



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	1 December 2015		Bunhill

Delete as appropriate		Non-exempt
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**Subject: TEMPORARY EVENT NOTICE APPLICATION
THE HORNS ROOF TERRACE, 262 STREET, LONDON EC1V 9dd**

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 November 2015 and is seeking to allow for the sale of alcohol for consumption on the premises, provide regulated entertainment and late night refreshment 21:00 on 31 December to 04:00 on 1 January 2016. The temporary event notice is applied for under section 100, Part 5 of the Licensing Act 2003.
- 1.2 This application is subject to a representation from the Environmental Health relating to the following licencing objective :
 - i. Public nuisance

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 TEN for the specified event;
 - ii. allow the TEN, subject to one or more conditions of the existing premises licence; or
 - iii. prohibit the TEN by way of a counter notice.

3. Background

- 3.1 The roof terrace holds a separate premises licence which allows the sale of alcohol for consumption on the premises Monday to Sunday from 10:00 to 23:30 and the Exhibition of Films on Mondays from 18:00 to 23:00. The permitted opening hours for the roof terrace is from 10:00 to Midnight Monday to Sunday.
- 3.2 The premises licence for the roof terrace was recently varied to increase the hours stated in point 3.1 but there was no alteration of the conditions attached to the licence in the application. In fact, the operating schedule for the variation application explicitly stated that the existing conditions would be kept. Please note the following conditions on the premises licence
 - i. Annex 2 Condition 11 states, "No alcohol will be sold on the roof terrace after 21.00."
 - ii. Annex 2 Condition 12 states, "The roof will be cleared of all customers and closed at 23.00."
 - iii. Annex 2 Condition 13 states, "No music or amplified sound will be played on the roof terrace."
- 3.3 Papers are attached as follows:-
 - Appendix 1: application form;
 - Appendix 2: representation;
 - Appendix 3: current premises licence;
 - Appendix 4: 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 if approval is given, it may attach such conditions as appropriate to 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

25/1/15

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

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.

IP2/585291
£21.00/ELMS
12/11/15

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Other (please state)		
Surname	Denise		
Forenames	Chandler		
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
4. Your place of birth		London	
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)			
1 Hackney Road			
Post town - London		Postcode EN4 9QH	
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)	
262-264 Old Street, London EC1V 9DD	
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	Roof Terrace LN/7852-141114
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)	
Roof Terrace	
Please describe the nature of the premises below. (Please read note 4)	
Night Club	
Please describe the nature of the event below. (Please read note 5)	
Extending Operating for the festive period – Private Ticketed Event, (All Tickets are Pre-Sold)	

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 checked="" 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)		
31/12/2015 – 01/01/2016 - 21:00 – 04:00		
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)		
31/12/2015 – 01/01/2016 21:00 – 04:00		
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 10)		140
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 type="checkbox"/>

<p>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)</p> <p>All times will be as above</p>
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4. Personal licence holders (Please read note 13)			
Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	Barnet		
Licence number	01SX/WK/200501829		
Date of issue	08-07-2005		
Date of expiry	07-07-2015		
Any further relevant details			

5. Previous temporary event notices you have given (Please read note 14 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 checked="" 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	3	
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 15 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 16)	
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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
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 18)	
<p>The information contained in this form is correct to the best of my knowledge and belief. 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 not exceeding level 5 on the standard scale; 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 not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	D Chandler
Date	04/11/2015
Name of Person signing	Ms Denise Chandler

For completion by the licensing authority

10. Acknowledgement (Please refer to note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

In these notes, a person who gives a temporary event notice is called a "premises user".

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:

**Islington Licensing Authority
Licensing Act 2003**

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

Your Name	Fanos Santis
Responsible authority and job Title	Islington Council, Public Protection, Pollution Team
Postal and email address	Municipal Offices, 222 Upper Street N1 1XR

Name of the premises you are making a representation about	The Horns, Roof Terrace
Address of the premises you are making a representation about	262-264 Old Street, London EC1V 9DD
Date and times of notice	31st December 2015, 21:00 hours to 1st January 2016, 04:00 hours
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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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)



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



PREMISES LICENCE LICENSING ACT 2003

Premises licence number	LN/7852-131115	Date of original grant*	29 June 2007
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**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description THE HORNS – ROOF TERRACE 262 OLD STREET			
Post town	London	Post code	EC1V 9DD
Telephone number	020 7253 3558		

Where the licence is time limited the dates Not Applicable
--

Licensable activities authorised by the licence <ul style="list-style-type: none">• The provision of regulated entertainment by way of: The exhibition of films• The sale by retail of alcohol
--

The times the licence authorises the carrying out of licensable activities
<ul style="list-style-type: none">• The provision of regulated entertainment for the exhibition of films: Monday 18:00 to 23:00• The sale by retail of alcohol: Monday 10.00 to 23.30 Tuesday 10.00 to 23.30 Wednesday 10.00 to 23.30 Thursday 10.00 to 23.30 Friday 10.00 to 23.30 Saturday 10.00 to 23.30 Sunday 10.00 to 23.30

The opening hours of the premises:
Monday 10.00 to 00.00
Tuesday 10.00 to 00.00
Wednesday 10.00 to 00.00
Thursday 10.00 to 00.00
Friday 10.00 to 00.00
Saturday 10.00 to 00.00
Sunday 10.00 to 00.00

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

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

Hornbee Ltd
1 Hackney Road
London
E2 7NX

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

07148586

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

Billie Lee Chandler

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol
LN-200712432 London Borough of Barnet

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk


Service Manager (Commercial)

25/11/15
Date of Issue

Annex 1 - Mandatory conditions

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, or
 - 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. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003.

