



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	05 June 2018		Caledonian

Delete as appropriate		Non-exempt
-----------------------	--	------------

Subject: TEMPORARY EVENT NOTICE APPLICATION
BEST TASTE CARIBBEAN TAKE AWAY, 335 CALEDONIAN ROAD, LONDON N1 1DW

1. Synopsis

- 1.1 This is a hearing to determine a Temporary Event Notice (TEN) in respect of the above premises. The application was submitted on the 17 May 2018 and is seeking to allow:
 - The sale by retail of alcohol for consumption on and off the premises and the provision of regulated entertainment from 12:00 until 18:00 on Sunday 17 June 2018 for 25 people.
- 1.2 The TEN is applied for under section 100, Part 5 of the Licensing Act 2003. The nature of the event is described as part of the Caledonian Road Festival and the licence is to cover the shop premises and the shop front.
- 1.3 This application is subject to an objection from Environmental Health relating to the following licencing objectives:
 - i. The prevention of Public Nuisance
- 1.4 Licensing Officers, Licensing Police and the Environmental Health Officer have met with the applicant following complaints from festival organisers about the conduct of the premises during previous festivals.
- 1.5 The Cally Festival is a free annual celebration for the whole community, in particular, the community local to Caledonian Road. Roughly 7,000 to 8,000 people attend the festival each year. Now in its eighth year, visitors to the festival can expect to experience live music, performance, art, activities and creative workshops, along with food and retail stalls.

2. Recommendations

- 2.1 To determine the TEN 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 TEN for the specified event, or
 - iii. prohibit the TEN by way of a counter notice.

3. Background

- 3.1 The property does not hold a premises licence. The applicant has been applying for TEN's for this event since 2013.
- 3.2 The premises have not applied for any other Temporary Event notices in 2018.
- 3.3 Papers are attached as follows:-
- Appendix 1: application form;
 - Appendix 2: Pollution Team's representation;
 - Appendix 3: map of premises location.

4. Conclusion and reasons for recommendations

- 4.1 The Council is required to consider this application in the light of all relevant information, and either refuse the TEN or approve it if the LSC consider that the TEN can proceed and promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

Date 23/5/18

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

217/5118
 Cash £21.00
 51143
 Carol.



ISLINGTON

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

335 CALEDONIAN RD
NI 1DW

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)

Please describe the nature of the premises below. (Please read note 4)

CARIBBEAN TAKE AWAY

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

PART OF THE CALEDONIAN ROAD
FESTIVAL FOR FOOD + ALCOHOL

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	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	

SUNDAY JUNE 17th 2018

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 9)

12pm TO 6pm

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 10)	25
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input checked="" 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. (Please read note 12)

4. Personal licence holders (Please read note 13)						
Do you currently hold a valid personal licence? (Please tick)		<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Yes	No					
<input type="checkbox"/>	<input checked="" type="checkbox"/>					
If "Yes" please provide the details of your personal licence below.						
Issuing licensing authority						
Licence number						
Date of issue						
Date of expiry						
Any further relevant details						


5. Previous temporary event notices you have given (Please read note 13 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 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 <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14 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 checked="" 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 checked="" type="checkbox"/>
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 checked="" 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 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 <input checked="" type="checkbox"/>
--	---------------------------------	---

7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
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 not exceeding 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 summary 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.	
Signature	
Date	17/5/2018
Name of Person signing	TREVOR HENRY

Islington Licensing Authority
Licensing Act 2003

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

Your Name	Anne Brothers
Responsible authority and job Title	On behalf of Pollution Team acting as responsible authority for the prevention of public nuisance.
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk

Name of the premises you are making a representation about	Best Taste
Address of the premises you are making a representation about	335 Caledonian Road, N1 1DW
Date and times of notice	17/06/2018, 12:00 – 18:00
Normal or Late TEN	Normal

This representation relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Recommended actions to promote the licensing objectives:

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

Annex 1 conditions (please specify)

N/A



Annex 2 conditions (please specify)

N/A

Annex 3 conditions (please specify)

N/A

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

The applicant states the TEN applied for will be as part of the Cally festival. I am informed this is not the case. He is not connected to the organisation of the festival.

The applicant has had TENs in previous years for this event but I am informed his music system is very loud and it disrupts the stalls in Lyon Street which is the closest where organised participation activities take place. I advised him prior to last year's street festival that if he has music outside he should moderate the volume so as not to interfere with exhibits and installations nearby but I am informed that despite the Licensing Officer's intervention last year during the festival that the science exhibits in Lyon Street were disrupted by the volume of sound being played out by the applicant.

Noise control at the festival is carefully managed in order to reduce the likelihood of noise complaints and disruption to exhibits and stalls. This premise is outside the festival area (just to the north, opposite the Offord Road junction) and operates with no agreement on noise. Advice given in relation to moderating the volume of amplified sound played outside the premises last year was ignored.

