

For Consideration By	Licensing Sub-Committee
Meeting Date	17 January 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	258 Kingsland Road, London E8 4DG
Classification	Decision
Ward(s) Affected	Haggerston
Director	Rickardo Hyatt

1. **Summary**
 - 1.1. The Environmental Protection and Police have given the Licensing Authority and the premises user notice of objections to Temporary Event Notices for an event to be held on **21/01/2023** from **20:00** finishing on **22/01/2023** at **03:30am** 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 21/01/2023 - 22/01/2023**
 - 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, public safety and the 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 objections is attached as Appendices B1 & B2.

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 **21/01/2023** from **20:00** finishing on **22/01/2023** at **03:30am** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendices B – Objections from the Police and Environmental Protection

Appendix C – Location Map

Report Author

Name: Suba Sriramana
Title: Principal Licensing Officer
Email: Subangini.Sriramana@hackney.gov.uk
Tel: 020 8356 4915

Temporary Event Notice

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 x Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	McDonald		
Forenames	Neil		
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 x Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	[REDACTED]		
Forenames	[REDACTED]		
3. Your date of birth	[REDACTED]	[REDACTED]	[REDACTED]
4. Your place of birth	[REDACTED]		
5. National Insurance Number	[REDACTED]		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
7. Other contact details			
Telephone numbers	[REDACTED]		
Daytime	[REDACTED]		
Evening (optional)	[REDACTED]		
Mobile (optional)	[REDACTED]		

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)	
258 Kingsland Rd, London E8 4DG	
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	138632
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)	
The entire premises will be used and managed in accordance with this license	
Please describe the nature of the premises below. (Please read note 4)	

Arts and community centre, event space, affordable workspace, education space
Please describe the nature of the event below. (Please read note 5)
<p>21st January 2023 Birthday Party</p> <p>Private event, catering</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 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)	<input type="checkbox"/>
21/01/2023 – 22/01/2023	
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)	
21 st January, 20:00 – 22 nd January, 03:30 bar closes, 04:00am event ends	
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)	100

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 checked="" type="checkbox"/>
	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)

The Licensable activity will include the provision of entertainment in the form of live performance of music and recorded music. No performance if nudity will be provided.

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	[REDACTED]	
Licence number	[REDACTED]	
Date of issuers	[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	No
	<input type="checkbox"/>	<input checked="" 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 x
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6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)

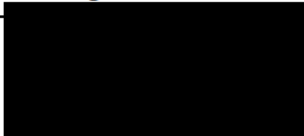
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No x
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	Yes <input type="checkbox"/>	No x
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.		
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"/>

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	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	30/12/2022
Name of Person signing	Neil McDonald

For completion by the licensing authority

10. Acknowledgement (Please read note 20)
I acknowledge receipt of this temporary event notice.

CIVIC STATE

258 Kingsland Rd, London E8 4DG

General Event and Security Plan for late night events

1. This Plan fall under the General Risk assessment for the Venue including Fire Action Plan

2. Staffing on the bar

- a. Bar staff will be instructed to be aware of people under the influence of alcohol and their legal responsibilities. In the event of a customer being refused service, their details will be taken and the circumstances recorded in the Alcohol Refusal Log.
- b. We have a bar manager on hand to handle the staff throughout the night
- c. We will have 2 people working on the bar plus manager overseeing good management of the bar and the venue

3. Security

- a. please see venue layout for location details
- b. ISG are the contracted security firm who are familiar with the venue
- c. security persons in total
- d. 1 security personnel on the door, from 30 mins before event, plus 1 female door host to welcome guests (please note this is a private event with no tickets available to the public)
- e. 1 Security to roam venue, checking toilets and liaising with managers
- f. Walkie talkies are used to manage security teams
- g. Security to remain until all guest have left the building
- h. Security instructed to ensure quiet dispersal of guests and no drinks leave the venue.
- i. CCTV cameras are in operation. This CCTV holds data for 30 days and is HD / colour / Night vision.

