

## **Counter Notice (Temporary Event Notice)**

**25 Dalston Lane, London, E8 3DF**

### **The decision of 17<sup>th</sup> December 2020**

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;
- The protection of children from harm;

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

### **Reasons for the decision**

The Licensing Sub-committee, after hearing from both the Metropolitan Police, and the licensee, were satisfied that allowing the premises to be used in accordance with the notice would undermine the licensing objectives, and they decided to issue a counter notice. It was noted that these premises are situated in the Dalston Special Policy Area (Dalston SPA).

The sub-committee took into consideration the objection from the Metropolitan Police to a Temporary Event Notice being granted at this premises from 01:00 to 04:00 hours on 1st January 2021 which contended that it would undermine the licensing objectives. The sub-committee carefully considered the reasons for the objection to any increase in the hours already granted on the licence. The sub-committee understood that the London area has from 16<sup>th</sup> December 2020 moved into Tier 3 under the Covid-19 regulations due to the infection rate currently rising which is a risk to Public Safety. The sub-committee noted that under the current Covid-19 Tier 3 regulations households are restricted from mixing and having parties during the festive season this year to reduce the risk of the virus spreading.

The sub-committee also took into consideration that bars and clubs are not permitted to open under Tier 3. However, they are permitted to sell and supply off sales in accordance with the Covid-19 regulations. The Metropolitan Police explained that since the Covid-19 regulations came into force and only off sales have been permitted this has led to increased street drinking in some areas, and general anti-social behaviour including noise nuisance, public urination due to the lack of available toilets, together with groups mingling and people staying in the area for longer therefore risking the spread of the virus.

The sub-committee also took into consideration that the premises already has a licence with hours to sell alcohol from Sunday to Thursday 08:00 to 01:00 hours and

Friday to Saturday 08:00 – 03:00 which already exceed those stated in Hackney's Statement of Licensing Policy LP3.

The sub-committee noted that under the current Covid-19 Tier 3 regulations households are restricted from mixing and having parties during the festive season this year to help reduce the risk of the virus spreading.

The sub-committee carefully considered the applicant's representations. However, on balance the sub-committee felt that the risks to public health and safety under the Tier 3 Covid-19 regulations were too great. And that supporting the objection raised by the Metropolitan Police to this event was the appropriate course of action to prevent street drinking late at night at a time when people are currently advised under government guidance to stay at home. The sub-committee felt that the applicant had not demonstrated that they would not add to people being out so late breaching the current Covid-19 restrictions.

The sub-committee also felt that by not granting this event from 01:00 to 04:00 hours it would help prevent anti-social behaviour, and it would prevent more people coming into the area, consuming alcohol, and staying in the area for longer which would contribute to increasing public nuisance and crime and disorder within the Dalston SPA.

The Licensing Sub-committee took into consideration, when deciding to issue a counter notice, the acute alcohol related problems and issues continually experienced in the Dalston SPA that has resulted in increased public nuisance, and crime and disorder regularly affecting the local residents. Therefore, the licensing objectives would be further undermined.