

<b>For Consideration By</b>	Licensing Sub-Committee
<b>Meeting Date</b>	22 September 2022
<b>Type of Notice</b>	<b>TEMPORARY EVENT NOTICE – COUNTER NOTICE</b>
<b>Address of Premises</b>	Perfect Fashion, 140-142 Kingsland High Street, London, E8 2NS
<b>Classification</b>	Decision
<b>Ward(s) Affected</b>	Dalston
<b>Director</b>	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police have given the Licensing Authority and the premises user notice of objection to Temporary Event Notice for an event to be held on **23/09/2022** from **23:00** finishing on **25/09/2022** at **02:00am** 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 23/09/2022 - 25/09/2022**

- 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 Metropolitan Police have objected to the TEN on the grounds of the prevention of crime and disorder and the prevention of 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 **23/09/2022** from **23:00** finishing on **25/09/2022** at **02:00am** at location **above**.

**Appendices:**

- Appendix A – Temporary Event Notice
- Appendix B – Objection from the Responsible Authority
- Appendix C – Current Premises Licence
- Appendix D – Location Map

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



S.PANCHAL [REDACTED]	
Post town [REDACTED]	Postcode [REDACTED]
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	[REDACTED]
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[REDACTED]

<b>2. The premises</b>	
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)	
140-142 KINGSTAND HIGH STREET HACKNEY E8 2NS	
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	099459
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)	
[REDACTED]	
Please describe the nature of the premises below. (Please read note 4)	
OFFLICENCE & CONVENIENCE STORE	

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

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	X
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"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	X
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
23/09/22 – 25/09/2022	
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)	
23:00 to 02:00	
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)	50
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 X
	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)
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NONE

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/> X	<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 X	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?	Yes X	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 X	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 X	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.	2	
dHas 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:	Yes X	No
a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	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	X
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	X
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	X
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)
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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	02.09.2022
Name of Person signing	S Panchal

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	



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**TENs x3 for 140-142 Kingsland high Street**

1 message

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

7 September 2022 at 13:13

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

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

Dear All,

Police object to the LATE TEN submitted for the 16<sup>th</sup>-18<sup>th</sup> September and the TENs submitted for the 23<sup>rd</sup>-25<sup>th</sup> September and the 30<sup>th</sup> September – 2<sup>nd</sup> October 2022. The premises has been trading since pre Covid times utilising the basement space for the sale of alcohol in contravention of its Premises Licence which only covers the ground floor. This was brought to the attention of the Licence holder at the time of discovery by our Officers but nothing has been done to rectify this and the venue continues to carry out unauthorised sales and we can not therefore support the addition of extra trading hours.

Regards

Neal



PC Neal Hunwick 3590CE

**Central East Licensing Unit**

Metropolitan Police Service (MPS)

T: 07796 183078 Int: 753146 Email [Neal.Hunwick@met.police.uk](mailto:Neal.Hunwick@met.police.uk)

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

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**This premises licence has been issued by:**

Licensing Service  
1 Hillman Street  
London E8 1DY

## **PART A – PREMISES LICENCE**

### **Premises Licence Number**

099459

### **Part 1 – Premises details**

Perfect Fashion  
140 142 Kingsland High Street  
Hackney  
E8 2NS  
0207 241 0003

### **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 08:00-23:00  
Tue 08:00-23:00  
Wed 08:00-23:00  
Thu 08:00-23:00  
Fri 08:00-23:00  
Sat 08:00-23:00  
Sun 08:00-23:00

#### **The opening hours of the premises**

#### **Standard Hours:**

Mon 06:00-00:00  
Tue 06:00-00:00  
Wed 06:00-00:00  
Thu 06:00-00:00  
Fri 06:00-00:00  
Sat 06:00-00:00  
Sun 06:00-00:00

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

Off Premises

**Part 2 –**

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

Hidir Altun  
2 St Ronans Close  
Enfield  
EN4 0JH

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

N/A

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

Haci Tasar

**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:** 24 January 2019

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## 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.
  - 3.1. 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.
  - 3.2 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.
  - 3.3. 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.

### Minimum Drinks Pricing

4.
  - 4.1 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.
  - 4.2 For the purposes of the condition set out in paragraph 4.1 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.

4.3 Where the permitted price given by Paragraph 4.2(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.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(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.

## **Annex 2 – Conditions consistent with the Operating Schedule**

None.

### **Conditions derived from Responsible Authority representations**

5. 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 Police or authorised officer.
6. 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.

