

Public Document Pack
Licensing Sub Committee Agenda

Tuesday, 15 July 2014 at 5.30 pm

Council Chamber - Town Hall, Queens Road, Hastings, TN34 1QR

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		Page No.
	Members of the Licensing Committee to sit on this hearing are: Councillors Roberts, Sinden and Webb with Councillor Atkins in reserve.	
1.	Appointment of Chair for this meeting	
2.	Apologies for Absence	
3.	Declarations of Interest	
4.	Minutes of the meeting held on 24 April 2014 (for information)	1 - 6
5.	Notification of any additional urgent items	
6.	Application for the review of a premises Licence: Union Bar, Cambridge Road, Hastings (Mike Hepworth, Head of Environmental Services)	9 - 158
7.	Additional urgent items (if any)	

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LICENSING REVIEW SUB-COMMITTEE 24 APRIL 2014

Present: Councillors Dowling, Poole (in the Chair) and Webb
with Councillor Cooke in reserve.

9. APPOINTMENT OF CHAIR

In accordance with the terms of reference of the Licensing Committee, the Chief Legal Officer invited nominations for the appointment of Chair for the duration of the meeting. Councillor Dowling moved that Councillor Poole should take the Chair. This was seconded by Councillor Webb.

RESOLVED (unanimously) that Councillor Poole be appointed as Chair for the duration of the meeting.

10. DECLARATIONS OF INTEREST

Councillors Dowling and Webb declared their personal interest in item 6, Spice Rock, White Rock, Hastings. Councillor Dowling declared he knew the applicant and Councillor Webb declared he was County Councillor for the area and attended local events.

11. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE: BAR MODA, QUEENS ROAD, HASTINGS

Councillor Poole set out the procedure that the Sub-Committee would adopt (in accordance with Standard Practice), all parties confirmed they understood this.

The Corporate Director, Environmental Health, submitted a report on an application for the review of the premises licence for Bar Moda, 206 Queens Road, Hastings.

Mr Brown, Licensing Manager, presented the report.

Mr Steeds, Principal Environmental Health Officer, who brought the review made his submission on the grounds of the Prevention of Public Nuisance. He referred to the history of complaints received from local residents regarding noise disturbance at the premises which commenced in February 2013. He said Council Officers also witnessed noise whilst visiting neighbouring properties and nearby streets. Officers requested that complainants keep noise diaries to log the incidents, these were appended to the report under Appendix B of the agenda.

Mr Steeds said he met with Mr and Mrs Martin, the Licensees of Bar Moda, in 2013 and together they worked to make improvements to resolve the issues. The last complaint was received on 5th April 2014. By this date, the required works had been completed to keep noise inside the premises. Mr Steeds

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recommended two new conditions be imposed on the licence to restrict licensable activities in relation to live and recorded music.

Alex Freeman, representative for Mr and Mrs Martin referred to an extensive list of works that had been completed at the premises to resolve noise issues. He informed the Committee that since January Mr & Mrs Martin had been in the process of obtaining consent from their landlord to carry out the works. Furthermore, he said Mr & Mrs Martin took very seriously the complaints and advice given by Officers and remedied the situation as soon as they were able, as exemplified by the management structure they had introduced.

Mr Martin reiterated the works that he had arranged at the premises and distributed a noise prevention procedure check list for the Committee to view.

Councillor Dowling sought clarification on the times the tables and chairs were removed from public use. He received assurance from Mrs Martin that the tables and chairs were removed before each event, or if there was not an event, the tables were removed at 11pm.

Councillor Webb asked if visiting DJ's were supervised and briefed on noise levels. Mr Martin said he oversaw each event and had introduced a sound limiter, which if they did not consent to, he would not hold the event.

In his summary, Mr Brown stated that matters relating to tables and chairs on the highway were managed by East Sussex County Council

RESOLVED (unanimously) that, the Sub-Committee has decided to modify the conditions of the Licence as follows:-

- 1. Live music to be background only and no more than barely audible outside the confines of the building.**
- 2. Recorded music to be background only and to be no more than barely audible outside the confines of the building.**
- 3. Noise from live music shall be no more than barely audible outside the confines of the building as perceived by an authorised officer of Hastings Borough Council. Where there has been a breach of the condition, the Premises Licence Holders shall be required within 4 weeks to make arrangements to demonstrate to the Licensing Manager that there is compliance with this condition. In the event of it being found that the condition is not being met and cannot be met by adjustments to the settings for music playing equipment then further sound attenuation measures shall be taken within 8 weeks.**
- 4. Noise from all mechanical or electrical equipment used on the premises shall not be audible as perceived by an authorised officer of Hastings Borough Council outside the confines of the building.**

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- 5. Where the premises operates with recorded or live music after 21:00 hours all doors and windows to remain closed, save for access and egress.**
- 6. There shall be no use of external tables and seating after 23:00 hours and all such tables and seating shall be removed by that time every evening in line with the provisions of the licence issued by East Sussex County Council.**
- 7. A tamper-proof noise limiting device shall be installed (and maintained). All amplified equipment used at the premises must be connected through the said noise limiter.**

Reason - The Licensee has worked with the Council's Environmental Health Officer to address the noise issues at the premises.

The Committee are pleased to note the extensive work carried out by the Licensees to uphold the Licensing Objective of Public Nuisance, and the resulting reduction in noise complaints.

The meeting adjourned for a 10 minute break.

12. APPOINTMENT OF CHAIR

Having declared her prejudicial interest, Councillor Poole left the meeting for item 6, Spice Rock, White Rock, Hastings. In accordance with the terms of reference of the Licensing Committee, the Chief Legal Officer invited nominations for the appointment of Chair for the remainder of the meeting. Councillor Webb moved that Councillor Dowling should take the Chair. This was seconded by Councillor Cooke.

13. APPLICATION TO VARY PREMISES LICENCE: SPICE ROCK, 43 WHITE ROCK, HASTINGS

Councillor Dowling set out the procedure that the Sub-Committee would adopt (in accordance with Standard Practice), all parties confirmed they understood this.

The Corporate Director, Environmental Health, submitted a report on an application to vary the premises licence at Spice Rock, 43 White Rock, Hastings.

Mr Brown, Licensing Manager, presented the report to the committee as a result of representations received. The report referred to an application which sought consent to vary the premises licence by removing conditions applicable to the former Smugglers licence. He advised the committee that the operating schedule on page 111 of the agenda had not been completed by the applicant.

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Sally Nicholls, Principal Environmental Health Officer – Food Safety, referred to her objection to the application. She raised concern that the proposed work would lead to food safety problems and possible contamination due to the poor design of the workflow and insufficient food storage and preparation areas. She said there were issues within the locality regarding the infestation of rats and cockroaches. As such, she proposed a number of conditions be added to the application if granted. She went on to say that she had recently spoken with the applicant and he had agreed to a number of her recommendations.

In addition to Spice Rock, she stated that Mr Rahman was previously responsible for 177a Queens Road, a premises which that had been the subject of a Emergency Hygiene Prohibition Order preventing the use of the premises as a food business. Following prosecution, Mr Rahman agreed to voluntary closure after a complaint was received by Officers. She confirmed the premises was no longer trading.

Mr Scott Hartnell, from Hastings Community Fire Station raised concern regarding the means of escape and passage way at the side of the premises. He said the disabled escape was too narrow and people would be unable to pass. Concerns were also identified regarding inward opening doors; the staircase and lack of fire retardant windows. He also mentioned there were concerns regarding the 2nd and 3rd floors, but these issues were the responsibility of Building Control. In its current condition, he advised that there were public safety issues and that people would be at risk of injury if a fire occurred at the premises. Mr Hartnell proposed a condition to restrict licensable activity to the ground floor only and limit the maximum number of people on that floor to 60.

In the absence of a representative from the Sussex Police Authority, Mr Brown read their letter of comment which recommended a number of conditions be transferred onto the premises licence if consent was granted.

In his submission, Mr Rahman referred to the issues mentioned and reassured the committee that the work would undertaken to the satisfaction of the Environmental Health Officer. Mr Rahman said he had employed an architect to work with the builders and Building Control.

The Architect said he was aware of the comments put forward by the Fire Officer and would work to satisfy the conditions raised by him. Furthermore, any additional items requested by Building Control would be addressed and completed to their satisfaction.

Mr Rahman said he would open the premises when the Fire Service were satisfied.

Mr Hartnell asked Mr Rahman if he had dealt with the Building Control concerns. The Architect replied on behalf of Mr Rahman and confirmed the list of Building Control objections would be addressed and there were no

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problems from his client having the works completed. Essentially they would not open the premises until clearance was given by Building Control and written confirmation received to confirm the works were acceptable.

RESOLVED (unanimously) that the application be GRANTED, subject to the following conditions:-

- 1. The proprietor must engage a competent pest control company before opening to advise on required pest proofing measures and set up an ongoing pest control contract to monitor and treat any pest activity.**
- 2. An additional deep sink must be installed if a commercial dishwasher is not made available.**
- 3. The basement must not be used as a food store.**
- 4. Additional food preparation space should be designed into the kitchen to ensure separation of raw and ready to eat foods.**
- 5. Refuse collections from the business should be of sufficient frequency to ensure there is no build up of refuse, which would attract pests to the premises.**
- 6. The premises will not conduct over the bar sales of alcohol.**
- 7. Alcohol will only be sold/supplied on the premises to persons seated at a table by waiter/waitress service.**
- 8. A 'Challenge 25' policy be adopted and only photographic ID such as a passport, driving licence, proof of age standards scheme (PASS) cards and citizen cards be acceptable. Staff are to be trained to request the appropriate ID from anyone who appears to be under the age of 25 years, and that alcoholic drinks are refused unless that ID is produced.**
- 9. A refusals register shall be kept near the point of sale and all refusals shall be recorded. The DPS shall take responsibility for training staff in the use of the register and will regularly check to ensure entries are being made. The register will be made available to representatives of Sussex Police or licensing Authority when requested.**
- 10. Alcohol will only be sold/supplied in a sealed container as part of a takeaway/home delivery meal. The minimum cost of a food order, before alcohol is supplied, for takeaway being five pounds (£5) and for home delivery being ten pounds (£10).**
- 11. No food or alcohol will be delivered to anywhere other than a recognisable permanent business or residential address.**
- 12. Concerning the supply of alcohol as a result of telephone/internet sales (ancillary to a takeaway/home delivery meal):**
 - 1. Each delivery to be signed for as proof of receipt and by whom. The delivery driver to make the requirement for the production of the appropriate photographic identification.**

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If persons believed to be under 25 years of age, courier drivers will refuse to deliver the alcohol order unless suitable proof of age/identity is produced at time of delivery.

- 2. The web site used for advertising and accepting orders shall promote responsible drinking and clearly explain possible offences of buying alcohol for a person under 18 years of age, and purchasing alcohol when aged under 18 years.**
 - 3. Customers who placed an order either by telephone/internet are to be advised of the delivery procedure.**
- 13. To restrict the licensable activity to the ground floor only and restrict the number of people on that floor to a maximum of 60 (to include staff) until a Building Completion Certificate is issued and served on East Sussex Fire and Rescue and the Licensing Authority and they are both satisfied that all necessary conditions are met.**

Reason - The Committee have listened very carefully to all submissions and believe that with the proposed conditions included on the licence the Licensing objectives will be upheld.

The Committee have had regard to the Council's own policy and guidance issued by the Secretary of State.

(The Chair declared the meeting closed at 12.29pm)

Licensing Sub Committee Procedures Agenda Item

1. The Chair's Introduction and Explanation of the Procedure, which will be followed

- α Introduce Members and Officers and invite the applicant, objectors and any representatives to the table, asking them to introduce themselves.
- α Explain that the hearing will follow a procedure, and that is that the Officer will make his report, followed by the Consultees such as the Police and then the Objectors and finally the Applicant. There will be an opportunity for questions. Members may ask for clarification from the Licensing Officer and Summaries may be given if required.
- α Ask if the Parties received the report and are ready to proceed.
- α If any Party to the hearing fails to attend ask Members to consider whether to adjourn the hearing or to proceed in the Party's absence.
- α Consider any request made by a party to have another person (other than a legal representative) to assist them, (**permission not to be unreasonably withheld**).

The Hearing of each application will then follow the order set out below:

2. Summary of report by Licensing Manager / Officer.

3. Statutory Consultees (Police, Fire Service, Environmental Health) each make submissions on the application.

Any questions for Statutory Consultees from

- α Applicant / Representative?
- α Objectors?
- α Officers?
- α Members?

4. Other Objectors each make submissions on the application.

Any questions for Objectors from

- α Applicant / Representative?
- α Statutory Consultee?
- α Officers?
- α Members?

5. Applicant / Representative make submissions on the application / call any witnesses.

Any Questions for Applicant / Representative / Witnesses from

- α Statutory Consultees and Objectors?
- α Officers?
- α Members?

6. Do Members require any clarification from the Licensing Manager / Officer?

If clarification given, questions on clarification only from:

- α Applicant / Representative?
- α Statutory Consultees and Objectors?
- α Members?

7. Summaries (if required)

- α Licensing Manager / Officer summing up
- α Statutory Consultees and Objectors' summing up
- α Applicant/Representative summing up

8. Decision Making

- α Members retire to discuss the application, propose and second a recommendation and vote on this.
- α They may take legal advice from the Legal Advisor. The Legal Advisor will advise the Parties of any legal advice given to the sub-committee. No other person may retire with the Sub-committee.
- α The decision is announced by the Chair giving full reasons for the decision, together with any conditions, which are to be attached to the grant of the licence or the reasons for a refusal of the application.

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Agenda Item No: 6

Report to: Licensing Sub-Committee

Date of Meeting: 15th July 2014

Report Title: Review of premises licence. The Union Bar. Cambridge Road, Hastings.

Report By: Mike Hepworth
Head of Environmental Services

Purpose of Report

To consider an application to review the Premises Licence as a result of representations received.
Responsible Authorities. One.

Recommendation(s)

- 1. Members consider the content of the report, the options available and reach a decision.**

Reasons for Recommendations

The Licensing Act 2003 requires a licensing sub committee to consider such applications when appropriate representations have been made. The decision reached at the sub committee can be subject to appeal at the Magistrates Court by any party to the hearing who is aggrieved by the decision.

Introduction

1.0 Background

1. On 7th February 2005 the Licensing Act 2003 came into force for all local authorities, marking the practical commencement of the Government's new liquor licensing regime.
2. On the 19th May 2014 Hastings Borough Council received an application for the review of an existing premises licence for The Union Bar, 57 Cambridge Road, Hastings, TN34 1BL from Principle Environmental Health Officer Mr David Steeds, made under Section 51 the Licensing Act 2003. (Attached at Appendix A).
3. The Union Bar has operated in Cambridge Road, Hastings for many years, the premise name being changed from The Tubman in September 2013, premises licence holder is Mr Robert Falconer, 37 White Rock, Hastings, East Sussex. (Attached map Appendix B).
4. The premises currently holds a premises licence under the Licensing Act 2003. (Attached Appendix C).
5. The existing premises licence covers the use of the premises for live music, recorded music and the supply by retail of alcohol.
6. It currently operates under trading hours that vary according to the type of licensable activity and the day of the week. The opening hours for the premises being Monday to Thursday 10.00 to 00.30, Friday and Saturday 10.00 to 01.30 and Sunday 10.00 to midnight.