4. Venue Staff

- a. There will be 5 members of staff in place to patrol the premises throughout the evening and make sure the event is running smoothly. To manage the event as a whole - liaise with Security, Door person, Bar Manager and cleaning the space
- b. Every 15 mins the toilets will be checked by either staff or security
- c. All venue Staff will be briefed on the ANGELA Scheme and signage will be placed in the female toilets.

5. Dispersal Plan

- a. **Consultations with Neighbours** within closest proximity have been undertaken to inform our dispersal and acoustic mitigation measures. Residents have responded positively to our events and through our ongoing communication and coordination with other venues with regards to dispersal and issues such as balloon sellers on the street outside highlights the importance of working with our community to bring the most valuable experience to not only our guests but those in the area and especially within close proximity to the venue. Having this in mind has allowed us to develop a safe and effective dispersal method.
- b. Taxis - While in the past we have had a dedicated Taxi firm to organise private transport, we have found that Uber and other app based private hire firms based on personal preference offers a more suitable and safe alternative with recorded driver details.
- c. We will have staff members and security personnel to advise people on how to get transport to desired destinations and will prevent attendees from assembling in the proximity of the venue.
- d. To support the safe and quiet dispersal of people from the venue to protect neighboring properties from any adverse noise from people leaving the venue, guests will be instructed to remain in the venue's lounge area while awaiting taxis or figuring out their transport options with support from venue staff and security. Water will be readily available throughout as well as use of toilets and mobile phone charging facilities as well as options to purchase tea/coffee/soft drinks and food from the bar.

- e. **Public transport** There is lots of Public Transport nearby
 - i. Haggerston Overground 3 minutes walk
 - ii. Hoxton Overground 6 minutes walk
 - iii. Bus Stop KJ (Haggerston Station Downham Rd) 243
 - iv. Bus Stop KE (Haggerston Station) 149, 242, 243, N242
 - v. Bus Stop KK (Haggerston Station) 149, 242, N242
 - vi. Bus Stop QK (Queensbridge Road/ Brownlow Road) 236 (7min walk)

6. Managing queues & people waiting outside

- a. Invites will be given personally in advance to avoid queues on the door
- b. Door staff (x2) will be present at all times and will manage any queues efficiently with regards to noise and obstruction
- c. any guest wishing to smoke outside will do so in the yard and not on the street.

7. Precautions for substance use and persons under the the influence of drugs / alcohol

- a. **Drugs Policy** - Please see Drugs policy: 'Drugs at the door' document reviewed by all managers and information fed down to staff and security
 - i. Security firm will be implementing bag checks and checking IDs
 - ii. Notices/posters will be set outside / around venue and in toilets
 - iii. Regular Toilet checks (approx 10-15 mins apart) / Cleaner also reporting to security
 - iv. Toilet lids will be coated in Vaseline and signs will be put in each cubicle warning guests that staff are being extra vigilant in the prevention of drug use.
 - v. Bar/Venue Staff will be informed to be extra vigilant and report to management/security
 - vi. performers / Artists will be instructed to be aware of potential drug use and inform management / security
 - vii. Any Substances found or confiscated will be placed in the safe and the Police informed to collect, a substance report sheet will be in use.
 - viii. First aiders will be on hand to assist and advise

b. Detaining someone - This will be handled by security and they will assess any risk and call 999, they will make a decision on how long it will take for Police to arrive and if it is too long then it may be a case of releasing them but confiscating any substances.

c. Alcohol Policy

- i. ID Checking will be implemented
- ii. no one will be served who is deemed by the bar staff to have had too much alcohol - security to support this
- iii. no alcohol will be allowed to be taken from the venue or consumed off site
- iv. A refusal log is maintained by the venue

