



MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE D

TUESDAY, 26 OCTOBER 2021

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED AT:

<https://youtu.be/ggtJUrY6Yu4>

Councillors Present:

**Cllr Brian Bell (Chair),
Cllr Emma Plouviez**

Officers in Attendance:

Amanda Nauth - Licensing and Corporate Lawyer
David Tuitt - Business Regulation Team Leader
Rabiya Khatun - Governance Services Officer

Also in Attendance:

TENs - The Munch

Utku Disbudak- Premises User
Robert Sutherland - Agent for the Premises User

PC Hunwick -Metropolitan Police Service

1. Election of Chair

1.1 Councillor Bell was duly elected to Chair the meeting.

2. Apologies for Absence

2.1 Apologies for absence were received from Councillor Wrout.

3. Declarations of Interest

3.1 There were no declarations of interest

4. Licensing Sub Committee Hearing Procedure

4.1 The hearing procedure as set out in the agenda pack was explained to all participants.

5a Temporary Event Notice: Counter Notice - The Biddle Bros Bar, 88 Lower Clapton Road, London, E5 0QR

The Chair reported that the TEN application had been withdrawn at the request of the Premises User.

RESOLVED

That the Temporary Event Notice for the The Biddle Bros Bar be withdrawn at the request of the Premises User.

5b. Temporary Event Notice: Counter Notice - The Munch, Ground Floor, 148 Shoreditch High Street , London, E1 6JE

5.1 David Tuitt, Business Regulation Team Leader introduced the report in respect of a Temporary Event Notice (TEN) for The Munch for an event to be held on 30 October 2021 from 02:00 hours finishing on 1 November 2021 at 05:00 hours and advised that the Police had objected to the TEN.

5.2 The Chair sought clarification regarding the application and the agent for the premise user confirmed that the application was solely for late night refreshment.

5.3 PC Hunwick, Metropolitan Police Service, objected to the granting of the TEN on the grounds of crime and disorder, public safety and the prevention of public nuisance, and outlined the reasons for his objection as follows:

- Since the easing of lockdown restrictions bars were reopening at full capacity, which had resulted in high levels of violence fuelled by alcohol and increased usage of nitrogen oxide. This had led to an increase in crime and anti-social behaviour on the Shoreditch High Street and surrounding area. The police had received complaints from local residents relating to noise nuisance, loud music and the use of nitrous oxide;
- The premises were attracting groups of people that were congregating on the streets within the vicinity until the early hours of the morning and contributing to crime and anti-social behaviour in the area;
- A serious incident of stabbing had taken place outside the venue;
- People from nearby clubs were loitering while consuming food and increasingly using nitrous oxide in French Place and Shoreditch High Street.

- The proposed extension of hours would encourage people to remain in the area for longer, which would further exacerbate the issues of crime and disorder and public nuisance in the area.

5.5 Robert Sutherland, agent for the Premises User, made the following points in support of the application:

- The Munch had been open since 2019 and was a family run business;
- The proposed premises user had the policies, personnel and CCTV in place to promote the licensing objectives.
- The proposed TEN for 30 October had been requesting an extension of one hour and a further three hours on 1 November;
- There would be two SIA door supervisors on duty during the TEN events. The second SIA door supervisor would be responsible for managing the external area, assist with dispersal from premises and also deter people from loitering;
- Staff and SIA door supervisors would control entry and exit between 04.00 to 05.00 hours; and

5.6 Members asked questions relating to the application and the responses were as follows:

- With regard to loitering outside the premises, the agent for the Premises User emphasised that the applicant had proposed an additional SIA door supervisor during TEN events and the wearing of body cams to address the concerns regarding people congregating outside premises and dispersal issues in the area;
- PC Hunwick reiterated that any extension of hours would encourage people to remain in the area for longer periods.
- The agent for the Premises User claimed that the stabbing incident on 11 July 2021 had taken place 180 metres away from the premises and following the incident the premises user had employed an additional SIA door supervisor for TEN events;
- PC Hunwick clarified that the stabbing had taken place outside the premises but the victim had moved from this area.

5.7 Members remained concerned that door supervisors would have no powers to move people on, and would not be able to resolve the problems being experienced by residents.

5.8 The agent for the Premises User summarised that the special policy area did not apply to TENs and argued that the extra measures proposed for an

additional SIA door supervisor and body camera would not undermine the licensing objectives.

- 5.9 The police remained opposed to the temporary extension because of the amount of crime and disorder being experienced in the area, and the venue's role in encouraging drinkers to remain in the area after clubs had closed.

RESOLVED:

The decision

The Licensing sub-committee, in considering this decision from the information presented to it within the report and at the hearing today, has determined that having regard to the promotion of all the licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and
- The protection of children from harm

and in particular upon consideration of the 'objection notice' given by the Metropolitan Police Service, is satisfied that the proposed event would undermine the licensing objectives. Therefore, the sub-committee has decided to issue a counter notice.

Reasons for the decision

The sub-committee took into consideration the objection received from the Metropolitan Police Service to the Temporary Event Notice for the period from 04:00 on 30th October, from 04:00 on 31 October, and finishing at 05:00 on 1st November 2021, which contended that this event would undermine the licensing objectives, on the grounds of crime and disorder, public safety, and prevention of public nuisance. The sub-committee carefully considered the reasons for this objection.

The sub-committee heard representations made by the police who contended that the area immediately outside the premises has become a focal point for people standing around the area noisily consuming their food on the street, and playing loud music which led to increased anti-social behaviour, violence and crime in the area. This was due to people from nearby clubs loitering whilst eating their food. This also led to a proliferation of nitrous sellers in French Place and Shoreditch High Street which affected nearby residents who complained to the police each weekend.

The sub-committee heard submissions from the police that the crowding outside the premises had contributed to a recent stabbing and serious assault. The police contended that the premises already had sufficiently long hours, and to apply for further additional hours the premises user needed to demonstrate that they were for the benefit of the area.

The sub-committee heard from the representative of the premises user that it was a family business which provided late night refreshment until 04:00 Friday and Saturday and until 02:00 on all other days. The premises user offered 2 SIA security staff at the entrance to the premises to control customers and people queuing outside the premises. The food is prepared on the premises and consumed off the premises. The representative of the premises user contended that the presence of body-worn CCTV on the SIA security door staff would discourage anti-social behaviour on the days of the event.

The sub-committee, having heard from the premises user, their representative, and from the Metropolitan Police Service felt that the TEN would result in people staying in the area for longer and causing anti-social behaviour, crime and disorder. The sub-committee heard that the police will object to any extension of opening hours, particularly late at night and in the early hours of the morning to prevent public nuisance.

Therefore, on balance, the sub-committee considered that the event would contribute to public nuisance and antisocial behaviour late at night which would add to the noise and negative impact within the Shoreditch Special Policy Area. The sub-committee also took into consideration the impact on local residents in the area and public safety.

The sub-committee considered that allowing the event to take place in accordance with the TEN would undermine the licensing objectives. It determined that it was therefore necessary and proportionate to issue a counter notice due to the current situation in the Shoreditch area as outlined by the police.

Duration of the meeting: 14.00- 14.35

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