2.0 Application

7. The grounds for review made by Mr Steeds are under the licensing objective "The Prevention of Public Nuisance", he makes extensive comment in relation to the history of complaints and the interaction between council officers and the licence holders. Should the sub committee uphold the review he recommends the addition of new conditions which he lays out in his review paper. I have considered the application and accept it as valid and in line with the central government guidance issued on such matters.
8. When submitting an application for a review under the Licensing Act 2003 the applicant is required to send copies of the review application to the other responsible authorities listed under the Act and a copy to the premises licence holder, this has been done.
9. In addition, the licensing authority is required to place a copy of the notice on the premises concerned and the public notice board situated at the Town Hall this has been done, in addition the review notification has been placed on the Council website. These notices must remain in place for 28 days to allow further representations to be made.

10. An application for review cannot be considered by the Council's Licensing Sub-Committee until the 28 day representation period has elapsed, in this case that ended at midnight on the 16th June 2014.

3.0 Consultation

11. As a result of this consultation period, the Authority has received no further representations but Mr Steeds has submitted further papers including statements to support his initial request for review. (Attached appendix B).

12. The Authority has received 38 e mails and 1 letter of support for the venue a selection of which will be made available at the hearing if required. However they do not address the specific concerns which have resulted in the request for the review and comment in general about this being a important music venue and that a certain amount of noise should be accepted from such premises.

13. In addition a social media petition has been raised by the Union Bar Manager Mr Paul Osmond, which states "Hastings borough Council: We request that you take a more sympathetic approach towards licensed premises and extended opening hours and create zones where a higher level of tolerance of noise from licensed premises is accepted" on the 1st June this had received 549 signatures. Full details of these persons signing are not given and indicate that they come from various parts of the UK. There is no legal framework under the Licensing Act 2003 for these to be considered in the review.

4.0 Legal Considerations

14. The Licensing Act 2003 is now the only process to licence and control premises for all forms of entertainment, late night refreshment and the sale of Alcohol.

15. The review process is laid down in statute and allows for representations to be made by specified groups of people provided they are relevant to one or more of the licensing objectives listed in the Act and are not considered frivolous, vexatious or repetitive.

16. If a relevant representation is made by either a responsible authority or an interested party, a hearing must be held.

17. The Department for Culture, Media and Sport has issued guidance under Section 182 of the Licensing Act 2003. This guidance is provided to Licensing Authorities to assist them in carrying out their functions.

18. Hastings Borough Council has developed, published and reviewed its Statement of Licensing Policy as required by the Licensing Act 2003.

19. All members of the Licensing Committee have been supplied with copies of the DCMS Government guidance and the Hastings Borough Council Statement of Licensing Policy.

20. Human rights considerations must be taken into account fully in balancing licensing issues, in particular, article 1 of the first protocol and article 8. Article 1 relates to the protection of property and the peaceful enjoyment of possessions and property.

Holding a justices licence would be considered a possession. Article 8 relates to the right to respect for private and family life, home and correspondence. These are however qualified rights and can be deprived of “in the public interest”. Interference is permissible if what is done:-

21. Has its basis in law;
22. Is necessary in a democratic society to fulfil a pressing need or pursue a legitimate aim;
23. Is proportionate to the aims being pursued; and,
24. Is related to the prevention of crime; or, the protection of public order or health.
25. The licence holder has a right of appeal to the Magistrates Court against any decisions made by the licensing Sub-Committee with respect to this application for review.

5.0 Options

26. To modify the conditions of the licence.
27. To exclude a licensable activity from the scope of the licence.
28. To remove the designated premises supervisor.
29. To suspend the licence for a period not exceeding three months.
30. To revoke the licence.

Members are reminded they must give written reasons for their decision, to ensure that the appeal procedure can be progressed.

Wards Affected

Castle

Area(s) Affected

Central Hastings

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	Yes
Risk Management	No
Environmental Issues	Yes
Economic/Financial Implications	No
Human Rights Act	Yes

Organisational Consequences	No
Local People's Views	No

Background Information

Appendix A. Application for review.
Appendix B. Map of venue.
Appendix C. Existing Premises licence.

Officer to Contact

Bob Brown. Licensing Manager
bbrown@hastings.gov.uk
01424 783249

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Hastings Borough Council

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

~~I - David Steeds - Principal Environmental Health Officer~~

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Union Bar (Formaly the Tubman) 57 Cambridge Road	
Post town Hastings, East Sussex	Post code (if known) TN341BL

Name of premises licence holder or club holding club premises certificate (if known) Robert Falconer 37 White Rock Hastings TN341JP
--

Number of premises licence or club premises certificate (if known) HOP50183

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises

- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address David Steeds Principal Environmental Health Officer Environmental Protection Team Environment and Safety Directorate 4 th Floor Aquila House Breeds Place Hastings TN343UY
Telephone number (if any) 01424783222
E-mail address (optional) DSteeds@hastings.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

That Robert Falconer, as The Premises Licence Holder and David John Francis, as the Designated Premises Supervisor are failing to promote the licensing objective, "the prevention of public nuisance".

The conditions attached to the licence have been persistently breached in that noise and noise from music and customers who attend the premises impact on the nearby residents. Specifically:

- a) Noise and music arising from the licenced premises is to be barely audible at the façade of, or in, the nearest noise sensitive premises after 23:00 hours.
- b) Ensure staff monitor noise levels to ensure no disturbance to residents.
- c) Ensure all doors and windows are kept closed when live music played

Noise from music and customers has been reported to be audible at the façade of nearby residential premises and within residential premises by residents who live nearby and by authorised officers of the council responding to complaints made to the councils out of hours service.

On the basis of the information gathered it has become necessary to initiate a review of the premises licence HOP50183, due to the ongoing non compliance by the licence holder and designated supervisor. The grounds to support the application are set out in the attached appendix (Appendix 1)

Please provide as much information as possible to support the application
(please read guidance note 2)

Information to support the application for a review of the current licence conditions is set out in the attached appendix, (Appendix 1).

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Davis

Date

9 June 2014

Capacity Principal Environmental Health Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

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Application for the review of the premises licence HOP50183 – Union Bar 57 Cambridge Road Hastings, East Sussex TN341BL,

Supporting Information

The Union Bar (Previously the Tubman)

The premises are comprised of two storeys and is part of a terrace that adjoins Dorset and St Michaels Place. The front entrance of the Union Bar opens onto Cambridge Road and access to the rear entrance is via a walkway located at 3 Dorset Place. Holmebury House referred to later in the review is located directly opposite the Union Bar. The main source of complaints received by the council relating to disturbance from noise arises from Holmebury House, Holmesdale Gardens and Dorset Place each of which are approximately 14 meters from the Union Bar. There are two other licensed premises nearby in the same block which are a night club, Club XS and a public house called the Dripping Well. Our records show there have been no recent complaints of public nuisance from the public house or ClubXS. In general the area is predominantly residential.

Regulated Activity

Regulated activity in the form of live and recorded music takes place on the ground floor at the front of the premises. There are three windows at the front of the premises the large main window has been double glazed for some time. Double glazing was installed to the smaller side windows in May 2014.

Complaints

There has been a longstanding history of reports from residents of nearby premises since 2005. There has however been difficulty with substantiating the claims as the complaints are received on Monday after the event. In addition witnesses to the noise have been reluctant to come forward etc.

I attach a sample of complaints that have been received by the council that have been recorded against the premises. I attached a list of complaints (Document 1) received since 2005. The incidents report noise from loud music being audible in Dorset Place and Holmebury House , Holmesdale Gardens.

Noise Diary

The complainant who lives at Dorset Place has in the past kept a diary of the noise coming from the Union Bar. I attach a noise diary, document 2 for the period 12/02/2011 to 19/03/2011. The diary describes the noise and how it affected the complainant and where in their home the noise can be heard. The diary lists 6 occasions when the complainants reported being able to hear noise from loud music and customers outside the licence holders premises. The complaint describes the feeling of intimidating behaviour of the patrons who attend the Union Bar.

The diary records that music can be heard at Dorset Place between the hours of 18:00 and 10:30pm. The diary indicates that noise is also generated by customers who stand in the premises back garden and outside at the front of the premise.

The description of the noise as set in the diary accords with the most recent statement provided by the complainant, (Document 7).

Correspondence

Since joining the council at the beginning of September 2013 I have routinely updated the licence holder, the designated premises supervisor and leaseholder of the complaints received by the council. Throughout my contact with the Union Bar I have been met by Mr Paul Osmond who identifies himself as a leaseholder of the premises. His name does not appear on the current licence. I have corresponded with him and updated the licence holder and the designated premises supervisor. I attach a list of correspondence sent between September 2013 and April 2014, document 3.

The letters show that the licence holders have been informed of complaints received and in addition I have periodically offered advice and guidance.

Witness Statements

To support the claims made by the occupants I have a witness statements from the council's senior licensing officer, Trevor Scrase and Principal Environmental Health Officer Ian Wheeler, documents 4 and 5.

On the 25 November 2013 the Councils Senior licensing Officer Trevor Scrase as part of his duties was engaged in late evening licensing checks. In his statement of the 25 November 2013 Mr Scrase witnessed noise from music was audible from his steps of Holmebury House directly opposite the Union Bar contrary to Annex 3 condition 2 of licence number HOP50183. Noise and music arising from the licensed premises is to be barely audible at the façade of, or in, the nearest noise sensitive premises after 23:00 hours. In addition Mr Scrase witnessed crowds of between 20-40 persons at various time during his observations who were talking and smoking outside the Union Bar. The complainants report being disturbed by noise from customers who stand on the pavement outside the premises in Cambridge Road.

On the 31 May 2014 the councils Principal Environmental Health Officer Ian Wheeler was called by the councils out of hours coordinator at 23:40 hours in relation to a reports from a resident of Holmebury House of noise disturbance from patrons of the Union Bar. The complainant reported at least 40 persons on the street prior to phoning the councils out of hours service. Between the hours of 00:34 hours and 01:39 Ian Wheeler made observations from the corner of Cornwallis Gardens and Cambridge Road and later from within the residents flat. During the period of observation the officer witnessed up to 14 individuals standing on the pavement outside the Union Bar and heard noise generated from customers from both observations points which includes voices as well as shouting and the slamming of the premises door as individuals entered or left the premises. The statement describes in detail the uncontrolled behaviour of customers standing on the pavement outside the Union Bar during the period.

The Principal Complainants

The Residents of Holmebury House

Holmebury House is accommodation that specialises in supported housing for retired people. As part of the investigation residents of the Holmebury House have regularly

complained of being disturbed by noise from music and patrons of the union bar. A letter dated 2 April 2014 received from the Manager of the premises sets out the complaints of noise experienced by the residents of five flats within Holmebury House, document 6.

Specifically there have been persistent complaints from the occupants of one particular flat over a period of 2 years. The complainants have suffered from ill health and latterly they have not been well enough to register complaint with the council and therefore in recent months the manager of the premises has acted on their behalf.

Dorset Place

The statement dated the 24 March 2014 from complainant A, at Dorset Place sets out the circumstances surrounding events on the 13th March 2014 at 9pm .The complainants home backs onto the rear entrance of the Union Bar .The first floor sleeping accommodation is approximately 14 meters from the premises. The complainant reports being disturbed by noise from music identified as coming from the Union Bar .The music is described as being comprised of muffled low thumps. In addition the complainant reports being disturbed by noise from the premises over a 4-5 year period. The complainant reports asking Mr Paul Osmond to turn down the music which for a brief period is undertaken but is not maintained. The council's records support the complainant's claims that reports of disturbance by noise have been recorded against the premises since 2005, document 7.The complainant has communicated with Mr Osmond during periods of disturbance. An illustration is provided in document 8 which provides details of a text message between both parties on the 31 May 2014.

The Licence Holder and Designated Premises Supervisor

The Licence Holder is Mr Robert Falconer of 37 White Rock Hastings TN34 1JP and designated premises supervisor David John Frances 12 Wykeham Road Hastings TN341UB.Our records show that Robert Falconer has been the premises licence holder since 2005.

A designated premises supervisor (DPS) is an individual who holds a valid personal licence and is named on the premises licence which authorises the sale by retail and alcohol. The DPS is the key person who will usually be charged with the day to day management of the premises by the premises licence holder.

The Licence holder Mr Falconer has a duty under the Licensing Act 2003 to promote all the licensing objectives one of which is the Prevention of Public Nuisance.

I have routinely corresponded with both Messer's Falconer and Francis inviting comment but at no time during my time with Hastings Borough Council have either parties engaged with me to resolve the issues of noise from music and customers.

Summary

In summary from the information collected over the previous months provides evidence that noise is generated through the playing of music on the premises (Union Bar) and customers who stand outside the premises. Noise escapes from the premises through the windows and doors. The music is described as being

accompanied by a heavy base beat. Earlier in the report I commented that the sound proofing measures have been upgraded at the front of the premises. The licence holder has been offered advice from council to assist them with compliance with the current licence conditions. The licence holder and designated premises supervisor have not engaged with the council to resolve the complaints of public nuisance. Complaints continue to be received about noise from music and customers from the premises.

Conclusion

On the basis of the supporting evidence it is my opinion that the sound proofing measures that are currently in place have alleviated but not resolved the escape of noise from the premises. There is evidence that noise from music still escapes from the front entrance doors and the rear exit door into the rear beer garden. The supporting evidence shows that noise from customers who stand outside the front of the premise and in the rear beer garden continues to disturb nearby residents.

It is possible for staff to alleviate noise from customers and live/ recorded music can be kept to a level so as not to disturb nearby residents. The evidence indicates that the underlying cause of the problems arising from the licensable activities is as a result of the lack of proper procedures for personnel to follow.

The review does not seek revocation or suspension of the premises licence but I ask that the committee considers the recommendations as set out below.

Recommendations

It is requested that the committee considers the removal of the current designated supervisor David John Francis. My grounds for this are that at no time has he engaged with me to resolve the issues as set in the review or responded to my enquires. David John Francis is currently a designated premises supervisor at other licensed premises in the borough. In addition it is requested that the committee attach the following conditions to the licence.

1) Noise and music and patrons shall not be audible in any residential premises at any time.

With the following conditions being attached to the revised licence:

1) On Fridays, Saturday and Sundays at least one Security Industry Authority (SIA) approved supervisor will be stationed at a location (inside or outside) the premises at times when live and recorded music is taking place to ensure that that orderly queuing is maintained, to keep the noise down from those that are queuing and/or using the rear beer garden and to assist with the dispersal of customers 30 minutes after the licensable activity has ceased.

2) Supervision shall be exercised on patrons at all times outside the premises in Cambridge Road and/or in the beer garden to the rear to ensure they refrain from shouting, singing or other rowdy behaviour at any time and anyone failing to comply with a request to be quiet or to comply with the restriction shall be refused entry or re-entry to the premises or further service of drinks. From Monday to Thursday a responsible member of staff shall be in attendance in the vicinity of the exits and to assist with the dispersal 30 minutes after the licensable activity has ceased.

