



Report of: Service Director - Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	25 February 2014	CI	Clerkenwell

Delete as appropriate		Non-exempt
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Subject: TEMPORARY EVENT NOTICE APPLICATIONS
RE: GIANT ROBOT, 45-47 Clerkenwell Road, London EC1M 5RS

1. Synopsis

- 1.1 This is a hearing to determine a temporary event notice (TEN) in respect of the above premises to allow the sale of alcohol for consumption on and off the premises, regulated entertainment and late night refreshment from 11.00 to 02.00 on 6, 7 and 8 March 2014 and from 11:00 to 00:00 on 9 March 2014. The temporary event notice is applied for under section 100, Part 5 of the Licensing Act 2003.
- 1.2 The premises was previously licensed however the premises licence lapsed when the holding company became insolvent on 12 November 2013.
- 1.3 This application is subject to a representation from the Metropolitan Police Service.
- 1.4 The Licensing Sub-Committee are asked to consider whether or not to authorise the notice. As no premises licence is in place, no additional conditions may be attached.

2. Recommendations

- 2.1 To determine the temporary event notice under Part 5 of the Licensing Act 2003 as the Licensing Sub-Committee consider appropriate for the promotion of the Licensing Objectives.
- 2.2 The Committee can decide to:
 - i. allow the temporary event notice for the specified event,
 - ii. prohibit the temporary event notice by way of a counter notice.

3. Background information

3.1 The premises benefited from a premises licence from November 2006. The licence authorised:

- regulated entertainment and sale of alcohol, for consumption on and off the premises, Sundays to Wednesdays from 11:00 until 01:00 the following day and Thursdays to Saturdays from 11:00 until 02:00 the following day; and
- late night refreshment, Sundays to Wednesdays from 23:00 until 01:00 the following day and Thursdays to Saturdays from 23:00 until 02:00 the following day.

A second premises licence was granted in June 2010 authorising:

- the sale of alcohol and exhibition of films, Mondays to Fridays from 08:00 until 11:00 and Saturdays from 09:00 until 11:00.

3.2 Since 2006 the licence has been transferred on five occasions to different holding companies. Most recently the licence was held by J M Giant Limited which became insolvent by going in to liquidation on 12th November 2013. As a consequence the licence is now deemed lapsed.

3.3 An application to transfer the premises licence was received by the licensing service on 10th February 2014, however as the licence had already lapsed, this application could not be processed.

3.4 The Police have also objected to two "Late" TEN's submitted for the same licensable activities for 27th February 2014 to 2nd March 2014 and 21st to 23rd February respectively. As these were "Late" TEN's and the applicant has no entitlement to a hearing, Counter Notices were automatically issued.

3.5 Papers are attached as follows:

Appendix 1: TEN's applications;

Appendix 2: Police representation;

Appendix 3: map of the premises location.

4. Conclusion and reasons for recommendations

4.1 The Council is required to consider this TEN application and decide to grant or refuse the application only.

Background papers:


The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of State Guidance issued under s182 Licensing Act 2003

Final Report Clearance

Signed by


Service Director – Public Protection

21.2.14

Date

Received by

Head of Scrutiny and Democratic Services

Date

Contact Officer

Licensing Service

Tel

020 7527 3031

Fax:

020 7527 3430

Email

licensing@islington.gov.uk



Islington
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@islington.gov.uk
Telephone: 020 7527 3031

* required information

Section 1 of 8

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name

* VAT number

* Legal status

* Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

* Building number or name	Waverley House
* Street	7-12 Noel Street
District	
* City or town	London
County or administrative area	
* Postcode	W1F 8GQ
* Country	United Kingdom

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APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

* Your date of birth

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	Jeffrey Green Russell Limited
Street	Waverley House, 7-12 Noel Street
District	
City or town	London
County or administrative area	
Postcode	W1F 8GQ
Country	United Kingdom

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

svs@jgrlaw.co.uk

Telephone number

02073397155

Other telephone number

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THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

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). (See also guidance on completing the form, note 2)

* Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

Giant Robot

* Street

45-47 Clerkenwell Road

District

* City or town

London

County or administrative area

* Postcode

EC1M 5RS

* Country

United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number

LN/6098-081111

Location Details

* Provide further details about the location of the event

Giant Robot, 45-47 Clerkenwell Road, London EC1M 5RS

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock) (see also guidance on completing the form, note 9)

