeting public safety requirements (e.g . telephone, fire blankets, fire extinguishers, first aid).
5. Trained personnel shall provide a full coverage to respond quickly and effectively to any community safety issues or emergencies
6. The licensee will work closely with the local safer neighbourhoods team, local neighbourhood and resident's associations and other outreach bodies dealing with anti-social behaviour.
7. Noise levels shall be carefully monitored and controlled to minimise disturbance to local residents.
8. All complaints shall be promptly attended to and followed up to prevent recurrence.
9. All staff shall be aware of child protection requirements and how to report concerns about the welfare of a child.
10. The Operating Schedule submitted to the Licensing Authority on 27 September 2006 shall be adhered to at all times.

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

Not Applicable

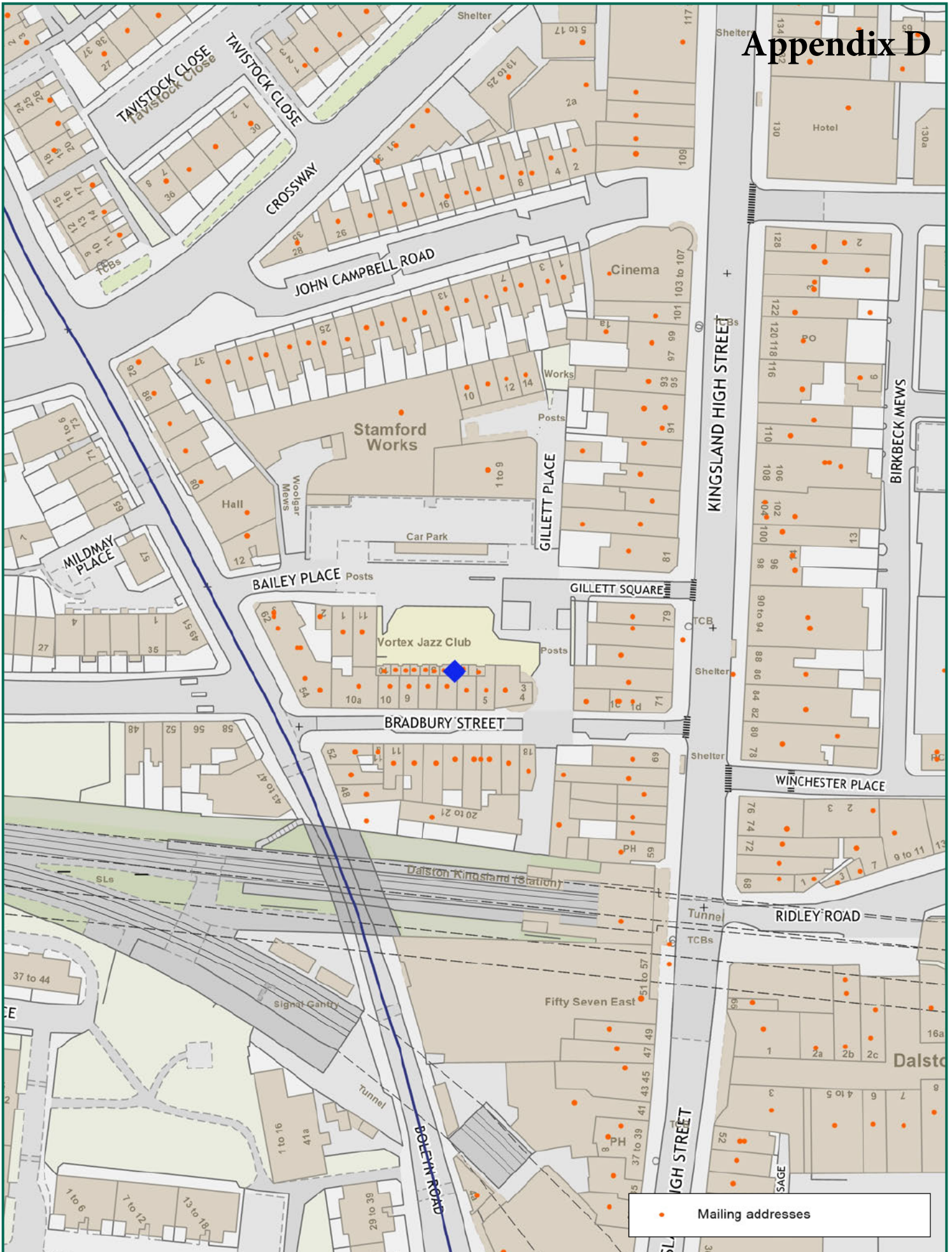
Annex 4 – Plans

PLAN/LBH-PRE-T-0791

Web Copy

Web Copy

Web Copy



• Mailing addresses

NORTH

Scale: 1:1250 at A4

Hackney

Gillett Square, London

| | | |
|--------------------------|--------------------------|------------------------------------|
| Ref: | Produced by: unspecified | please specify copyright statement |
| Tuesday, August 16, 2022 | email: | |