3) That the first sentence of annex 3-condition 2 is amended to the following to read, noise and music arising from the premises shall not be audible in any residential premises. (Document 9-Annex 3)

4) Persons using the front of the building shall not be permitted to take drink out with them.

5) Where the premises operates with live or recorded music all doors and windows at the front and rear of the premises are remain closed, save for access and egress.

6) To prevent the escape of music and noise from customers inside the premises the lobby shall not be used for shelter, queing or any other activity by patrons or staff to ensure the lobby doors are kept close save for access or egress.

7) The premises will make available to local residents a contact number for the designated premises supervisor or representative so that any complaints can be dealt with promptly.

8) A tamper-proof noise limiting device shall be installed (and maintained).All amplified equipment used at the premises must be connected through the said noise limiter. A level to be set and agreed by an authorised officer of Hastings Borough, Environmental Protection.

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

RESOLVED (unanimously) that the application to vary the conditions of the licence be granted subject to the following conditions:

- 1. There shall be no use of the beer garden for any purpose after 23.00 hours;**
- 2. Noise and music arising from the licensed premises is to be barely audible at the façade of, or in, the nearest noise sensitive premises after 23.00 hours. For the avoidance of doubt Noise shall include that arising from all mechanical or electrical equipment used by the premises and that noise arising from customers in the premises; and**
- 3. Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.**

Document 8
Text Message 31/5/2014



Tubman

No if a band playing the door is shut there is nothing I can do

until it finishes

Live next to pub expect some level of noise . I don't even open the back garden anymore because of your constant complaining now I have my licence being reviewed thanks to you . Which could result in the loss of my home and business not to mention the most important live music venue this town has . I have an offer to pay or double glazing for your bedroom So deal with it however you see fit

12/11/2011 12:11

...and I notice your windows are
wide open ... How about you shut
your windows
[11:55:15]

And I notice your windows are
wide open ... How about you shut
your windows
[11:55:15]

Totally serious about the double
glazing if you think it will solve
the problem let me know and I'll
get someone to come and
measure it up
[11:55:15]

RESTRICTED (when complete)

Witness
Statement
Dorset Place.

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 19

URN

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Statement of:

Age if under 18:

018

(If over 18 insert 'over 18')

Occupation:

Teaching assistant

This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.

Signature:

Date

24/3/14

Tick if witness evidence is visually recorded

(supply witness details on rear)

My name is [redacted] [redacted] and I live @ [redacted] Dorset Place, I have lived here for over 10 years. over the past 4/5 years I have been disturbed by music from premises called The Union Bar, in Cambridge road which is a few doors down from my house. On the 13/3/14 at around 9.00pm there was music disturbance from the union bar in Cambridge road. So laying in bed I could hear muffled low thump thumps. My Bedroom is located @ the back of the house which over looks the rear entrance of the union bar. Was visited by officers from council when discussed the noise problem, they left and went to investigate the source of the noise. The music went on for another 5 mins then stopped for 5 mins or so. Then very loud for 20mins and stopped completely. When this 1st started 4/5 years ago I was in communication with Paul who I understand is the manager simple texts asking to shut back door or turn it down. This however is not maintained by him and only brings a temporary break from the racket. I can hear this in the back of the house which is where my bedroom is located. I have been very ill for the past year and have needed to recover slowly. I believe it has lowered my recovery down. It's Page 35 Stressful in the summer as I can't open my [redacted]

Continuation of statement of

without being disturbed ~~by~~ by music by the union bar.
on a further note the people collectively standing
out the front of the union bar make me feel intimidated
by their behavior and so have to detour to my home

Signature

Signature witnessed by:
Page 36

PTO

Holmebury House
Hastings
A Greenoak Property

Document 6
Holmebury
House

Holmebury House
Holmesdale Gardens
Hastings
East Sussex
TN34 1LS

2nd April 2014

Mr David Steeds
Environmental Protection Team
Aquila House
Breeds Place
Hastings
East Sussex
TN34 3UY

HASTINGS DISTRICT

03 APR

AQUILA HOUSE

Your Ref. WK/201305923

Dear David.

Further to your letter of 2nd December 2013 re the noise problems from the "Union Bar" opposite Holmebury House on Cambridge Road, Hastings.

I have now spoken with residents and find that three other flats have been disturbed by either the noise of music from the bar or noise from groups of people outside the pub standing shouting and making a general racket or passing by our property presumably on the way home in the late or early hours.

Some residents did not want to be involved in this matter but I have three who are regularly disturbed and that is not including guest's they may have who have been woken up in the night.

I myself have come into the building at night to clear a blocked bin chute and seen large groups of people outside the Union Bar and standing in the road.

I have found pub glasses and cans and bottles including broken ones on our front steps and in our front garden area on more than one occasion.

I notice that the pub premises has now got two damaged windows, this possibly gives you an impression of the type of clientele that attends the functions there.

I also notice that the person running the Union Bar is a "director" of the local Hastings Independent newspaper.

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HASTINGS BOROUGH COUNCIL

STATEMENT OF WITNESS

The Magistrates' Courts [Forms] Rules 1981 as amended by the magistrates' Courts[Forms] [Amendment] Rules 1997
CJ Act 1967 S 9; MC Act 1980, ss5A [3][a] and 5B; MC Rules 1981 R 70
MC [Witnesses Addresses] Rules 1990

Statement of: Mr Ian Wheeler

Age of Witness [if over 18 enter 'over 18']: Over 18

Occupation of Witness: Principal Environmental Health Officer

Document 5
Witness Statement
Ian Wheeler

This statement [consisting of 5 page[s] each signed by me] is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in anything, which I know to be false, or do not believe to be true.

Date: 4/6/14 Signature: [Signature]

My name is Ian John Wheeler, I am a Principal Environmental Health Officer employed in Environmental Health of Hastings Borough Council. I hold a 2:1 Bsc (Hons) degree in Environmental Health from the University of Greenwich and an MSc in Occupational Safety and Health also from the University of Greenwich. I am a Corporate member of the Chartered Institute of Environmental Health and a Corporate member of the Chartered Institute of Occupational Safety and Health. I am a Chartered Environmental Health Practitioner and a Chartered Safety and Health Practitioner. I have been an Environmental Health Officer for over 20 years. As part of my duties I also participate in the Councils emergency "out of hours" call out scheme as a lead Officer.

On 31st May 2014 at approximately 23:40 hrs I received a telephone call from the emergency "out of hours" coordinator who requested that I contact [redacted] of flat [redacted], Holmebury House located at the junction of Cornwallis Gardens and Cambridge Road, Hastings. I telephoned [redacted] who informed me that she was suffering noise disturbance from the Union Bar which was located directly opposite her flat on the other side of Cambridge Road. [redacted] also informed me that she had counted, earlier in the evening, at least 40 persons on the pavement immediately outside of the Union Bar prior to phoning the Councils out of hours service. I informed [redacted] that I would visit her at her property to further

Signature: [Signature] Witnessed by: [Signature]

HASTINGS BOROUGH COUNCIL

Continuation of Statement: Ian Wheeler

investigate her complaint of noise disturbance from the Union Bar.

At approximately 00:34 hrs on 1st June 2014 I arrived at Cornwallis Gardens and after parking my car I walked to the corner of Cornwallis Gardens and Cambridge Road to meet my back up officer and colleague Jill Russell who was waiting for me at this location. I observed

approximately 10 persons stood on the opposite pavement directly outside the Union Bar and who were then joined by 4 other persons. At 00:38 hrs I observed individuals both enter and leave the Union bar. I noted at this time that the noise generated by the individuals who were stood on the pavement immediately outside the Union Bar and which included voices as well as individuals shouting was clearly audible from my observation point.

At approximately 00:45 hrs I entered [redacted] property being [redacted], Holmebury House and continued my observations from her bedroom. A window within [redacted] bedroom looks directly down and across Cambridge Road to the Union Bar. I then observed a tall white male leave the Union Bar and grab hold of a white female who had just left the Union Bar and who then stood amongst other individuals immediately outside on the pavement. I then heard the tall white male who was wearing a blue short sleeve top shout loudly and which was clearly audible to me "you can fuck off" to the white female he had grabbed hold of. The tall white male re-entered the Union Bar and then shortly afterwards come back out. He appeared to look directly up at me as I stood in my observation point at the window of flat [redacted] Holmebury House and then it appeared that he proceeded to wave at me. At this time there were approximately 8 individuals stood on the pavement directly outside the Union Bar. I noted a board attached to the wall of the Union Bar on which appeared to be written the words "Please leave the premises quietly".

At approximately 00:52 hrs I observed 14 individuals stood on the pavement directly outside the Union Bar. At 00:57 hrs I again counted 14 individuals and noted that the voices and talking of these individuals was audible within [redacted] bedroom in flat [redacted] Holmebury

Signature: [Signature] Witnessed by: [Signature]

HASTINGS BOROUGH COUNCIL

Continuation of Statement: Ian Wheeler

House.

At approximately 01:00 hrs I observed a female leave the Union Bar look around and then re-enter the Union Bar door which slammed loudly behind her and which was clearly audible to me. At approximately 01:04 hrs the Union Bar door slammed shut several times as

individuals entered or left the premises and this noise was clearly audible to me from within [redacted] in flat [redacted] Holmebury House.

At approximately 01:05 hrs I noted 9 persons stood on the pavement directly outside the Union Bar. I also observed the door slam shut several times as individuals left the premises and this noise was clearly audible within flat [redacted] Holmebury House.

At approximately 01:06 hrs the door of the Union Bar slammed shut again. The voices of individuals stood on the pavement directly outside the Union Bar could still be heard but at a lower level.

At approximately 01:08 hrs I observed 13 individuals stood on the pavement directly outside the Union Bar. At approximately 01:10 hrs the door of the Union Bar slammed shut loudly on several occasions as individuals either entered or left the Union Bar.

At approximately 01:12 hrs a young female stood on the pavement directly outside the Union Bar and appeared to look directly up at me as I stood at the window of flat [redacted] Holmebury House and then it appeared that she made a crude hand gesture towards me. I observed 12 individuals stood on the pavement directly outside the Union Bar at this time.

At approximately 01:14 hrs the door of the Union Bar slammed shut loudly and then at 01:15hrs three times more as individuals left the premises. This noise was clearly audible and I considered it to be highly disturbing to any individual attempting to sleep within the bedroom

Signature: [Signature] Witnessed by: [Signature]

HASTINGS BOROUGH COUNCIL

Continuation of Statement: Ian Wheeler

of flat 23 Holmebury House.

At approximately 01:16 hrs I heard a male voice shout loudly several times "time to go home". to individuals stood on the pavement directly outside the Union Bar. This was clearly audible to me from my observation point within the bedroom of flat 23 Holmebury House. I observed

the tall white male wearing a blue short sleeve top and who had earlier appeared to wave at me pacing up and down outside the Union Bar. I continued to observe this male who was talking to a shorter older male who had a beard and was wearing a light coloured shirt.

At approximately 01:21 hrs I observed a male shouting loudly whilst stood on the pavement directly outside the Union Bar and it appeared that the shorter older male who had a beard and was wearing a light coloured shirt was informing him to be quiet although I was unable to hear the details of the exchange between these two males. I then observed the tall white male wearing a blue short sleeve top who had earlier appeared to wave at me come out of the Union Bar with a lit fluorescent coiled light stick which he held in his hand.

At approximately 01:24 hrs a younger male with shoulder length hair appear to look directly up at me within the bedroom of flat 23 Holmebury House and then he proceeded to jump up and down several times whilst simultaneously waving at me.

At approximately 01:25 hrs I heard the door of the Union Bar slam shut loudly as a male entered the premises. I then observed the tall white male wearing a blue short sleeve top sweeping the pavement area immediately outside of the Union Bar and he was being assisted by the younger male with shoulder length hair who had shortly before proceeded to jump up and down several times whilst simultaneously waving at me. I then heard the door of the Union Bar slam shut loudly three times and which was clearly audible and I considered this noise to be highly disturbing to any individual attempting to sleep within the bedroom of flat 23 Holmebury House.

Signature: [Handwritten Signature] Witnessed by: [Handwritten Signature]

HASTINGS BOROUGH COUNCIL

Continuation of Statement: *la Wheeler*

At approximately 01:29 hrs I heard the door of the Union Bar slam shut loudly.

At approximately 01:30 hrs I observed 3 individuals leave the Union Bar one of which was a male shouting loudly and astride what appeared to be a toy horses head located on a pole.

The tall white male wearing a blue short sleeve top appeared to be telling the male astride the

toy horses head to be quiet and be making a "shoosh" sort of noise. At approximately 01:32 hrs a male and female left the Union Bar.

At approximately 01:33 hrs I saw the tall white male wearing a blue short sleeve top who had earlier appeared to wave at me lock the front door of the Union Bar and I then observed the lights go off within the premises.

At approximately 01:39 hrs we finished our observations within the bedroom of flat [redacted] Holmebury House.

Signature: *[Signature]* Witnessed by: *[Signature]*

HASTINGS BOROUGH COUNCIL

STATEMENT OF WITNESS

The Magistrates' Courts [Forms] Rules 1981 as amended by the magistrates' Courts [Forms] [Amendment] Rules 1997
CJ Act 1967 S 9; MC Act 1980, ss5A [3][a] and 5B; MC Rules 1981 R 70
MC [Witnesses Addressed] Rules 1981

Document 4
Witness Statement
Trevor Scrase

Statement of: ...Trevor Charles SCRASE.....
Age of Witness [if over 18 enter 'over 18']: ...Over 18.....
Occupation of Witness: Senior Licensing Officer

This statement [consisting of page[s] each signed by me] is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in anything which I know to be false or do not believe to be true.