6 March - 11.00 hours to 00.00 hours
7 March - 00.00 hours to 02.00 hours and 11.00 hours to 00.00 hours
8 March - 00.00 hours to 02.00 hours and 11.00 hours to 00.00 hours
9 March - 00.00 hours to 02.00 hours and 11.00 hours to 00.00 hours

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 (see also guidance on completing the form, note 10)

499

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 11):

- On the premises only
 Off the premises only
 Both

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PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 12)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Any further relevant details

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Whole premises

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Bar

Describe the nature of the event below (see also guidance on completing the form, note 5)

To allow the premises to trade as usual whilst the issue of an outstanding transfer application is resolved. All premises licence conditions to apply.

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
(See also guidance on completing the form, note 7).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

Continued from previous page...

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PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 13)

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

State the number of temporary event notices you have given for events in that same calendar year

2

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 Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

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ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 14)

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 No

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 Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

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 No

Continued from previous page...

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:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

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CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. (See also guidance on completing the form, note 16)

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

DECLARATION

- * 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 connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/islington/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

D. Smith - 14/02/2014

D. SMITH

Islington Licensing Authority
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES IN RESPECT OF A
TEMPORARY EVENT NOTICE

Your Name	Paul Hoppe
Responsible authority and job Title	Police Licensing Officer
Postal and email address	222 UPPER STREET LONDON N1

Name of the premises you are making a representation about	GIANT ROBOT
Address of the premises you are making a representation about	45 – 47 CLERKENWELL ROAD EC1M 5RS
Date and times of notice	06/03/2014 – 1100 – 0000 07/03/2014 – 1100 - 0200 08/03/2014 – 1100 - 0200 09/03/2014 – 1100 - 0200
Normal or Late TEN (if representation is for a late TEN then counter notice will be issued)	NORMAL

This representation relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance

Recommended actions to promote the licensing objectives:

- 1) The following conditions of the premises licence, as detailed below, be imposed
- 2) The TEN be modified as follows:
- 3) Additional information needs to be supplied by applicant:
- 4) The responsible authority considers that the notice should be refused by the Council's Licensing Committee

Annex 1 conditions (please specify)



Annex 2 conditions (please specify)

Annex 3 conditions (please specify)

Suggested modifications (for example times, dates, capacity)

Please detail the evidence supporting your representation and / or the reason for your representation. Please use separate sheets if necessary

There has been no application received by the Police for a transfer of premises license. It is therefore believed by this responsible authority that there is not a premises license in force at this time and when the venue was visited on Friday 14th February 2014, alcohol was being served.

As there is no current premises license, there can be no agreement of conditions to be enforced during TENs at this Commercial venue. There is concern over control of the front door, the safety of staff and customers and the general operation at the venue.

There have been 21 crimes between 2010 and 2013 relating to this venue. It appears there is currently no CCTV which could have assisted in the investigation of these crimes.

It is recommended that the applicant contact the LBI Officer responsible as a matter of urgency to resolve this issue.

If Committee have a mind to allow this TENs to go ahead, the following conditions are recommended to achieve the Licensing Objectives:

- 1) SIA qualified door staff working Thursday to Saturday evenings from 2100 until 30 minutes after the venue closes.***
- 2) The premises shall install and maintain a comprehensive CCTV system as the minimum requirements of an MPS Crime Prevention Officer. All entry and exit points shall be covered enabling frontal identification of every person entering in any light condition. The CCTV 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 of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.***
- 3) A member of staff who is conversant with the CCTV operation shall always be on the premises when open to the public and can operate the CCTV to reduce delays in investigations.***

Signed: Paul HOPPE PC 208NI ____ Date: 17/02/2014 _____

Please send this form along with any additional sheets to the applicant. A copy should be sent to:
 Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to
licensing@islington.gov.uk

**This form must be returned within the Statutory Period. For more details please check with the
 Licensing Team on 020 7527 3031**

To be completed and returned by applicant

Name of the premises	
Address of the premises	
Date and times of proposed temporary event	

- 1) I am happy to accept the representation and conditions/modifications recommended by the responsible authority Yes No
- 2) I wish to withdraw my application for a temporary event notice Yes No
- 3) I do not accept the suggested conditions or recommendations and I wish to proceed with the notice to the next available Licensing Sub Committee Yes No

Signed: _____ Date: _____

Print name: _____

A copy should be sent by post to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within 5 working days.

