

Counter Notice (Temporary Event Notice for 30 and 31 October and 1 November 2021)

The Munch, Ground Floor, 148 Shoreditch High Street, London N1 6JE

The decision of 26th October 2021

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.