Date: 25/11/2013 Signature: 

I am employed as a Senior Licensing Officer for Hastings Borough Council, based at Aquila House, Breeds Place, Hastings, TN34 3UY. I have held this position since June 2006, previously I was the Licensing Development Officer from November 2004. Prior to employment with Hastings Borough Council, I was a police constable in Sussex Police, completing thirty years service in November 2004. I am the holder of the BIIAB National Certificate for Personal Licence Holders certificate, which is an accredited qualification. I am also the holder of a personal licence number 08 / 00276 / LAPER issued by Rother District Council on 19th April 2008. I am also the holder of a BIIAB National Certificate for Licensing Practitioners of the Licensing Act 2003, which is an accredited qualification. I am an authorised person og Hastings Borough Council in respect of various legislation of which the authority has a statutory duty including the Licensing Act 2003. On Saturday the 19th October 2013, I was on duty engaged in late evening licensing checks during the course of the Hastings Bonfire celebrations. At 23.23 hours, I walked up Cambridge Road from the town centre to check on the Union Bar. The Union Bar, (formerly known as The Tub Man), is located on the south side of Cambridge Road, between the junctions of prospect Place and Dorset Place, opposite the junction with Cornwallis Gardens. On the corner of Cornwallis Gardens is situated Holmbury House, which are residential retirement and sheltered housing flats. The adjacent area of Cornwallis Gardens and Cambridge Road is mainly residential, with houses and flats. I am aware of the noise complaint history regarding this premises and that it is on the 'Out of hours referral list.' There were a crowd of persons

Signature:  Witnessed by:

HASTINGS BOROUGH COUNCIL

Continuation of Statement:Trevor Charles SCRASE.....

outside, talking and from the fact that they were standing around outside and I saw some of them go back into the premises and others came outside, I formed the opinion that they were customers. Some of the group were smoking and appeared to be joined by others that weren't. The group size varied but was approximately 20 persons in total. The music noise from inside the premises was clearly audible from my position on the steps of Holmbury House, directly opposite. It appeared to be live music with the playing of electric guitars. The music noise ceased at 23.30 hours. I had been joined by Mr Anthony MASTERS, Police Licensing Officer. At 23.50 hours, I was driving home and I drove up Cambridge Road with the intention of checking on the Union Bar. I saw a larger group outside, which I estimated to be some 30 to 40 persons, again talking, some smoking. I saw what appeared to be the musicians loading equipment into a car nearby. I formed the opinion that they were the live music performers. The conditions of the operating schedule of the premises licence (Annex 2) in the licensing objective 'The prevention of public nuisance', states, Ensure staff monitor noise levels to ensure no disturbance to residents. However in the Conditions attached after a hearing by the licensing authority. (Annex 3) condition 2 states, 'Noise and music arising from the licensed premises is to be barely audible at the façade of, or in, the nearest noise sensitive premises after 23.00 hours.' As an authorised officer of Hastings Borough Council, in my opinion this condition was clearly breached, in respect of the live music noise. Immediately adjoining the Union Bar is another public house licensed premises called the Dripping Well, the postal address of which is 1, Dorset Place. This is a separate premises and was not the generator of any noise issues on this particular evening. I have discussed my visit with Mr David STEEDS, Principal Environmental Health Officer since that date. At 22.00 hours on Saturday the 23rd November 2013, I was on duty in company with Mr Robert Brown, Licensing Manager, engaged on late night checks on licensed premises in Hastings. At 23.30 hours we walked up to the Union Bar, (formerly the Tub Man), Cambridge Road, Hastings.' We stood on the opposite side of the road, immediately outside and on the steps of Holmbury House and could hear the talking of the fourteen persons standing outside of the premises. This number of persons was joined as others came out and some went back into the premises through the swing double doors which banged every time the doors closed. Mr Brown made particular comment on the frequency of the door banging on closure. The music noise from the premises on this occasion was low level and it was only noticeable when the doors were open for customers to enter or exit. We did not enter the premises or contact the staff on the premises as a result of our visit.

Signature: Witnessed by:

Please quote: WK/201400148
Your reference:
Date: 19th May 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection

Document
3
Correspondence



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr David Francis
2 Wykeham Road
Hastings
East Sussex
TN341UB

Dear Mr Francis,

The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN341BL
Application for the review of premises licence HOP50183-Licensing Act 2003

Further to my earlier correspondence as complaints about noise and noise from music continue to be received by the council it has now become necessary to review your premises licence and for that purpose I enclose:

a) The application for review of the premises licence HOP50183 and supporting information contained in the appendix (Appendix1)

Should you require any further advice please do not hesitate to contact me.

Yours Sincerely,

David Steeds
Principal Environmental Health Officer



[REDACTED]

Please quote: WK/201400148
Your reference:
Date: 19th May 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
57 White Road
Hastings
East Sussex
TN341JP

Dear Mr Falconer,

The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN341BL
Application for the review of premises licence HOP50183-Licensing Act 2003

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Should you require any further advice please do not hesitate to contact me.

Yours Sincerely,

David Steeds
Principal Environmental Health Officer



██████████

Please quote: WK/201400148
Your reference:
Date: 19th May 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer

C/O Pig in Paradise
7 White Rock

Hastings
East Sussex
TN341JP

Dear Mr Falconer,

The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN341BL
Application for the review of premises licence HOP50183-Licensing Act 2003

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Should you require any further advice please do not hesitate to contact me.

Yours Sincerely,

David Steeds
Principal Environmental Health Officer





Please quote: WK/201400148
Your reference:
Date: 19th May 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
The Union Bar
57 Cambridge Road
Hastings
East Sussex
TN341BL

Dear Mr Falconer,

The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN341BL
Application for the review of premises licence HOP50183-Licensing Act 2003

Further to my earlier correspondence as complaints about noise and noise from music continue to be received by the council it has now become necessary to review your premises licence and for that purpose I enclose:

a) The application for review of the premises licence HOP50183 and supporting information contained in the appendix (Appendix1)

Should you require any further advice please do not hesitate to contact me.

Yours Sincerely,

David Steeds
Principal Environmental Health Officer



Please quote: WK/201305923
Your reference:
Date: 3rd April 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer and Mr Osmond
The Union Bar
57 Cambridge Road
Hastings
TN341EL

Dear Messrs Falconer and Osmond

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003 (HOP50183)
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

As premises licence holder and leaseholder respectively I have since September 2013 written to you both in connection with disturbance cause by:

- Noise from live and recorded music and
- Noise from your customers who congregate outside of your premises.

I have attempted to persuade you to improve the acoustic protection of the premises and encouraged the adoption of good practices to alleviate the impact on your near neighbours. I have been informed by Mr Osmond that it is his intention to improve the sound proofing of the premises but as yet no progress is being made.

Complaints continue to be received by the councils out of hours service which have been investigated and therefore on the basis of the evidenced gathered to date it has become necessary to initiate a review of your premises licence the details of which will be sent to in the following weeks.

If in the meantime you wish to discuss to discuss the issues with me you should contact me on the above extension.

David Steeds
Principal Environmental Health Officer

Mr Robert Falconer, 37 White Rock Hastings TN34 1 JP



Please quote: WK/201305923
Your reference:
Date: 3rd April 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
~~White Rock~~
Hastings Borough
TN34 1 JP

Dear Mr Falconer

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 3rd April 2014 in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer

[REDACTED]

Please quote: WK/201305923
Your reference:
Date: 3rd April 2014
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis

2 Wykeham Road

Hastings
TN34 1UB

Dear Mr Francis

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

As the designated premises supervisor I enclose recent correspondence to Messrs Robert Falconer and Osmond.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer

CONFIDENTIAL

Please quote: WK/201305923
Your reference:
Date: 11th December 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
57 White Rock
Hastings Borough
TN34 1 JP

Dear Mr Falconer

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 11th December 2013 in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer





Please quote: WK/201305923
Your reference:
Date: 2nd December 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis
2 Wykham Road
Hastings
TN34 1UB

Dear Mr Francis

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I enclose a copy of my letter of the 2nd December 2013 to Mr Paul Osmond for your information and action as required.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer

XXXXXXXXXX

Please quote: WK/201305923
Your reference:
Date: 11th December 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis
12 Wykeham Road
Hastings
TN34 1UB

Dear Mr Francis

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 11th December 2013 to Mr Osmond in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer



████████████████████

Please quote: WK/201304710
Your reference:
Date: 2nd December 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Miss Anna Lovett
~~Dorset Place~~
Hastings
East Sussex
TN351LG

Dear Miss Lovett,

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I refer to your recent complaints and our conversation in connection with noise arising from amplified music and customers at the above premises. By way of update I confirm that I am continuing to peruse your complaints with the licence holders of the premises. The matter will take time to resolve but I would encourage you to continue to report any further complaints to the councils out of hour's service. Although inconvenient it would assist the investigation that if on future occasions you permit the out of hours officer to witness the noise from your flat.

Yours Sincerely

David Steeds
Principal Environmental Health Officer

2000

Please quote: WK/201305923
Your reference:
Date: 2nd December 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Paul Osmond
The Union Bar
57 Cambridge Road
Hastings,
East Sussex
TN341EL

Dear Mr Osmond,

**Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL**

I appreciate your email response of the 25 November 2013 in response to my earlier letters in relation to the need to control noise from your premises. I note the time scales set out in your email in relation to the proposed work. My understanding is that you propose to:

1. Fit acoustic rated glass to each of the lobby doors (Vestibule) and install a self closing device (Dampener) to prevent the door(s) slamming shut.

Comment

This should be a priority as the councils licensing officer reports that on the 19th October and the 23 November 2013 the noise from music is clearly audible at the façade of Holmebury House when the doors are opened. In addition it was observed the frequency of the door slamming was frequent as customers came out and returned to the premises.

2. The back garden is to be kept closed until the summer and thereafter an acoustic fire rated fire door with a door alarm to be installed.

Comment

Despite the decision not to use the garden until the summer the existing doors are insufficient to prevent noise escaping from premises. The time scale should be brought forward.

3. Acoustic double glazing is to be installed to the two small windows at the front of the building in the first and second quarter of next year.

Comment

Observations were made by the councils licensing officers on the 19th October 2013 whilst live music was being played and it was clearly audible at the boundary of Holmebury House. The licence requires the prevention of public nuisance. The time scale should be brought forward.

4. I note your comments in relation from customers who congregate at the front of the premises and the measures to control the noise.

Comment



DIVERSITY CHAMPION

This should be a priority as observations made by the councils licensing officer on the 19 October 2013 and the 23 November indicated that noise from customers is clearly audible at the façade of Holmebury House. I suggest that you appoint a member of staff to be responsible for control the number of people who congregate at the front of the premises and to control access to and from the premises.

As the measures proposed have yet to be completed it is likely that you will continue to cause a public nuisance and there is sufficient evidence to review the conditions on the current licence. However before I agree to the time scales you have set out I request that you attend a meeting with Bob Brown, Licensing Manager and myself on the 10th December 2013 at 2pm in the council's offices at Aquila House. If you could confirm your attendance by emailing me on the above address

Yours Sincerely

David Steeds
Principal Environmental Health Officer

cc David John Francis, 12 Wykeham Road, Hastings, TN341BU

cc Mr Robert Falconer, 37 Whiterock, Hastings, TN34 1JP



Low Frequency Limiter

David Steeds

From: EnvProtection
Sent: 25 November 2013 14:44
To: David Steeds
Subject: FW: The Union Bar

Vestibule

From: Paul Osmond [mailto:thetubman@hotmail.co.uk]
Sent: 25 November 2013 13:15
To: EnvProtection
Subject: The Union Bar

Hi David

Further to our conversation last week i would like to inform you of **what** we are doing to ensure that we keep the noise levels and disturbance to a minimum.

We have installed a low frequency limiter to the in house PA system. This will ensure that bass levels will not exceed a certain level.

We will, as and when there is a need to, replace any doorway and vestibule windows with acoustic rated glass, the first of these will be fitted within the next two weeks. The doors and vestibule area actually make for a very effective buffer and the cost of replacing them with acoustic rated doors far out weighs the benefits. The main issue here is sound break out when the bands are playing and doors are being opened. We will as agreed install a dampener on these doors to ensure that the sound of the door shutting will be minimal.

We have taken the decision to close the back garden until the summer. This will give us the time to install an acoustic rated fire door to the rear of the building and this will certainly reduce noise from the fire door being opened and allow us to install a door alarm that will indicate when the door has been opened. Unfortunately we are unable to lock this door as it is a fire exit.

We have started to keep to a record of decibel readings taken during sound checking at various point around the building. Interestingly any readings taken at the front of the building are very difficult to take due the noise of the traffic being louder than the noise caused by the bands.

The rear of the building is where we feel that we are getting most noise related complaints. They will be either from the music or from customers making too much noise.. What is worth bearing in mind here is that in the last week alone i have received three complaints from one of my neighbours via text messages relating to loud music when we have had no music whatsoever playing on the premises and the garden has been closed. I am not disputing the fact that a times there is noise that comes from the garden and the premises and we are doing what we can to address these issues by installing an alarmed door and putting signs up to inform customers to keep the noise down.

The front of the building it would seem that the problems are more related to customers smoking and congregating outside the front of the premises. We have put up a sign asking all

customers to keep the noise down and are going to cordon an area off to make sure that customers smoke within that area. This area will be kept to a minimum to ensure that there are never too many people at once in there and utilitarian in design so as to discourage people to stay there and just congregate. We have also made sure that when we close that the crowd is dispersed as quickly and quietly as possible. As you know we have installed acoustic double glazing on the large front window and we are currently getting quotes for the other two smaller windows. We will look to have the first of these installed by the first quarter of next year and the last by the second quarter of next year, sooner should our finances allow it.

If there any other areas that you feel we should look at please don't hesitate to contact me.

Kind Regards

Paul Osmond

This e-mail has been scanned for all viruses by Star. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: <http://www.star.net.uk>

Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis

[REDACTED]
Hastings
TN34 1UB

Dear Mr Francis

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 17th October 2013 to Mr Osmond in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer



[Redacted]

Please quote: WK/201305923
Your reference:
Date: 21 November 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Paul Osmond
The Union Bar
57 Cambridge Road
Hastings,
East Sussex
TN341EL

Dear Osmond,

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I refer to my letter of the 22 October 2013 and our meeting on the 20th November 2013 in connection with the need to control the noise caused by amplified music from your premises. I was expecting your proposals to be confirmed in writing but as yet I have not received any response.

I look forward to receiving your proposal in writing as soon as is convenient.

Should you require any further advice please do not hesitate to contact me on the above number?

Yours Sincerely

David Steeds
Principal Environmental Health Officer

cc Mr Robert Falconer, 37 Whiterock, Hastings, TN34 1JP

Please quote: WK/201305923
Your reference:
Date: 21 November 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis
12 Wykham Road
Hastings
TN34 1UB

Dear Mr Francis,

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I enclose a copy of my letter of the 21 November 2013 in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer



██████████

Please quote: WK/201305923
Your reference:
Date: 21 November 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
57 White Rock
Hasting
TN341JP

Dear Mr Falconer,

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union Bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I enclosed a copy of my letter of the 21 November 2013 in connection with the above premises.

Should you require any further information please do not hesitate to contact me

Yours Sincerely

David Steeds
Principal Environmental Health Officer

[REDACTED]

Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
[Redacted]
Hastings Borough
TN34 1 JP

Dear Mr Falconer

**Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL**

I refer to my earlier letter of the 17th October 2013 in connection with the above premises. As you can see from the enclosed letter dated the 22 October 2013 I have since revisited the Union Bar. Although I have discussed the issues set out in my letter directly with Mr Osmond who I understand is the leaseholder of the premises as licensee it is likely to that you will have responsibility for meeting some of the issues set out in my letter. I therefore recommend that you liaise with Mr Osmond to ensure sufficient progress is being made.

The matter in relation to the breach of the statutory notice served under the Environmental Protection Act 1990 is being addressed directly with Mr Osmond.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer



Stonewall
DIVERSITY CHAMPION

Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
57 White Rock
Hastings Borough
TN34 1 JP

Dear Mr Falconer

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 17th October 2013 in connection with the above premises.

Should you require any further information please do not hesitate to contact me.