8. Capacity/Numbers

- a. The venue has an overall safe capacity of 250 people including all staff members and guests however for this event we will be limiting this to 100 people across the whole site including all guests, staff, security and performers.
- b. No tickets, only private invites will be pre-allocated to avoid queues on the door

9. Acoustic Mitigation -

- a. **The sound system** is custom built speakers for the space, it is a system that does not rely on power and loudness but quality of sound, and that allows people to have conversations comfortably without raising their voice while the music is playing. The quality of the sound system means people don't have to scream over the music in order to get heard, and this makes for an all round pleasant experience, both for the punters who don't experience ear fatigue, and for the neighbours who won't hear any sound leaking outside of the premises, a sound engineer is always on site taking readings and adjusting the levels if/when need.
- b. Sound dampening devices will be in use where necessary such as curtains, fabrics sand base traps, rubber/concrete later mats under speakers.
- c. **Doors and windows** will remain closed and the amount of people smoking outside at any one time will be limited and positioned far away from any residential properties.

10. Outdoor / Smoking Area

- a. The outside area will be have it's own dedicated security and staff to maintain safety of guests through capacity management and filtering of guests
- b. Some outdoor heating will be provided (electric) for guests who wish to smoke however due to the temperature it is not expected that full capacity of these areas will always be maintained
- c. First aiders will be on hand to support and advise.

11. Fire Management

- a. The Incident Response Plan has been implemented to inform staff, security and events organisers of protocols.
- b. New fire routes have been implemented and staff have been trained with regards to these new protocols
- c. All security is briefed upon attending site to the emergency response procedures, access routes and any event specific items
- d. The named responsible person also acts as fire marshal for the event and high visibility vests stating fire marshal are provided

**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	PC3590CE Hunwick
TELEPHONE NUMBER	02082753688
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	258 Kingsland Road London E8 4DG
NAME OF PREMISES USER	Neil McDonald

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 21st/22nd January 2023 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):

The venue has been found to be carrying out unlicensed activity on 3 occasions now and most recently on the 31st Dec/1st Jan 2023. The premises User submitted a LATE TEN for these dates which was Counter Noticed. Despite this the venue continued to sell tickets and proceeded to put on the New Year's Event which was witnessed by Officers from the Police Licensing Unit. Approximately 250 people were found inside and the venue had to be cleared by Police who also issued a closure notice. We have no confidence that the Premises User is willing or able to uphold any 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)



Re: TENs Application - 258 Kingsland Road, E8 4DG - TEN/210123/258KR

1 message

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

6 January 2023 at 23:59

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

Cc: Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, Olalekan Olaosebikan

<Olalekan.Olaosebikan@hackney.gov.uk>, Ashraful Haque <ashraful.haque@hackney.gov.uk>

TEN - OBJECTION

Dear Licensing Team,

Please see comments from the Environmental Protection Team below.

In respect to the temporary event notice scheduled for:

Start Date : 21-01-2023 End Date : 22-01-2023

Start time: 20:00 End Time: 04:00

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

Grounds of Objection

The Prevention of Public Nuisance:

The premises user submitted a late TEN for 31st December 2022 - 1st January 2023 which was counter noticed. Despite this the venue continued to sell tickets and proceeded with the New Year's Event which was witnessed by Officers from the Police