I have discussed this application with Mr Henry and explained to him that I will make a representation against his application this year due to non-compliance with requests to moderate the volume of the music played outside his premises during the festival last year. I have explained the matter will be referred to the Licensing Committee for them to make a decision on this application.

Signed:

Anne Broneis

Date:

17/5/18

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

1) I am happy to accept the representation
and conditions/modifications recommended

☐

Yes

☐

No

by the responsible authority

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

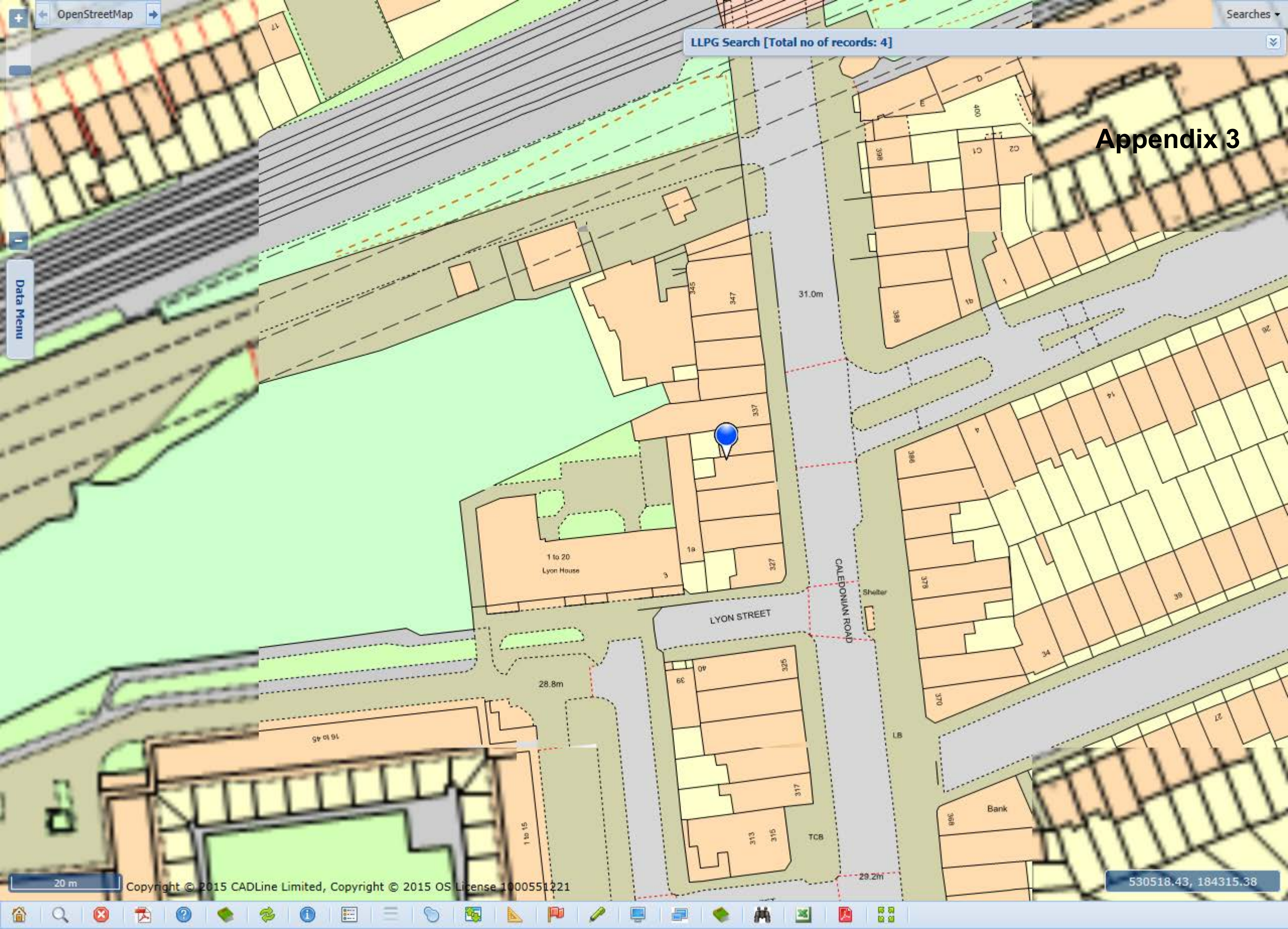
Signed: _____ Date: _____

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 the Statutory Period. 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



LLPG Search [Total no of records: 4]

Appendix 3

1 to 20
Lyon House

LYON STREET

CALEDONIAN ROAD

Bank

20 m

Copyright © 2015 CADLine Limited, Copyright © 2015 OS License 1000551221

530518.43, 184315.38