David Steeds
Principal Environmental Health Officer





Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
57 White Rock
Hastings Borough
TN34 1 JP

Dear Mr Falconer

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 17th October 2013 in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer



03/04/2014

Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Robert Falconer
~~67 White Road~~
Hastings Borough
TN34 1 JP

Dear Mr Falconer

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I refer to my earlier letter of the 17th October 2013 in connection with the above premises. As you can see from the enclosed letter dated the 22 October 2013 I have since revisited the Union Bar. Although I have discussed the issues set out in my letter directly with Mr Osmond who I understand is the leaseholder of the premises as licensee it is likely to that you will have responsibility for meeting some of the issues set out in my letter. I therefore recommend that you liaise with Mr Osmond to ensure sufficient progress is being made.

The matter in relation to the breach of the statutory notice served under the Environmental Protection Act 1990 is being addressed directly with Mr Osmond.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer



Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis
~~2 Wykeham Road~~
Hastings
TN34 1UB

Dear Mr Francis

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341BL

I enclosed a copy of my letter of the 17th October 2013 to Mr Osmond in connection with the above premises.

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer





Please quote: WK/201305923
Your reference:
Date: 17th October 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr John Francis
12 Wykeham Road
Hastings
TN34 1UB

Dear Mr Francis

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I refer to my earlier letter of the 17th October 2013 to Mr Osmond in connection with the above premises. As you can see from the enclosed letter dated the 22 October 2013 I have since revisited the premises on the 21st October 2013. As the designated premises supervisor on the current licence I recommend that you liaise closely with Mr Osmond to ensure that you are fulfilling your responsibility in your role

Should you require any further information please do not hesitate to contact me.

David Steeds
Principal Environmental Health Officer

02/02/2020

Please quote: WK/201305923
Your reference:
Date: 2nd December 2013
Please ask for: David Steeds
Telephone direct: 01424451079
E-mail: envprotection@hastings.gov.uk
Web: www.hastings.gov.uk/environmental_protection



Environmental Protection Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr Paul Osmond
The Union Bar
57 Cambridge Road
Hastings,
East Sussex
TN341EL

Dear Mr Osmond,

Environmental Protection Act 1990, Section 80 & the Licensing Act 2003
The Union bar 57 Cambridge Road, Hastings, East Sussex, TN341EL

I appreciate your email response of the 25 November 2013 in response to my earlier letters in relation to the need to control noise from your premises. I note the time scales set out in your email in relation to the proposed work. My understanding is that you propose to:

1. Fit acoustic rated glass to each of the lobby doors (Vestibule) and install a self closing device (Dampener) to prevent the door(s) slamming shut.

Comment

This should be a priority as the councils licensing officer reports that on the 19th October and the 23 November 2013 the noise from music is clearly audible at the façade of Holmebury House when the doors are opened. In addition it was observed the frequency of the door slamming was frequent as customers came out and returned to the premises.

2. The back garden is to be kept closed until the summer and thereafter an acoustic fire rated fire door with a door alarm to be installed.

Comment

Despite the decision not to use the garden until the summer the existing doors are insufficient to prevent noise escaping from premises. The time scale should be brought forward.

3. Acoustic double glazing is to be installed to the two small windows at the front of the building in the first and second quarter of next year.

Comment

Observations were made by the councils licensing officers on the 19th October 2013 whilst live music was being played and it was clearly audible at the boundary of Holmebury House. The licence requires the prevention of public nuisance. The time scale should be brought forward.

4. I note your comments in relation from customers who congregate at the front of the premises and the measures to control the noise.

Comment



This should be a priority as observations made by the councils licensing officer on the 19 October 2013 and the 23 November indicated that noise from customers is clearly audible at the façade of Holmebury House. I suggest that you appoint a member of staff to be responsible for control the number of people who congregate at the front of the premises and to control access to and from the premises.

As the measures proposed have yet to be completed it is likely that you will continue to cause a public nuisance. On the basis of the recent observations made there is sufficient evidence to review the conditions on the current licence. However before I agree to the time scales you have set out I request that you attend a meeting with Bob Brown, Licensing Manager and myself on the 10th December 2013 at 2pm in the council's offices at Aquila House. If you could confirm your attendance by emailing me on the above address

Yours Sincerely



David Steeds
Principal Environmental Health Officer

cc David John Francis, 12 Wykeham Road, Hastings, TN34 1BU

cc Mr Robert Falconer, 37 Whiterock, Hastings, TN34 1JP



NOISE DIARY

SCAN

Document 2

Please ensure CLEAR AND LEGIBLE HANDWRITING AT ALL TIMES

Name(s) & address of person(s) affected

Address of source of nuisance

Person Responsible (if known)

HAS
Dorset Place, Hastings, East Sussex
Tubman, 57 Cambridge Road, Hastings, East Sussex
UN 2011

Noise Diaries

Worksheet Reference

WK/201012887

Day	Date	Time Started	Time Finished	Description of nuisance and how it affected you	Nuisance Level Distressing/ Bearable	Areas of property affected	Who else was affected by it on your property?
Mon	03/1/00	8.23pm	11.38pm	EXAMPLE	Bearable	Lounge	ME
Thu	12/2/11	6.00 17.45 17.00 PM	11.38pm	Back of house very noisy music. txt him to turn it down twice = no reply eventually got driven out my own house thanks PRIZK.	UN BEARABLE	Back Bedroom	ME
Wed	16/2/11	5.30pm 6.15pm	5.45pm 7.00pm	Shouting in back garden band playing txt him got an apology.	Shouting loud	" "	" "
Wed	23/2/11	5.00pm	5.00pm	band practice (again) banging drums suddenly got quieter then slightly quieter possibly drums/guitar. So had to leave as it didn't get quieter (thanks again) very loud and boomy txt him to shut door - live band playing.	very loud went down to abt 4 complimentary drinks.	" "	" "
Wed	5/3/11	8.00pm	11pm	Extremely loud music txt him but it didn't get turned down after he said he would. I txt him again and he still didn't turn it down.	very loud	" "	" "
Wed	19/3/11	10.20	11.30	live band playing. txt him he said they would stop by 11. txt again still not stopped and he ignored txt. people in back garden being noisy.	very loud	" "	" "

The pub is nice and the owner does try & keep it down, however I should be driven out my own home! when I txt him to shut the back door he does answer and apologize and shut door however when asked to turn the music down nothing gets done and no txt to apologize. He doesn't understand that for the sheer volume I disagree with. Just coz he wants late doesn't mean I have to listen to it when I have work next day. To be driven out of my own house because of the volume is disgusting and I'm appalled by it. Why should I have to keep txting him to turn it down sometimes its very loud and theres only a few people in here less than 10 people.

Also the people outside the pub should be their responsibility. People outside fighting, being intimidating, insulting and shaking not to mention leaving glasses bottles etc. everywhere. Tried to walk my dog down the road and she was terrified of going and wouldn't go past them because of it all. This was just after Xmas about 12.00 @ night - 165
Not fair he needs to understand its not just his pub that's important and where he'd up with it.

Complaint Details WK/201402090

Document 1
Complaints

Property

Address **The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source

Name [REDACTED]

Address [REDACTED], Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS

Home Tel [REDACTED] Work Tel Mobile

Fax Email

Department **EH - Environmental Health** Date Recd **31/05/2014** Time **23:40**

Application **CPEH - Complaints - EH** Method **T - Telephone**

Task Group **CNOI - Noise** Recd By **DJS - David Steeds**

Task **CN13 - Noise Music** Source Type **S001 - Public**

Details **Reporting lots of people outside the Union Bar shouting and making noise.**

Message

Officer **DJS - David Steeds**

Target Actual

Time Taken First Response **02/06/2014 07:30** **02/06/2014 07:30**

Next Task **9002 - Completion** Completed **27/06/2014**

Due **27/06/2014** Allocated **05/06/2014** Outcome

References

No references set up.

Complaints

Subject Details

Title Initials Telephone **420074**

First Name Fax

Family Name Email

Section

Offence Statute

Purchase Date Purchase Time

OFT (Product) FSA Type

OFT (Condition)

Previous Complaints

(Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201401894	31/05/2014	wishing to complain about a shitty text from the Union	Resp		DJS
WK/201401916	31/05/2014	Wishing to complain about a nasty text that she has re	Recd		DJS
WK/201401468	18/05/2014	Loud noise coming from the beer garden of the pub ha	Comp	062	DJS
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Comp	062	DJS
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Comp	062	DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Comp	062	DJS
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Comp	062	DJS
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officei	Comp	062	GC
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. Di	Comp	062	SB

Actions						
Action	Officer	Actual	Target	Time	Value	Number
No Actions found.						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.

Property		
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Area D1 - Castle Ward
	Fax	

Worksheet		
Source		
Name [REDACTED]		
Address Dorset Place, Hastings, East Sussex, TN34 1LG		
Home Tel	Work Tel	Mobile
Fax	Email	

Department	EH - Environmental Health	Date Recd	31/05/2014	Time	22:40
Application	CPEH - Complaints - EH	Method	T - Telephone		
Task Group	CNOI - Noise	Recd By	DJS - David Steeds		
Task	CN13 - Noise Music	Source Type	S001 - Public		

Details Wishing to complain about a nasty text that she has received from the owner of the Tubman/Union Bar. [REDACTED] said that [REDACTED] text him to poltte ask him to turn the music down and he sent back a text which she described as "shitty". [REDACTED] said the music is annoyin

Message			
Officer	DJS - David Steeds	Target	Actual
Time Taken		First Response	02/06/2014
Next Task	9001 - First Response	Completed	27/06/2014
Due	02/06/2014	Allocated	02/06/2014
		Outcome	

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone 420074
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201401894	31/05/2014	wishing to complain about a shitty text from the Union	Resp		DJS
WK/201401468	18/05/2014	Loud noise coming from the beer garden of the pub ha	Comp	062	DJS
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Comp	062	DJS
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Comp	062	DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Comp	062	DJS
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut;	Comp	062	DJS
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officel	Comp	062	GC
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. Di	Comp	062	SB
WK/201306099	18/10/2013	Loud music coming from [REDACTED] its made louder as y	Comp	062	SB

Actions						
Action	Officer	Actual	Target	Time	Value	Number
No Actions found.						

User Defined Codes						
Energy Efficiency			Energy Efficiency 2			
Sex			Gender Identity			
Age Group			Disability?			
Sexual orientation			Ethnic Group			
Citizenship			Gypsies/Travellers			
Religious belief			Work Status			
Dependants?			Marital Status			
Made Decent?			Hazards Removed?			
Report Exclude			Dwellings improved			

Remarks						
No remarks found.						

Related Addresses						
Address	Telephone	Type	Value	Number	Time	Officer
No related addresses found.						

User Defined Addresses						
No User Defined Addresses found.						

User Defined Text						
No User Defined Text found.						

Property			
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL		
Telephone	420074	Fax	Area D1 - Castle Ward

Worksheet			
Source			
Name	[REDACTED]		
Address	Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS		
Home Tel	[REDACTED]	Work Tel	Mobile 07990766431
Fax	Email		

Department	EH - Environmental Health	Date Recd	03/04/2014	Time	12:20
Application	CPEH - Complaints - EH	Method	L - Letter		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S001 - Public		
Details	Letter received regarding noise from The Union Bar people and music noise.				
Message					
Officer	DJS - David Steeds	Target	Actual		
Time Taken		First Response	09/04/2014	03/04/2014	
Next Task	9002 - Completion	Completed	01/05/2014		
Due	01/05/2014	Allocated	04/04/2014	Outcome	

References
No references set up.

Complaints			
Subject Details			
Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	
Section			
Offence	Statute		
Purchase Date	Purchase Time		
OFT (Product)	FSA Type		
OFT (Condition)			

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Resp		DJS
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Resp		DJS
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officer	Comp	062	GC
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. D	Comp	062	SB
WK/201306099	18/10/2013	Loud music coming from the pub ltr made louder as y	Comp	062	SB

Actions						
Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	JBA	03/04/2014				
9004 - Attachment	CW	03/04/2014				
Comment Copy of letter						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.

Property			
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL		
Telephone	420074	Fax	Area D1 - Castle Ward

Worksheet			
Source			
Name [REDACTED]			
Address [REDACTED] Dorset Place, Hastings, East Sussex, TN34 1LG			
Home Tel	[REDACTED]	Work Tel	Mobile
Fax		Email	

Department	EH - Environmental Health	Date Recd	28/03/2014	Time	23:31
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		
Details Drumming coming from pub. duty officer called					
Message					
Officer	DJS - David Steeds	Target	Actual		
Time Taken		First Response	03/04/2014	28/03/2014 23:37	
Next Task	9002 - Completion	Completed	25/04/2014		
Due	25/04/2014	Allocated	31/03/2014	Outcome	

References
No references set up.

Complaints			
Subject Details			
Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	
Section			
Offence	Statute		
Purchase Date	Purchase Time		
OFT (Product)	FSA Type		
OFT (Condition)			

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Resp		DJS
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Resp		DJS
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officer	Comp	062	GC
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. Di	Comp	062	SB
WK/201306099	18/10/2013	Loud music coming from the pub lts made louder as y	Comp	062	SB

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SNL	28/03/2014				
216 - Telephone Call Recvd	OOH	28/03/2014	23:37			
Comment: [REDACTED] called music has stopped						
9004 - Attachment	DJS	03/04/2014	15:21			

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property		
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Fax Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	Dorset Place, Hastings, East Sussex, TN34 1LG	
Home Tel	[REDACTED]	Work Tel Mobile
Fax	Email	

Department	EH - Environmental Health	Date Recd	25/03/2014	Time	22:33
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		

Details Loud music for last 45 mins from the pub.

Message			
Officer	DJS - David Steeds	Target	Actual
Time Taken		First Response	31/03/2014 25/03/2014 23:00
Next Task	9002 - Completion	Completed	22/04/2014
Due	22/04/2014	Allocated	28/03/2014 Outcome

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

Previous Complaints (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS	
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS	
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut:	Resp		DJS	
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officer	Comp	062	GC	
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO	
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. D	Comp	062	SB	
WK/201306099	18/10/2013	Loud music coming from the pub its made louder as y	Comp	062	SB	

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SNL	25/03/2014				
030 - Epa90s80 Noise Visit	SNL	25/03/2014	23:00			
Comment Visited complainant with CW. Union bar was closed but the lights of the first floor were on. No noise could be heard inside the property.						
Left the premises and went to the rear of the Union bar. The first floor lights were on and loud amplified dance music could be heard coming from the first floor of the Union Bar.						
9004 - Attachment	DJS	03/04/2014	15:22			

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property		
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Area D1 - Castle Ward
	Fax	

Worksheet		
Source		
Name	[REDACTED]	
Address	[REDACTED] Dorset Place, Hastings, East Sussex, TN34 1LG	
Home Tel	[REDACTED]	Mobile
	Work Tel	
Fax	Email	

Department	EH - Environmental Health	Date Recd	25/03/2014	Time	22:33
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		
Details	Loud music for last 45 mins from the pub.				
Message					
Officer	DJS - David Steeds	Target	Actual		
Time Taken		First Response	31/03/2014	25/03/2014 23:00	
Next Task	9002 - Completion	Completed	22/04/2014		
Due	22/04/2014	Allocated	28/03/2014	Outcome	

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

Previous Complaints (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS	
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS	
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Resp		DJS	
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officer	Comp	062	GC	
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO	
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. Di	Comp	062	SB	
WK/201306099	18/10/2013	Loud music coming from the pub its made louder as y	Comp	062	SB	

Actions						
Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SNL	25/03/2014				
030 - Epa90s80 Noise Visit	SNL	25/03/2014	23:00			
Comment Visited complainant with CW. Union bar was closed but the lights of the first floor were on. No noise could be heard inside the property.						
Left the premises and went to the rear of the Union bar. The first floor lights were on and loud amplified dance music could be heard coming from the first floor of the Union Bar.						
9004 - Attachment	DJS	03/04/2014	15:22			

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.