7. 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 refusal of alcohol sale
  - d. any incidents of disorder
  - e. any faults in the CCTV system
  - f. any visit by a relevant authority or emergency service.
8. All instances of crime or disorder to be reported by the premises licence holder or responsible member of staff to an agreed police contact point, as agreed with the Police.
9. There shall be prominent signage requesting customers to leave quietly and respect local residents.
10. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
11. The front and immediate surrounding area of the premises shall be kept clean and swept at the close of business each day.
12. The licence holder shall maintain a dedicated telephone number of the Duty Manager for use by any responsible authority or any person wishing to make a complaint. This number shall be provided to the licensing authority, police or local resident upon request.
13. There shall always be a personal licence holder on duty whenever alcohol is available for sale.
14. 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.
15. All staff will be given refresher training every twelve months on the legislation relating to the sale 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.
16. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility 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.

17. 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 his 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.
18. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
19. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
20. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
21. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Veyal Ltd, 140-142 Kingsland High Street, E8. This should remain unobstructed at all times and should clearly identify:-
  - the name of the registered waste carrier
  - the date of commencement of trade waste contract
  - the date of expiry of trade waste contract
  - the days and times of collection
  - the type of waste including the European Waste Code

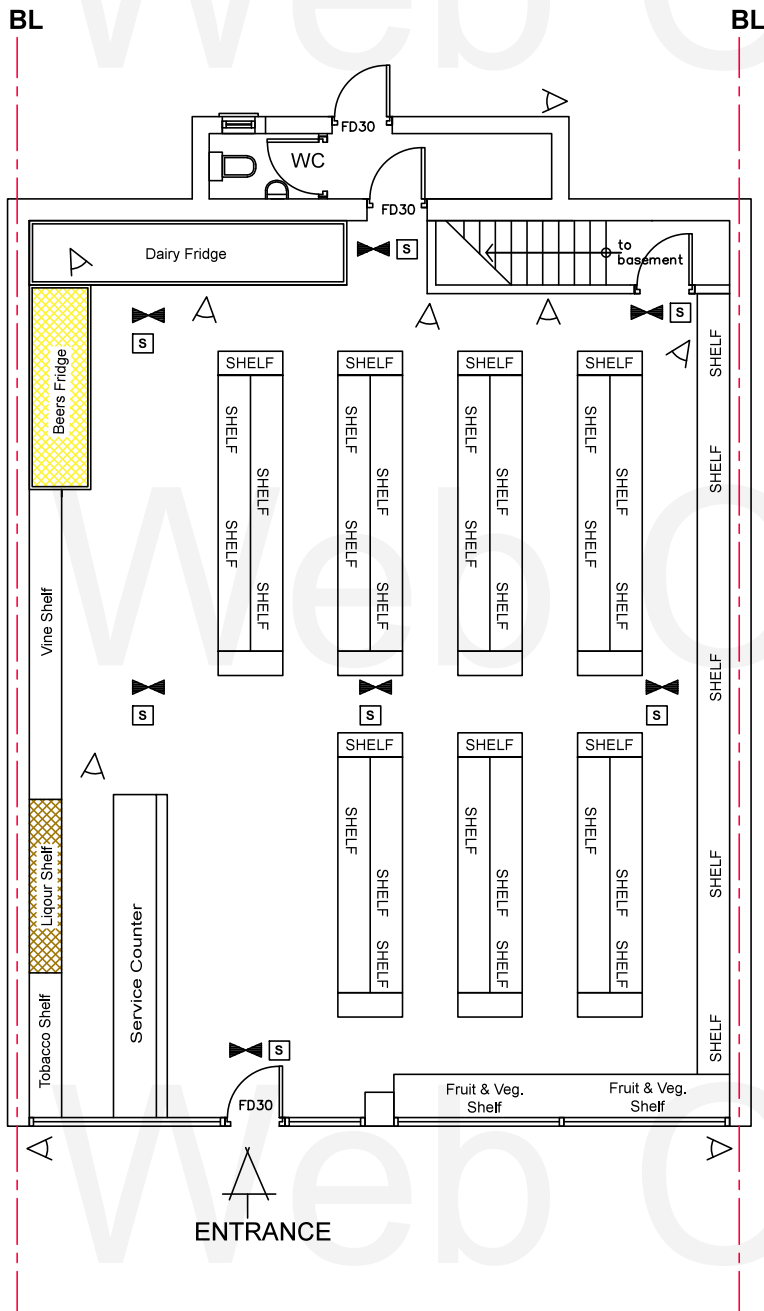
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

22. Deliveries will not be made to the premises between the hours of 18:00 to 08:00 hours.

















### **Annex 4 – Plans**

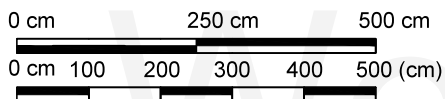
PLAN/099459/24012019





### LEGEND

-  WC AREA
-  FRIDGE
-  LIQUOR SHELF
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTS
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  S 20 FIRE ESCAPE KEEP CLEAR
-  CCTV
-  S 22 INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
-  FB FIRE BLANKET
-  FAN 6lt/s
-  FIRE ALARM BELL
-  FD FIRE DOOR
-  FIRE SWITCH PANEL