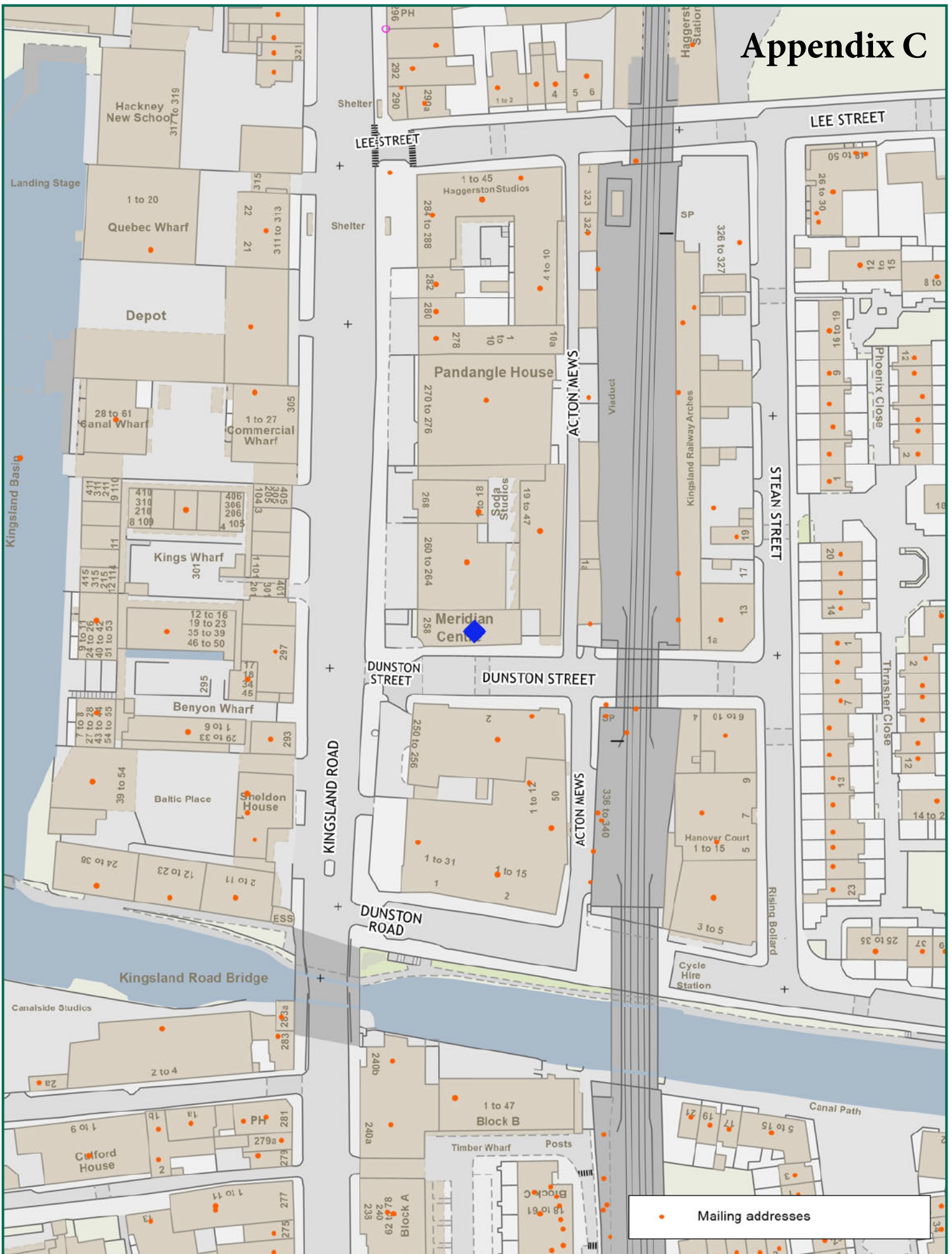
Licensing Unit. Approximately 250 people were found inside and the venue had to be cleared by Police who also issued a closure notice. Environmental Protection are in support of the objections made by the Police Licensing Unit for this TEN. Environmental Protection (EP) have concerns with the addition of regulated entertainment this event could amount to a statutory noise nuisance hence undermining the licensing objective (Public Nuisance).

Kind regards,

Gurch

On Tue, 3 Jan 2023 at 14:44, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:
Attached TEN for your comments.

Appendix C



• Mailing addresses

NORTH

Scale: 1:1250 at A4

Hackney

258 Kingsland Road, London E8 4DG

Ref: Thursday, January 12, 2023

Produced by: unspecified
email:

please specify copyright statement