Property			
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL		
Telephone	420074	Fax	Area D1 - Castle Ward

Worksheet			
Source			
Name	[REDACTED]		
Address	Dorset Place, Hastings, East Sussex, TN34 1LG		
Home Tel	[REDACTED]	Work Tel	Mobile
Fax	[REDACTED]	Email	

Department	EH - Environmental Health	Date Recd	13/03/2014	Time	21:24
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		

Details Loud music coming from The Tubman/Union Bar. Duty officer called			
Message			
Officer	DJS - David Steeds	Target	Actual
Time Taken		First Response	19/03/2014 14/03/2014
Next Task	9002 - Completion	Completed	10/04/2014
Due	10/04/2014	Allocated	14/03/2014 Outcome

References
No references set up.

Complaints			
Subject Details			
Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	
Section			
Offence	Statute		
Purchase Date	Purchase Time		
OFT (Product)	FSA Type		
OFT (Condition)			

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Resp		DJS
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officer	Comp	062	GC
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. D	Comp	062	SB
WK/201306099	18/10/2013	Loud music coming from the pub lts made louder as y	Comp	062	SB

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	IJW	13/03/2014				
030 - Epa90s80 Noise Visit	IJW	14/03/2014				

Comment Visited [REDACTED] at Dorset Place. No Noise nuisance at this time.

Visited The Union Bar spoke with tenant Paul Osmond who informed that he had not had a hand on that evening only the juke box. Discussed level of volume of music that this had been on and PO advised that this had not been excessive.

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property		
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Area D1 - Castle Ward
	Fax	

Worksheet		
Source		
Name	[REDACTED]	
Address	Dorset Place, Hastings, East Sussex, TN34 1LG	
Home Tel	Work Tel	Mobile
Fax	Email	

Department	EH - Environmental Health	Date Recd	06/12/2013	Time	23:28
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		

Details Loud music coming from the old Tubman. Duty officer called			
Message			
Officer	GC - Greg Casey	Target	Actual
Time Taken		First Response	12/12/2013 06/12/2013
Next Task		Completed	03/01/2014 06/12/2013
Due	Allocated 09/12/2013	Outcome	062 - EH - Complaint Investigat

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Resp		DJS
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Resp		DJS
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. D	Comp	062	SB
WK/201306099	18/10/2013	Loud music coming from the pub its made louder as y	Comp	062	SB

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	GC	06/12/2013				
NGX - File Note	GC	06/12/2013				
Comment spoke to complainant on phone [redacted] stated music still loud this at approx 23.40. attended premises, approx 00.00hrs. walked up dorset place down the access to the rear of the pub and down camb road. Music noise was very low level, almost inaudible. no banging of the door. however approx 20 people standing outside noise of raised voices clearly audible at distance. left area but revisited at approx 00.35 still 13 people outside with raised voices but not quite as loud as previously						

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property			
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL		
Telephone	420074	Fax	Area D1 - Castle Ward

Worksheet			
Source			
Name	[REDACTED]		
Address	[REDACTED] Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS		
Home Tel	[REDACTED]	Work Tel	Mobile
Fax		Email	

Department	EH Environmental Health	Date Recd	18/10/2013	Time	22:57
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		

Details Loud music coming from the pub its made louder as youths are standing in the doorway. She explained it usually stops at 23.30 so would we just log call she will call back if it continues. Duty officer called

Message			
Officer	SB - Stewart Bryant	Target	Actual
Time Taken		First Response	24/10/2013 18/10/2013
Next Task		Completed	15/11/2013 18/10/2013
Due	Allocated 21/10/2013	Outcome	062 - EH - Complaint Investigati

References
No references set up.

Complaints			
Subject Details			
Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	
Section			
Offence	Statute		
Purchase Date	Purchase Time		
OFT (Product)		FSA Type	
OFT (Condition)			

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Resp		DJS
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Resp		DJS
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty officer	Comp	062	GC
WK/201307212	27/11/2013	Food Reg not rec'd. ltr 01/10/13, chased 15/10/13 still r	Comp	061	FDO
WK/201307154	22/11/2013	Loud booming music coming from the old Tubman. D	Comp	062	SB

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SB	18/10/2013				
212 - Complt Investigated	SB	18/10/2013				
Comment attended with glenn C. music from heavy rock band was audible o/s homedane house and as far up as 15 dorset place, breach of notice passed to DS for actioning						

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

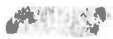
Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.



Property		
Address	The Union Bar, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Fax Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	Dorset Place, Hastings, East Sussex, TN34 1LG	
Home Tel	Work Tel	Mobile
Fax	Email	

Department	EH - Environmental Health	Date Recd	22/11/2013	Time	23:46
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN13 - Noise Music	Source Type	S011 - Out of Hours Co-ordinator		

Details Loud booming music coming from the old Tubman. Duty officer called

Message			
Officer	SB - Stewart Bryant	Target	Actual
Time Taken		First Response	28/11/2013 22/11/2013
Next Task		Completed	20/12/2013 22/11/2013
Due	Allocated 25/11/2013	Outcome	062 - EH - Complaint Investigat

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

Previous Complaints (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201400148	03/04/2014	Letter received regarding noise from The Union Bar pe	Resp		DJS	
WK/201310738	28/03/2014	Drumming coming from pub. duty officer called	Resp		DJS	
WK/201310621	25/03/2014	Loud music for last 45 mins from the pub.	Resp		DJS	
WK/201310193	13/03/2014	Loud music coming from The Tubman/Union Bar. Dut	Resp		DJS	
WK/201307557	06/12/2013	Loud music coming from the old Tubman. Duty offic	Comp	062	GC	
WK/201307212	27/11/2013	Food Reg not rec'd. Itr 01/10/13, chased 15/10/13 still r	Comp	061	FDO	
WK/201306099	18/10/2013	Loud music coming from the pub its made louder as y	Comp	062	SB	

Actions						
Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SB	22/11/2013				
212 - Compl't Investigated	SB	22/11/2013				
Comment attended Informants address no noise coming from the union bar, however there was noise coming from an un-identified source but couldnt trace it at the time						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.



Property		
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Fax Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	[REDACTED], Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS	
Home Tel	[REDACTED]	Work Tel Mobile
Fax	[REDACTED]	Email

Department	EH - Environmental Health	Date Recd	12/10/2013	Time	22:50
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		
Details	Loud music coming from the Union bar which was the Tubman. Duty officer called				
Message	[REDACTED]				
Officer	DJS - David Steeds	Target	Actual		
Time Taken	10	First Response	17/10/2013	13/10/2013 22:36	
Next Task	9002 - Completion	Completed	10/02/2014		
Due	10/02/2014	Allocated	15/10/2013	Outcome	

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email Mob: [REDACTED]
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201305582	30/09/2013	David	Comp	068	DJS	
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC	
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES	
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC	
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA	
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA	
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA	
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA	
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. Margaret moore	Comp	061	JBA	
WK/201206727	08/10/2012	Friday and Saturday nights front door slamming - outs	Comp	064	JBA	

Multiple Sources

Date Recd	13/10/2013	Time	22:12	Method	I - E-Mail
Recorded By	CW - Claire Worth			Source Type	S011 - Out of Hours Co-ordinator
Source	[REDACTED], Dorset Place, Hastings, East Sussex, TN34 1LG				
Notes	Loud music for over an hour from the Tubman. Duty officer called				
Outcome	Completed Date / Time				

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Property

Address **The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source

Name [REDACTED]
 Address **Dorset Place, Hastings, East Sussex, TN34 1LG**
 Home Tel **07450927461** Work Tel Mobile
 Fax Email

Department **EH - Environmental Health** Date Recd **23/08/2013** Time **23:19**
 Application **CPEH - Complaints - EH** Method **I - E-Mail**
 Task Group **CNOI - Noise** Recd By **CW - Claire Worth**
 Task **CN13 - Noise Music** Source Type **S011 - Out of Hours Co-ordinator**

Details **very loud music coming from the tubman, Duty officer called**
See WK/

Message [REDACTED]

Officer **GC - Greg Casey** Target Actual
 Time Taken First Response **29/08/2013** **26/08/2013 09:45**
 Next Task Completed **20/09/2013** **26/08/2013**
 Due Allocated **30/08/2013** Outcome **062 - EH - Complaint Investigati**

References

No references set up.

Complaints

Subject Details

Title Initials Telephone [REDACTED]
 First Name Fax
 Family Name Email **Mob: 07597 625 676**

Section
 Offence Statute
 Purchase Date Purchase Time
 OFT (Product) FSA Type
 OFT (Condition)

Previous Complaints (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. Margaret moore	Comp	061	JBA
WK/201206727	08/10/2012	Friday and Saturday nights front door slamming - outs	Comp	064	JBA

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	GC	23/08/2013				
9004 - Attachment	DJS	02/12/2013	09:45			

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property			
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL		
Telephone	420074	Fax	Area D1 - Castle Ward

Worksheet			
Source			
Name	[REDACTED]		
Address	Dorset Place, Hastings, East Sussex, TN34 1LG		
Home Tel	[REDACTED]	Work Tel	Mobile
Fax	Email		

Department	EH - Environmental Health	Date Recd	23/05/2013	Time	23:50
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S001 - Public		

Details Loud music Still happening at 11.30pm from the Tubman

Message			
Officer	GC - Greg Casey	Target	Actual
Time Taken		First Response	29/05/2013 24/05/2013
Next Task		Completed	20/06/2013 24/05/2013
Due	Allocated 24/05/2013	Outcome	062 - EH - Complaint Investigati

References
No references set up.

Complaints			
Subject Details			
Title	Initials	Telephone	420074
First Name		Fax	
Family Name		Email	Mob: 07597 625 676
Section		Statute	
Offence		Purchase Date	Purchase Time
OFT (Product)		FSA Type	
OFT (Condition)			

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. Margaret moore	Comp	061	JBA
WK/201206727	08/10/2012	Friday and Saturday nights front door slamming - outs	Comp	064	JBA

Actions						
Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	JBA	23/05/2013				
9004 - Attachment	CW	24/05/2013				
Comment Copy of email						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.

Property		
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Fax Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS	
Home Tel	Work Tel	Mobile
	[REDACTED]	[REDACTED]
Fax	Email	steve@work.com

Department	EH - Environmental Health	Date Recd	10/12/2012	Time	08:32
Application	CPEH - Complaints - EH	Method	T - Telephone		
Task Group	CNOI - Noise	Recd By	CC - Hastings Contact Centre		
Task	CN03 - Noise Commercial	Source Type	S001 - Public		
Details	[REDACTED] Homebury House away last week, on return had several residents complaining about loud music noise. Ongoing for years				
Message	Commercial Noise				
Officer	JBA - John Ballam	Target	Actual		
Time Taken		First Response	14/12/2012 08:32	10/12/2012	
Next Task		Completed	07/01/2013 08:32	10/12/2012	
Due	Allocated 10/12/2012	Outcome	061 - EH - Advice Given NFA		

References	
LA Reference	597

Complaints		
Subject Details		
Title	Initials	Telephone
First Name		Fax
Family Name		Email
Section		Mob: [REDACTED]
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. Margaret moore	Comp	061	JBA
WK/201206727	08/10/2012	Frlday and Saturday nights front door slamming - outs	Comp	064	JBA

Actions						
Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	JBA	10/12/2012				
215 - Telephone Call Made	JBA	10/12/2012				
Comment Spoke to [REDACTED] and let him know that I was aware of the ongoing issues he had seen my letter after contacting us this morning so let him know that we had sent this to all the complainants urging them to call the out of hours. He has also contacted the local C��u��eillor and has urged me to continue to pursue the problem so advised I would but we need the evidence in order to do so.						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.

Property		
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Fax Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	[REDACTED], Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS	
Home Tel	Work Tel	Mobile
Fax	Email	

Department	EH - Environmental Health	Date Recd	30/11/2012	Time	22:45
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		
Details	Loud music from the Tubman. Duty officer called				
Message	See WK201205408 for further actions.				
Officer	JBA - John Ballam	Target	Actual		
Time Taken	First Response	06/12/2012	30/11/2012 23:04		
Next Task	Completed	08/01/2013	06/12/2012		
Due	Allocated	03/12/2012	Outcome	062 - EH - Complaint Investigat	

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email Mob: 07597 625 670
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS	
WK/201305582	30/09/2013	David	Comp	068	DJS	
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC	
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES	
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC	
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA	
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA	
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA	
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. Margaret moore	Comp	061	JBA	
WK/201206727	08/10/2012	Friday and Saturday nights front door slamming - outs	Comp	064	JBA	

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	MP	30/11/2012				
215 - Telephone Call Made	MP	30/11/2012 23:04				

Comment To [REDACTED] - No loud music at the time of the call. She reported that there had been two live bands playing tonight and the second one was intolerable. She reported the music loud enough so they could hear the lyrics to the songs. [REDACTED] reported that they will end by 23:30. I advised that I would need to get ready and arrange for my back officer to attend. She felt that they would have stopped by the time we reached her and I reassured her that the call would be logged.

[REDACTED] also reported rowdy 'patrons' outside the pub.

I suggested that she call as early as possible next time to give time to attend.

215 - Telephone Call Made	JBA	03/12/2012				
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Comment Tried to call comp. to discuss Friday but no answer.

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property		
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	[REDACTED], Holmebury House, Holmesdale Gardens, Hastings, East Sussex, TN34 1LS	
Home Tel	[REDACTED]	Mobile
Fax	[REDACTED]	Email

Department	EH - Environmental Health	Date Recd	08/10/2012	Time	10:50
Application	CPEH - Complaints - EH	Method	T - Telephone		
Task Group	CNOI - Noise	Recd By	CC - Hastings Contact Centre		
Task	CN03 - Noise Commercial	Source Type	S001 - Public		
Details	Friday and Saturday nights front door slamming - outside smokers and general rowdiness				
Message	Commercial Noise				
Officer	JBA - John Ballam	Target	Actual		
Time Taken		First Response	12/10/2012 10:50	09/10/2012 12:56	
Next Task		Completed	05/11/2012 10:50	09/10/2012	
Due	Allocated 08/10/2012	Outcome	064 - EH - Noise Pack Issued		

References	
LA Reference	597

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email
		Mob: 07597 625 676
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS	
WK/201305582	30/09/2013	David	Comp	068	DJS	
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC	
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES	
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC	
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA	
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA	
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA	
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA	
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA	

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	JBA	09/10/2012				
9003 - WP Document	JBA	09/10/2012 12:56				
Comment Noise Pack Letter						
9004 - Attachment	JBA	09/10/2012 12:56				
Comment Noise Diary						
9004 - Attachment	CW	09/04/2013				
Comment Copy of letter from [REDACTED] and Bobs Reply						
216 - Telephone Call Recvd	cc	02/12/2013 09:26				
Comment This weekend Union Club exceptionally noisy, music too loud, youngsters outside very noisy						

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property		
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	Dorset Place, Hastings, East Sussex, TN34 1LG	
Home Tel	[REDACTED]	Mobile
Fax	[REDACTED]	Email

Department	EH - Environmental Health	Date Recd	30/06/2011	Time	23:13
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		
Details	excessively loud recorded music coming from tubman since 10.30pm. Duty officer				
Message					
Officer	SB - Stewart Bryant	Target	Actual		
Time Taken		First Response	06/07/2011	30/06/2011	
Next Task		Completed	28/07/2011	30/06/2011	
Due	Allocated 01/07/2011	Outcome	060 - EH - Complaint Resolved		

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email
Section		Mob: 07597 625 674
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SB	30/06/2011				
212 - Compl't Investigated	SB	30/06/2011				
Comment t/c to mrs lovatt she reported that she had contactted the landlord of the pub before calling us and the door had now been shut and the noise had gone down						

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

No remarks found.