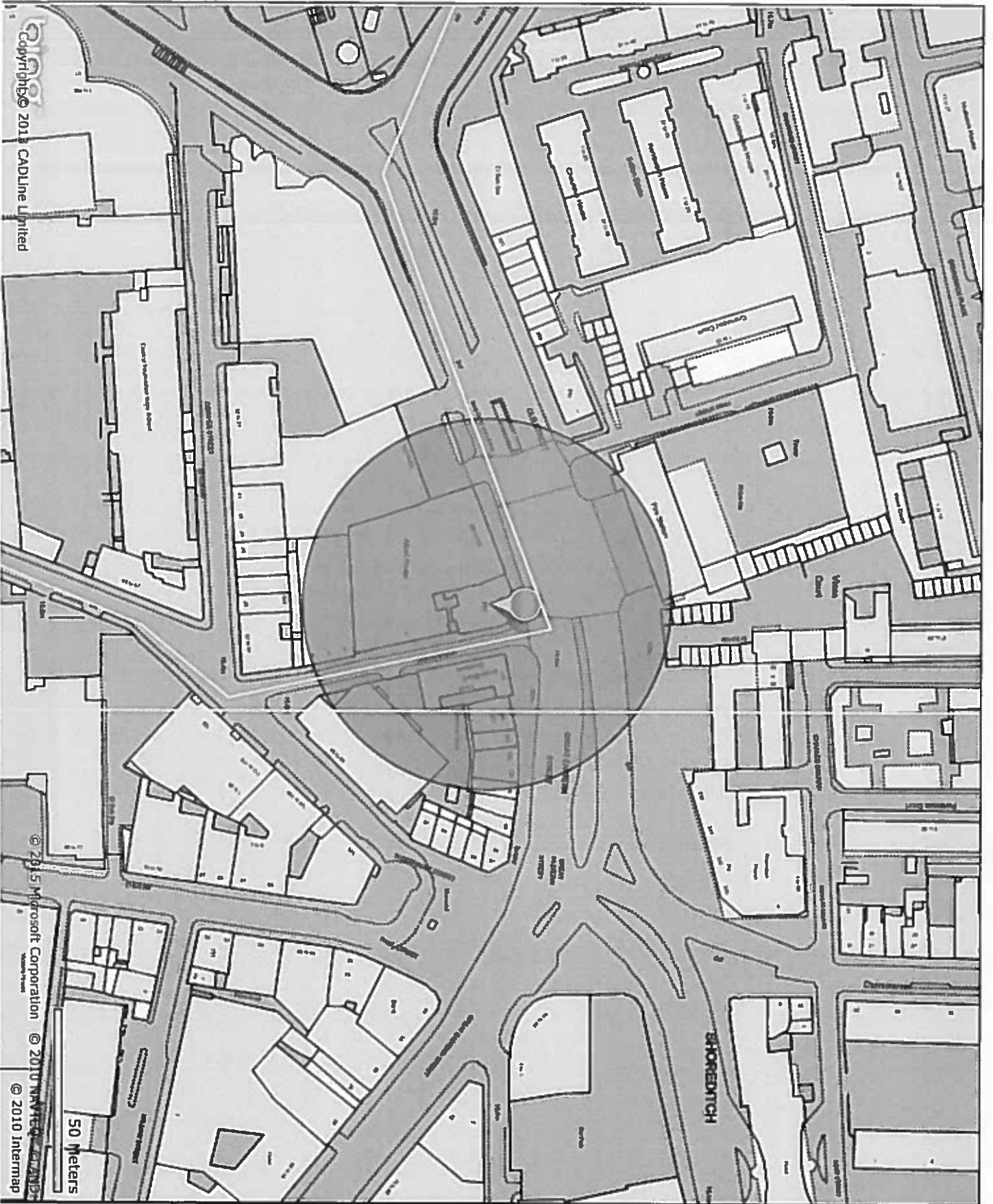
There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, www.islington.gov.uk. This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

Annex 2 - Conditions consistent with the Operating Schedule

1. The manager shall actively participate in and support the local Pubwatch scheme.
2. Members of staff shall be on the roof terrace at all times the area is open.
3. CCTV system shall be installed and maintained at the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer with 24 hours of any request.
4. Notices shall be displayed to inform customers that CCTV is operating on the roof terrace.
5. In the event that door supervisors are employed at the premises, they shall be registered with the Security Industry Authority.
6. Text and or radio pagers shall be used for staff to communicate.
7. The manager shall ensure that all emergency escape routes are kept clear.
8. No music will be played on the roof terrace.
9. Members of staff shall keep nuisance and disturbance from the roof terrace to a minimum level.
10. No children shall be allowed on the roof terrace.
11. No alcohol will be sold on the roof terrace after 21.00.
12. The roof will be cleared of all customers and closed at 23.00.
13. No music or amplified sound will be played on the roof terrace.
14. On the roof terrace alcohol or soft drinks may not be sold in glass containers for consumption either on or off the premises.
15. All glass ashtrays to be replaced by plastic ashtrays.

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

Annex 4 – Plans



Title : 262 Old Street
ECLV 9DD

Islington Borough
Boundary

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Printed at :
25-11-2015

ISUNGTON

50 meters

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