*Alko*  
 Design & Build Ltd  
 ARCHITECTURAL & ENGINEERING  
 DESIGN  
 2 CHEAPSIDE, NORTH CIRCULAR  
 ROAD LONDON, N13 5ED  
 T: 0772 333 1891, 020 8350 2626  
 e-mail: akosele@alkogroup.co.uk  
 www.alkogroup.co.uk

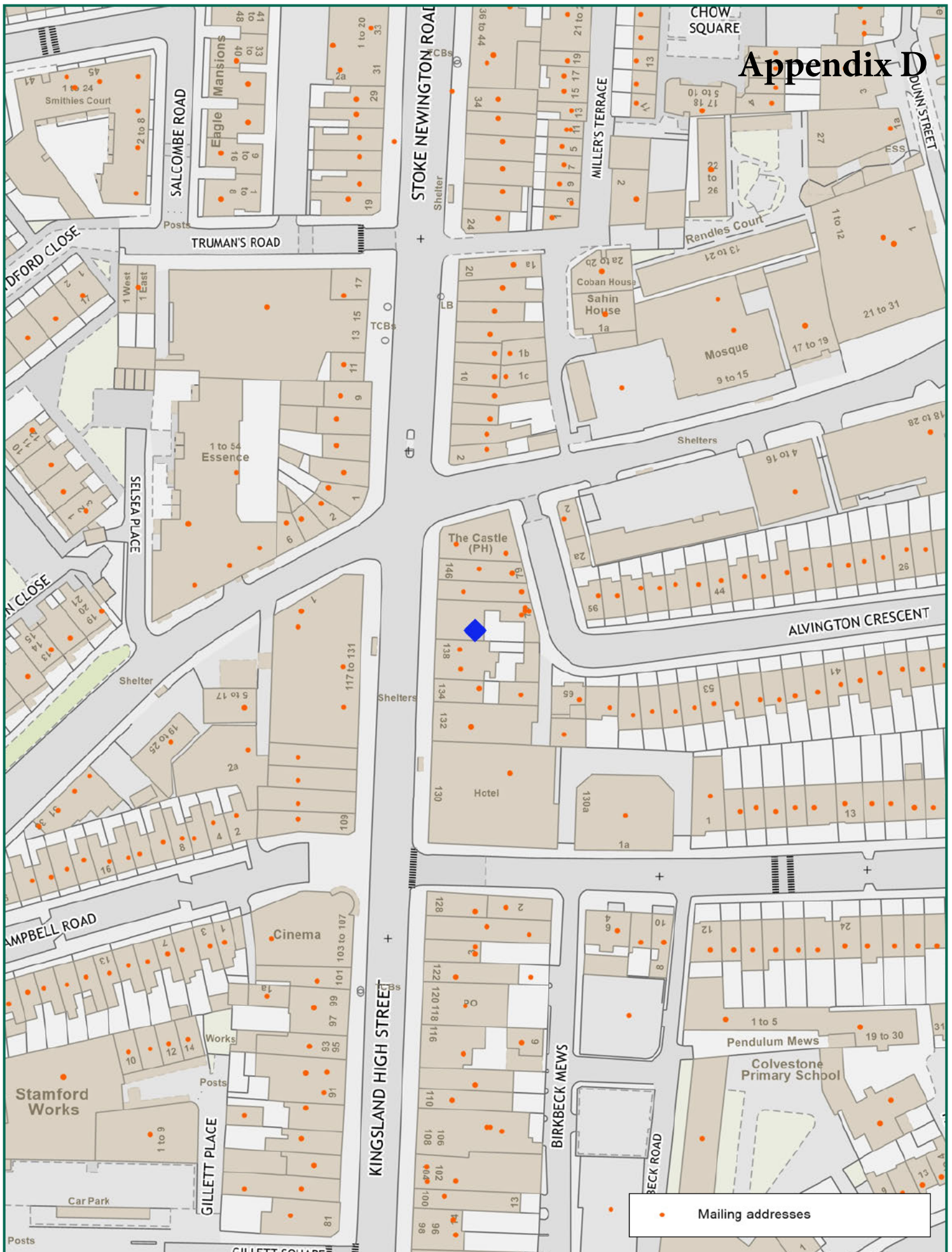
Project Site:  
 140-142 Kingsland High Street,  
 London, E8 2NS

Drawing:  
 Proposed Floor Plan  
 Scale:  
 1/100 @ A3

Drawing No:  
 RA18-01  
 Drawn:  
 SK

Date:  
 Nov. 2018  
 Revision No:  
 -  
 Checked:  
 AK

# Appendix D



**NORTH**

Scale: 1:1250 at A4

**Hackney**

**Perfect Fashion, 140-142 Kingsland High Street, E8 2NS**

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Sunday, September 18, 2022 email: \_\_\_\_\_