Related Addresses

Address	Telephone	Type
No related addresses found.		

User Defined Addresses

No User Defined Addresses found.

User Defined Text

No User Defined Text found.

Property

Address **The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source
 Name [REDACTED]
 Address **Dorset Place, Hastings, East Sussex, TN34 1LG**
 Home Tel [REDACTED] Work Tel Mobile [REDACTED]
 Fax Email

Department **EH - Environmental Health** Date Recd **25/06/2011** Time **22:02**
 Application **CPEH - Complaints - EH** Method **I - E-Mail**
 Task Group **CNOI - Noise** Recd By **CW - Claire Worth**
 Task **CN03 - Noise Commercial** Source Type **S011 - Out of Hours Co-ordinator**

Details **loud music coming from tubman. Duty officer called**

Message

Officer	JBA - John Ballam	Target	Actual
Time Taken		First Response 30/06/2011	25/06/2011 22:04
Next Task		Completed 22/07/2011	01/07/2011
Due	Allocated 27/06/2011	Outcome 100 - EH - Notice Served	

References
 No references set up.

Complaints

Subject Details

Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	Mob: 07597 625 670

Section
 Offence Statute
 Purchase Date Purchase Time
 OFT (Product) FSA Type
 OFT (Condition)

Previous Complaints (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	MP	25/06/2011				
216 - Telephone Call Recvd	MP	25/06/2011 22:04				
Comment OOHs provided details						
215 - Telephone Call Made	MP	25/06/2011 22:26				
Comment Phoned complainant - noise ongoing and very loud. Live band playing since about 21:00. Advised I would visit. [redacted] gave me the manager's details, a Paul - telephone 07972720544.						
030 - Epa90s80 Noise Visit	MP	25/06/2011 22:46				
Comment Authority shown to [redacted]						

Listened from Miss Lovett's bedroom, which is situated on the 3rd floor of the 3-storey mid-terrace house. [redacted] and [redacted] family reside at the property. [redacted] bedroom overlooks the back garden of the Tubman public house.

The noise was very audible. It was clearly a live band playing a rock type of music. Clear vocals, drums, distorted guitar. I didn't recognise the song, but it was very clear. A clear nuisance. I heard the lead singer say 'thank you' to the audience after the song at 22:54, confirming the music was live.

I could also hear voices coming from the back garden of the Tubman, coming from the patrons using that area to smoke.

The music seemed to stop at 22:54. There was a slight feedback noise at 22:58, but no further music. I could still hear the general chatter coming from the patrons of the Tubman.

Still no music at 23:05 and left the premises at 23:08

9004 - Attachment MP 27/06/2011

Comment email to Case Officer

9004 - Attachment DB 01/07/2011

Comment Copy of notice handed to Paul Osmond at the premises at 16:00 hrs.

216 - Telephone Call Recvd JBA 06/07/2011

Comment From Paul Osmond asking for our presence at a soundcheck for the inhibitor on the dukebox which I arranged for Thursday at 14:00 he also said that he was going to send letters out to the immediate properties to let them know what was happening and that he was going to put staff on the back doors to make sure they are shut behind patrons. JBA

215 - Telephone Call Made JBA 07/07/2011

Comment To Mr. Osmond explaining that no one was available this afternoon and so re-arranged for tomorrow Friday 8/7 at 15:00. JBA

User Defined Codes

Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks

Paul Osmond 07972 720 544. JBA

Tubman 420 074. JBA

Related Addresses

Address	Telephone	Type
No related addresses found.		

Property

Address **The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source

Name [REDACTED]
 Address **Dorset Place, Hastings, East Sussex, TN34 1LG**
 Home Tel [REDACTED] Work Tel Mobile
 Fax Email

Department **EH - Environmental Health** Date Recd **01/07/2011** Time **19:51**
 Application **CPEH - Complaints - EH** Method **I - E-Mail**
 Task Group **CNOI - Noise** Recd By **CW - Claire Worth**
 Task **CN03 - Noise Commercial** Source Type **S011 - Out of Hours Co-ordinator**

Details **Loud live music coming from tubman. Duty officer called**

Message

Officer	DB - David Bell	Target	Actual
Time Taken		First Response	07/07/2011 01/07/2011 23:30
Next Task		Completed	29/07/2011 14/07/2011
Due	Allocated 04/07/2011	Outcome	062 - EH - Complaint Investigat

References

No references set up.

Complaints

Subject Details

Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	Mob: 07597 625 676

Section

Offence	Statute
Purchase Date	Purchase Time
OFT (Product)	FSA Type
OFT (Condition)	

Previous Complaints (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SB	01/07/2011				
215 - Telephone Call Made	SB	01/07/2011 19:30				
Comment spoke to mr osmond on the telephone re the noise from the pub advising him that he was under notice to ensure that no nuisance was caused to neighbouring properties, before being able to hear me he has to go and turn the music down!!						
216 - Telephone Call Recvd	OOH	01/07/2011 20:42				
Comment Paul Osmond called in saying he ahd received a call from EHO regarding the level of music. He stated there is a live group in the pub this evening but the level is low and could not be heard outside the premises. Client has asked if he can speak with the officer again. Duty officer called						
216 - Telephone Call Recvd	OOH	01/07/2011 23:30				
Comment Excessively loud music is disturbing the complainant again. referred to duty officer						
216 - Telephone Call Recvd	CW	01/07/2011 23:44				
Comment The music has gone down and she can just here them strumming the guitar.						
212 - Complt Investigated	SB	02/07/2011				
Comment attended the informants property, her bedroom is located at the rear of the premises in line of site of the rear of the tubman. Rock music was clearly audible escaping from the rear of the property, at a level that would prevent sleep. Went down to the front of the pub on cambridge road and got the security staff to get the manager paul osmond out from insode the pub, he came out stating that the n oise wasnt loud. Took him around the back of the pub and explained that the music was still to loud and was causing a nuisance and that he was in breach of both his license and the abatement notice served that afternoon.						
216 - Telephone Call Recvd	OOH	02/07/2011 10:49				
Comment [REDACTED] had a problem with the tubman last evening with loud music. Client wanted to know if the officers gave her details to the pub as she received a text from them asking her if the music was to loud. Client sent text back saying it was annoying. Call logged						
216 - Telephone Call Recvd	DB	04/07/2011				
Comment From Paul Osmond. Didn't think that music was loud when SB visited. Thinks that service of notice was premature. Advised on letters sent since last August. Advised on complaints received. He asked for details and I agreed that I would send him a summary without complainants details later in week. He wants this for Solicitor. He mentioned appeal against the notice. Advised that was up to him and that I was confident that we could defend successfully and would claim costs. Is considering a noise limiter. Advised that we would be happy to attend to assist with getting that set at correct level by listening out front and out back. He talked about insulation. Advised that he should seek advice from an acoustic consultant with knowledge about architectural acoustics and characteristics of modern music to obtain a detailed specification.						
9004 - Attachment	DB	11/07/2011				
Comment Letter to Paul Osmond						
9004 - Attachment	DB	11/07/2011				
Comment Letter to Bob Falconer						
216 - Telephone Call Recvd	DB	14/07/2011				
Comment From Paul Osmond. Has received letter. Very long convoluted conversation. It appears that Anna Lovett has confirmed to him that she has been complaining despite fact that she has has been regularly receiving free drinks for herself and friends. She has now apparently asked for money to help her move. He feels that this should be taken into account. Without confirming who was the source of recent complaints advised that it was up to him how he chose to deal with this but pointed out that if one person moved out there would still be a residential premises which someone else would move into. Also pointed out that the question of breach of nuisance was a matter of fact that our officers would determine on investigation of complaints. He questioned whether her asking for money was an offence. Advised that I though it unlikely but could not give definitive advice on that and suggested that he may like to ask PC John Ash if he wished to pursue that. He said that he feared that we would pass by and decide that music was too loud and prosecute him and asked if we had people out late. Advised that we did not normally have people out but did checks from time to time and if we did so over the next couple of weeks we would check and let him know our views. He claims that he has been advised by neighbours that they did not have a problem and has had a letter from the Manager of the old peoples home opposite thanking him. Said that I assumed that this was a response to his recent letter to neighbours in appreciation of the fact that he was indicating steps were to be taken to control noise.						

Property		
Address	The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL	
Telephone	420074	Area D1 - Castle Ward

Worksheet		
Source		
Name	[REDACTED]	
Address	Dorset Place, Hastings, East Sussex, TN34 1LG	
Home Tel	[REDACTED]	Mobile
Fax	[REDACTED]	Email

Department	EH - Environmental Health	Date Recd	04/06/2011	Time	22:27
Application	CPEH - Complaints - EH	Method	I - E-Mail		
Task Group	CNOI - Noise	Recd By	CW - Claire Worth		
Task	CN03 - Noise Commercial	Source Type	S011 - Out of Hours Co-ordinator		
Details	Excessively loud music from a live band at the Tubman disturbed since 10pm. Explains that she usually texts the staff and they turn it down she didi this tonight and the band started playing. Will call monday				
Message	Placed on referral				
Officer	JBA - John Ballam	Target	Actual		
Time Taken		First Response	09/06/2011	07/06/2011	
Next Task		Completed	01/07/2011	07/06/2011	
Due	Allocated 07/06/2011	Outcome	062 - EH - Complaint Investigat		

References
No references set up.

Complaints		
Subject Details		
Title	Initials	Telephone [REDACTED]
First Name		Fax
Family Name		Email Mob: 07597 625 676
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)		FSA Type
OFT (Condition)		

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on retur	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the t [REDACTED]	Comp	061	JBA

Actions						
Action	Officer	Actual	Target	Time	Value	Number
No Actions found.						

User Defined Codes						
Energy Efficiency			Energy Efficiency 2			
Sex			Gender Identity			
Age Group			Disability?			
Sexual orientation			Ethnic Group			
Citizenship			Gypsies/Travellers			
Religious belief			Work Status			
Dependants?			Marital Status			
Made Decent?			Hazards Removed?			
Report Exclude			Dwellings improved			

Remarks						
No remarks found.						

Related Addresses						
Address			Telephone			Type
No related addresses found.						

User Defined Addresses						
No User Defined Addresses found.						

User Defined Text						
No User Defined Text found.						

Property

Address **The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source

Name [REDACTED]
 Address **Dorset Place, Hastings, East Sussex, TN34 1LG**
 Home Tel [REDACTED] Work Tel Mobile
 Fax Email

Department **EH - Environmental Health** Date Recd **26/10/2007** Time **23:07**
 Application **CPEH - Complaints - EH** Method **F - Fax**
 Task Group **CNOI - Noise** Recd By **CW - Claire Worth**
 Task **CN03 - Noise Commercial** Source Type **S011 - Out of Hours Co-ordinator**

Details **Loud music coming from The Tubman. Logged call**

Message

Officer	DB - David Bell	Target	Actual
Time Taken		First Response	01/11/2007 03/11/2007 14:16
Next Task		Completed	23/11/2007 08/11/2007
Due	Allocated 29/10/2007	Outcome	062 - EH - Complaint Investigat

References

No references set up.

Complaints

Subject Details

Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	

Section

Offence	Statute
Purchase Date	Purchase Time
OFT (Product)	FSA Type
OFT (Condition)	

Previous Complaints (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA

Actions						
Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	DB	26/10/2007				
9003 - WP Document	DB	03/11/2007	14:16			
Comment NOISENUI.DOC						
9003 - WP Document	DB	03/11/2007	14:25			
Comment NOISEPAK.DOC						
206 - Email Received	DB	08/11/2007				
Comment From Kate Maunsell,The Tubman						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
 No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
 No User Defined Addresses found.

User Defined Text
 No User Defined Text found.

Property

Address **The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source

Name [REDACTED]

Address **Dorset Place, Hastings, East Sussex, TN34 1LG**

Home Tel [REDACTED] Work Tel Mobile

Fax Email

Department **EH - Environmental Health** Date Recd **17/03/2007** Time **22:10**
 Application **CPEH - Complaints - EH** Method **F - Fax**
 Task Group **CNOI - Noise** Recd By **CW - Claire Worth**
 Task **CN03 - Noise Commercial** Source Type **S011 - Out of Hours Co-ordinator**

Details **loud music coming from the tubman happens regularly but is extra loud tonight. NFA**

Message

Officer	SB - Stewart Bryant	Target	Actual
Time Taken		First Response	22/03/2007 17/03/2007
Next Task		Completed	17/04/2007 04/04/2007
Due	Allocated 19/03/2007	Outcome	062 - EH - Complaint Investigat

References

No references set up.

Complaints

Subject Details

Title	Initials	Telephone	[REDACTED]
First Name		Fax	
Family Name		Email	

Section

Offence	Statute
Purchase Date	Purchase Time

OFT (Product)	FSA Type
OFT (Condition)	

Previous Complaints (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA

Actions						
Action	Officer	Actual	Target	Time	Value	Number
No Actions found.						

User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.

Property

Address **The Tubman, 57 Cambridge Road, Hastings, East Sussex, TN34 1EL**
 Telephone **420074** Fax Area **D1 - Castle Ward**

Worksheet

Source
 Name [REDACTED]
 Address **Street Record, Dorset Place, Hastings, East Sussex**
 Home Tel [REDACTED] Work Tel Mobile
 Fax Email

Department **EH - Environmental Health** Date Recd **28/06/2005** Time **10:14**
 Application **CPEH - Complaints - EH** Method
 Task Group **CNOI - Noise** Recd By **LP - Lucy Pledge**
 Task **CN13 - Noise Music** Source Type
 Details **Music has been playing all day and believes it is because all windows are open**
 Message **passed to licensing section**
 Officer **SB - Stewart Bryant** Target Actual
 Time Taken First Response **04/07/2005** **28/06/2005**
 Next Task Completed **04/07/2005** **28/06/2005**
 Due Allocated **28/06/2005** Outcome **076 - EH - Referred to Other HB**

References
 No references set up.