Applicants are encouraged to enter into negotiations and supply additional information to the relevant responsible authority, where appropriate prior to formally returning this notice.

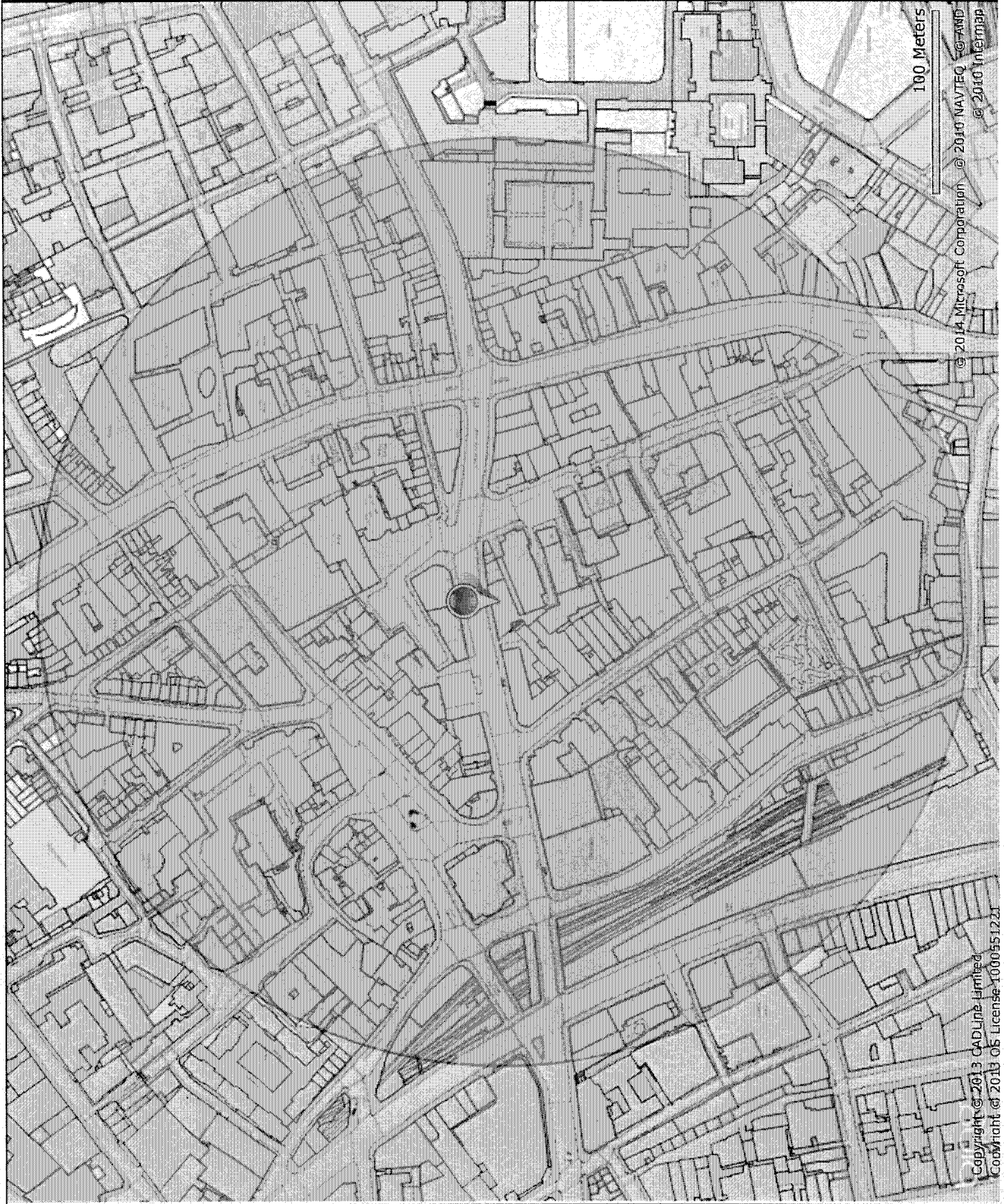
For more details please check with the Licensing Support Team on 020 7527 3031

Title : Giant Robot

Islington Borough
Boundary

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