

## **Application to Vary a Premises Licence – Timbar, 8 Stoke Newington Road, Hackney, London EC2A 3JD – REFUSAL**

### **The decision of 25<sup>th</sup> November 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;
- The protection of children from harm;

the application to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3 and LP10 within the Council's Statement of Licensing Policy.

### **Reasons for the decision**

The sub-committee took into consideration the representations of the Metropolitan Police Service who objected to this application due the negative impact it would have, which could lead to further drinking late at night and the associated anti-social behaviour. The police's representations were principally against the extensions of hours and the extra capacity, which would mean that people would have more access to alcohol for longer hours late at night. The sub-committee also took into consideration objections received from local residents.

The sub-committee carefully considered the representations made by the applicant's representative together with those of the Metropolitan Police Service, and Other Persons (local residents). However the sub-committee were not convinced that the applicant's proposals would justify them making an exception to grant hours outside the Council's Statement of Licensing Policy within the Dalston SPA. The sub-committee also took into account that the Metropolitan Police Service and Other Persons maintained their objection after hearing from the applicant's representative.

The sub-committee took into consideration the potential negative impact of public nuisance on local residents late at night. The sub-committee also heard from local residents confirming their objections to the additional hours and the impact on residential properties situated close to the premises.

The sub-committee were particularly concerned that the variation would more than double the capacity of the premises, and would therefore have a substantive negative cumulative impact on the Dalston SPA. The sub-committee felt that no dispersal policy could help mitigate the negative impact of more than doubling the capacity.

The sub-committee took into account that adding music and dance to the license may affect local residents who reside above and around the premises.

The sub-committee also took into consideration that the premises has a licence to carry out licensable activities from Sunday to Thursday up to 00:00 hours and Friday to Saturday up to 02:00 which already exceed those stated in the Council's Statement of Licensing Policy LP3.

The sub-committee felt that by not granting this variation application it would help prevent anti-social behaviour, resulting from more people coming into the area, consuming alcohol, and staying in the area for longer. These contribute to increasing public nuisance, and to crime and disorder, in the Dalston SPA.

The sub-committee took into consideration when refusing this application that each case is considered on its merits. The sub-committee believed that the licensing objectives could not be promoted by granting this variation application, and as such believed it was appropriate to refuse the application in its entirety.