Complaints

Subject Details
 Title Initials Telephone [REDACTED]
 First Name Fax
 Family Name Email

Section
 Offence Statute
 Purchase Date Purchase Time
 OFT (Product) FSA Type
 OFT (Condition)

Previous Complaints (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201305923	12/10/2013	Loud music coming from the Union bar which was the	Resp		DJS
WK/201305582	30/09/2013	David	Comp	068	DJS
WK/201304710	23/08/2013	very loud music coming from the tubman, Duty officer	Comp	062	GC
WK/201304281	16/08/2013	Some of the front of the building has fallen down and r	Comp	070	WES
WK/201301650	23/05/2013	Loud music Still happening at 11.30pm from the Tubm:	Comp	062	GC
WK/201209177	03/01/2013	On NYE and day, noise and disturbance from custome	Comp	062	JBA
WK/201209076	23/12/2012	there are a lot of young adults making a lot of noise an	Comp	062	JBA
WK/201208710	10/12/2012	Manager of Homebury House away last week, on return	Comp	061	JBA
WK/201208398	30/11/2012	Loud music from the Tubman. Duty officer called	Comp	062	JBA
WK/201206922	13/10/2012	Lots of noise frokm the tubman pub. [REDACTED]	Comp	061	JBA

Actions						
Action	Officer	Actual	Target	Time	Value	Number
No Actions found.						

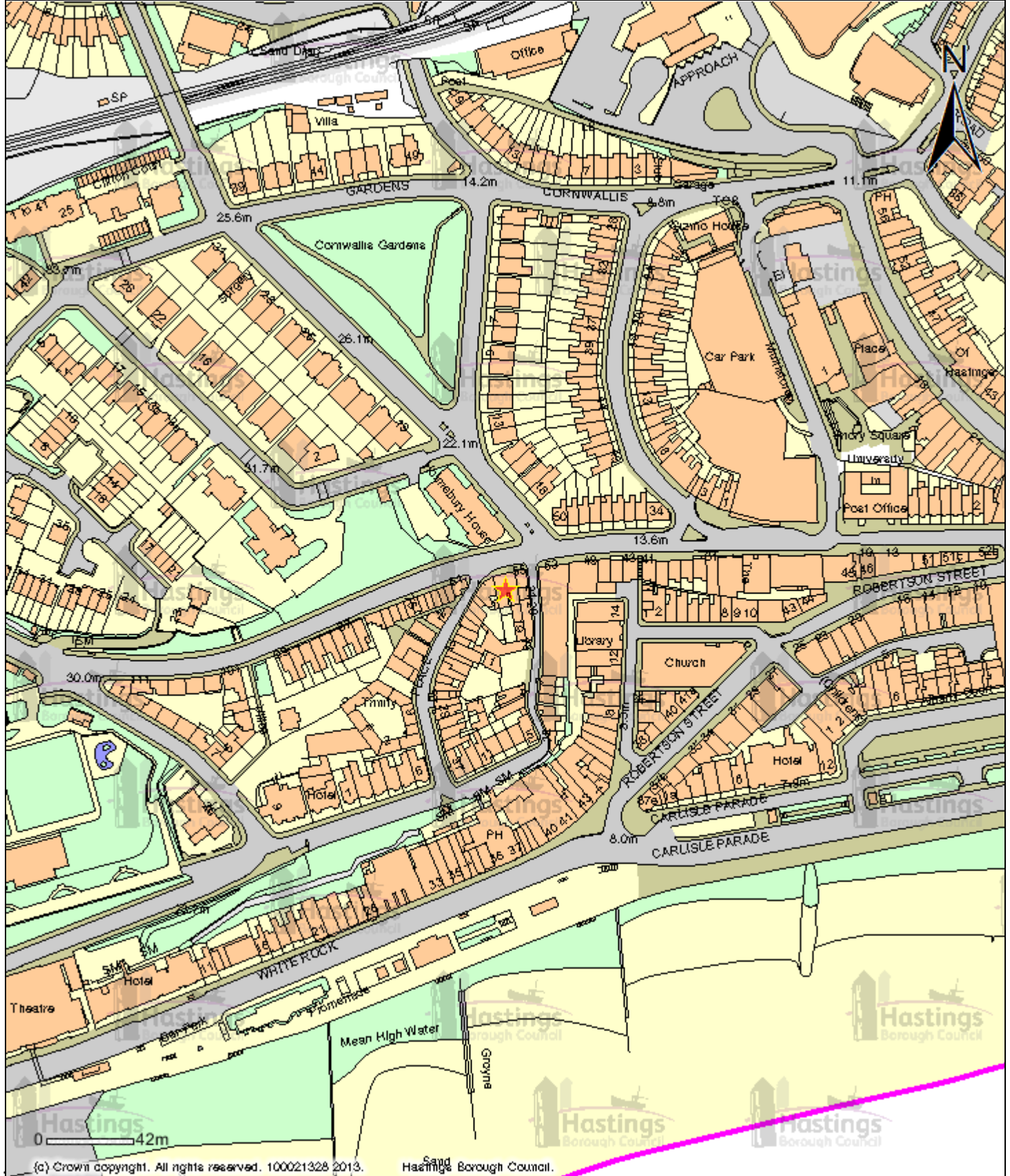
User Defined Codes	
Energy Efficiency	Energy Efficiency 2
Sex	Gender Identity
Age Group	Disability?
Sexual orientation	Ethnic Group
Citizenship	Gypsies/Travellers
Religious belief	Work Status
Dependants?	Marital Status
Made Decent?	Hazards Removed?
Report Exclude	Dwellings improved

Remarks
No remarks found.

Related Addresses		
Address	Telephone	Type
No related addresses found.		

User Defined Addresses
No User Defined Addresses found.

User Defined Text
No User Defined Text found.



Title:

Appendix B

Scale:

1:2500

Date:

17/6/2014

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PREMISES LICENCE

Premises licence number

HOP50183

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

THE UNION BAR
57 CAMBRIDGE ROAD

Post Town
HASTINGS, EAST SUSSEX

Post Code
TN34 1BL

Telephone number 01424 420074

Where the licence is time limited the dates
NOT APPLICABLE

Licensable activities authorised by the licence

LIVE MUSIC
RECORDED MUSIC
SUPPLY OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

LIVE MUSIC:	FRIDAY-SATURDAY: 08:00-23:30	SUNDAY: 08:00-22:30
RECORDED MUSIC:	MONDAY-THURSDAY: 10:00-00:00	FRIDAY-SATURDAY: 10:00-01:00
	SUNDAY: 10:00-23:30	
SUPPLY OF ALCOHOL:	MONDAY-THURSDAY: 10:00-00:00	FRIDAY-SATURDAY: 10:00-01:00
	SUNDAY: 10:00-23:30	

The opening hours of the premises

MONDAY-THURSDAY: 10:00-00:30
FRIDAY-SATURDAY: 10:00-01:30
SUNDAY: 10:00-00:00

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

SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION ON THE PREMISES

HASTINGS BOROUGH COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

ROBERT FALCONER
37 WHITE ROCK
HASTINGS
TN34 1JP

07710 232100

(CHANGE OF REGISTERED ADDRESS 23RD JUNE 2008)
(Change of premises name on 26th September 2013)

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

NOT APPLICABLE

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

DAVID JOHN FRANCIS
12 WYKEHAM ROAD
HASTINGS,
TN34 1UB.

(Change of DPS 28th July 2011).

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

PERSONAL LICENCE NUMBER: HO20835
ISSUING AUTHORITY: HASTINGS BOROUGH COUNCIL

HASTINGS BOROUGH COUNCIL

Annex 1 – Mandatory Conditions

- 1) If this premises licence authorises the supply/sale of alcohol, the following two conditions apply:
 - (i) No supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - (ii) Every supply/sale of alcohol under the premises licence must be made to authorised by a person who holds a personal licence

- 2) If this premises licence authorises the exhibition of films the admission of children to the exhibition of any film must be restricted in accordance with this section.

Hastings Borough Council will expect the age restrictions of the British Board of Film Classification (BBFC) or authority designated under Section 4 of the Video Recordings Act 1984 to be complied with. Only in exceptional cases will variations of this general rule be granted by the Council and then only with the appropriate safeguards

- 3) If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity (as defined by the Private Security Industry Act 2001) then such individuals must be licensed by the Security Industry Authority.

Annex 1A – Additional mandatory licensing conditions

In relation to an existing or future relevant premises licence, the conditions specified for the purposes of section 19(4)(b) of the Act (mandatory conditions where licence authorises supply of alcohol for consumption on the premises).

In relation to an existing or future relevant club premises certificate, the conditions specified for the purposes of section 73A(c) of the Act (mandatory conditions relating to the supply of alcohol to members or guests, for consumption on the premises).

Paragraphs 1, 2 & 3 effective from 6th April 2010.

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

Annex 1A – Additional mandatory licensing conditions - continued

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Paragraphs 4 & 5 – effective from 1st October 2010.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 1A – Additional mandatory licensing conditions - continued

5. The responsible person shall ensure that–

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

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EMBEDDED RESTRICTIONS

On Licences

1. RESTRICTIONS

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours the consumption of alcohol on the premises
- b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel
- c) during the first thirty minutes after the above hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals
- d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises
- e) the ordering alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered
- f) the sale of alcohol to a trader of club for the purposes of the trade or club
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces
- h) the taking of alcohol from the premises by a person residing there; or
- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, of the liquor is supplied at the expense of their employer or of the person carrying on in charge of the business on the premises.

2. Premises with no children's certificate

No person under 14 shall be in the bar of the licensed premises during that permitted hours unless one of the following applies-

- a) he is the child of the holder of the premises licence
- b) he resides in the premises, but is not employed there
- c) he is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress
- d) the bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168, 171 and 201 Licensing Act 1964

3. Premises with children's certificate

A notice which states that a Children's certificate is in force, in relation to the area to which the certificate relates, and explains the effect of the certificate and of any conditions attached to it must be posted in some conspicuous place in that area.

No person under fourteen shall be in the bar of the canteen during the permitted hours unless one of the following applies:

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- 1) he is the child of the holder of the premises licence
- 2) he resides in the premises, but is not employed there
- 3) he is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress
- 4) the bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary
- 5) he is in an area shown on the plan attached to the licence
 - a. Meals and non-alcoholic beverages are available for sale for consumption in that area
 - b. He is in the company of a person aged 18 or over
 - c. He is there prior to 9pm
 - d. He may remain in the area of the premises specified during the first thirty minutes after the certificate has ceased for the consumption of refreshment.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168, 168a, 171, 201, Schedule 12a Licensing Act 1964

Note:

The latest hours for operation of a certificate is 9pm. See Sch 12A para 5(1) LA 1964.

Where justices have imposed a later hour under Sch 12A para 5(2), that should be reflected in condition (5)(d)

4. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out in the 1964 Licensing Act, and on New Years Eve until 5am on New Years Day.

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Annex 2 – Conditions consistent with the operating schedule

GENERAL

Comply with the requirements of the licensing Act 2003.

THE PREVENTION OF CRIME AND DISORDER

Maintain existing CCTV system and make tapes available to the police or licensing authority at any reasonable time.

Remain an active member of barwatch as long as such a system operates in the Borough.

PUBLIC SAFETY

Ensure all fire exits, extinguishers and emergency lighting is properly maintained.

Ensure all health and safety legislation is adhered to.

THE PREVENTION OF PUBLIC NUISANCE

Ensure staff monitor noise levels to ensure no disturbance to residents.

Ensure all doors and windows are kept closed when live music played.

THE PROTECTION OF CHILDREN FROM HARM

No unaccompanied children allowed on premises.

Staff continue to operate a 'Proof it' age campaign. For persons suspected of being under 18 years.

No Id No sale . Only photographic evidence of age accepted.

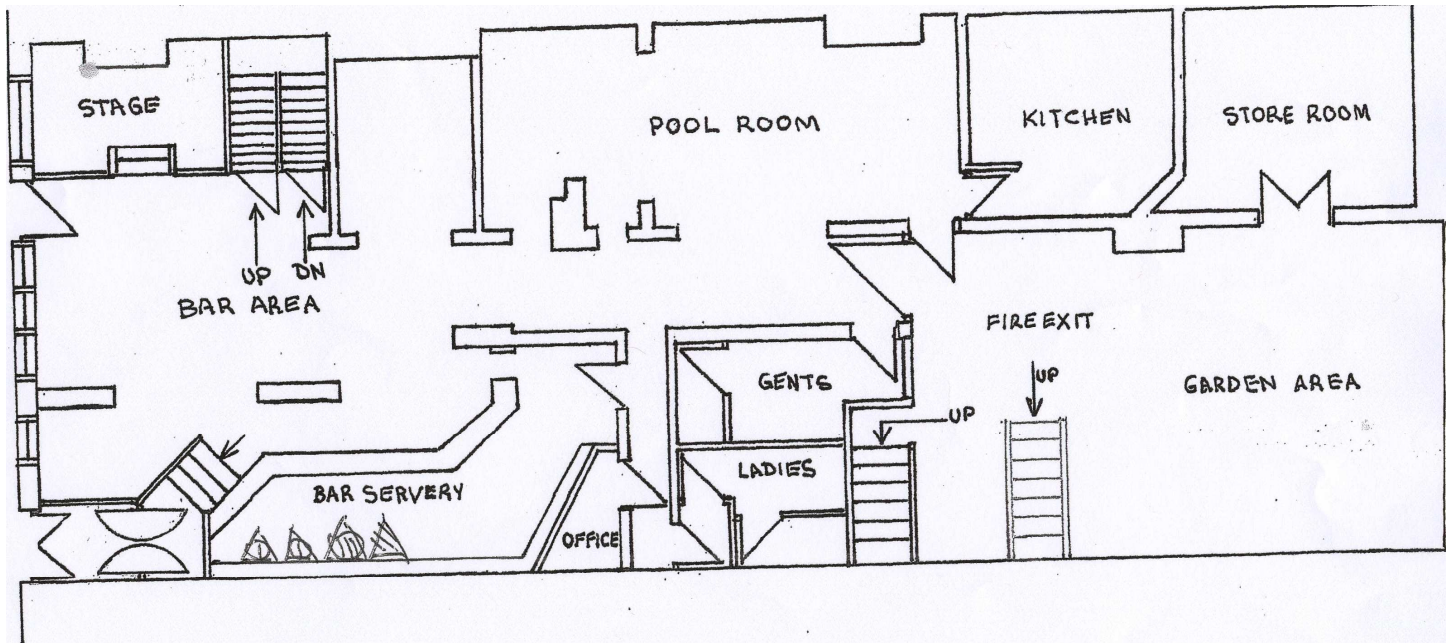
Maintain a refusal register.

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

RESOLVED (unanimously) that the application to vary the conditions of the licence be granted subject to the following conditions:

- 1. There shall be no use of the beer garden for any purpose after 23.00 hours;**
- 2. Noise and music arising from the licensed premises is to be barely audible at the façade of, or in, the nearest noise sensitive premises after 23.00 hours. For the avoidance of doubt Noise shall include that arising from all mechanical or electrical equipment used by the premises and that noise arising from customers in the premises; and**
- 3. Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.**

Annex 4 – Plans



GROUND FLOOR PLAN OF TOB MAN SCALE 1:100