



Sussex Police
Serving Sussex

www.sussex.police.uk

Alcohol Harm Reduction Unit

23rd May 2017.

Licensing Manager
Environment and Safety Directorate
Muriel Matters House
Breeds Place
Hastings
East Sussex
TN34 3UY.

Dear Mr. Brown,

**RE: APPLICATION FOR TRANSFER OF PREMISES LICENCE AT THE ROYAL GEORGE
(formerly Frank's Front Room) 32 STATION ROAD, HASTINGS, EAST SUSSEX. TN34 1NJ.
TO MR. IAN TRIBE.**

NOTICE OF OBJECTION under Section 42 (6) of the Licensing Act 2003.

Notice is hereby given on behalf of the Chief Officer of Police for Sussex that the exceptional circumstances of this case are such that he considers that the granting of this application would undermine the crime prevention objective.

Since Mr. Nigel Lewis became the tenant on the 10th March 2017 there have been a number of problems in relation to the premises. Details are within the following appendices. These have included:-

- A formal police objection to the application for the transfer of the premises licence to Mr. Lewis which was upheld by the committee.
- Complaints from local residents and members of the public regarding disorderly behavior at or associated with the premises.
- Mr. Lewis's attempt to circumvent the decision of the Licensing Sub Committee in the opinion of the police.

On Tuesday 16th May 2017 the Licensing Authority informed Sussex Police that Ms. Hayley Heritage had attended their offices and signed a consent form for the transfer of the premises licence to Mr. Ian Fredrick Tribe. On the same day Mr. Tribe submitted an application to transfer the premises licence into his name. The application was accompanied by an application to vary the premises licence in which Mr. Tribe proposed himself as the Designated Premises Supervisor.

Within a few days of Mr. TRIBE's application being received Sussex Police Licensing Officer Anthony Masters attempted to phone him. LO Masters wanted to discuss police concerns regarding the premises and ascertain Mr. Tribes intentions concerning the management of it. There was no response and therefore an answerphone message was left for Mr. Tribe to make contact. This he failed to do.

On Monday 22nd May 2017 LO Masters conducted a licensing visit at the Royal George with PC Chris Trevena. Mr. Tribe was not at the premises but Mr. Lewis was present and there was one male, Mr. Wayne FOSTER working behind the bar. It is a condition on the premise licence under the prevention of crime and disorder "To ensure that two bar staff are on duty at any one time", therefore this condition was being breached. PC TREVENA's professional opinion was that Mr. FOSTER was drunk. They told Mr. LEWIS, whose breath smelt of intoxicating liquor, of their concerns and he asked for two females who were drinking alcohol on the customer side of the bar to take over working behind the bar from Mr. FOSTER. Police then witnessed one of the females serve alcohol to a male customer who PC Trevena also deemed to be

Sussex Police Headquarters
Malling House Malling, Lewes, East Sussex, BN7 2DZ

Telephone: 101 |



drunk. PC TREVENA asked Mr. FOSTER if he'd received any training in relation to working at the Royal George, he replied that he hadn't had any training at the premises. The premises licence has a condition which states, "All staff members engaged or about to be engaged in the sale of alcohol on the premises shall receive training pertinent to the Licensing Act 2003, specifically regarding age restricted sales and the refusal of sales to anyone believed to be drunk. All induction training must be completed and documented prior to the sale of alcohol by the staff member and a programme of refresher training be devised thereafter at a suggested period of quarterly". As Mr. FOSTER had not received training this constituted a breach of this condition.

The officers continued to advise Mr. LEWIS of their serious concerns about how the premises was being operated and Mr. LEWIS then voluntarily closed the premises. LO MASTERS and PC TREVENA have both provided written statements detailing their observations during this visit which are contained within Appendix B. Mr. LEWIS phoned Mr. TRIBE and at Police's request arranged for Mr. Tribe to attend a meeting with Police at Bexhill Police Station at 12:00hrs on Tuesday 23rd May 2017. During this visit a representative of H.T WHITES drinks suppliers entered the premises and told Mr. LEWIS they would be attending the following day with bailiffs if necessary in order to remove stock which Mr. Lewis had failed to pay for. After Police left the premises LO MASTERS phoned Mr. TRIBE to confirm that he was aware Mr. LEWIS had voluntarily closed the premises. Police felt it was important to make this call in light of the fact that Mr. TRIBE was both Premises Licence Holder and Designated Premises Supervisor.

At 10:58hrs on Tuesday 23rd May 2017 a male believed to be Mr. LEWIS phoned Sussex Police stating people had broken in to the premises and he had locked them in, he also said they were trying to steal items from him. The Police call handler noted at the time that a big disturbance and lots of shouting could be heard. Police attended the premises however there was no formal action to be taken by them as this matter related to the civil debt involving HT WHITES. Mr. Tribe subsequently failed to attend the meeting that had been arranged at Bexhill Police station for that date.

At about 11:30 hours on Thursday 25th May 2017 PC Trevena attended the premises. Mr. Tribe was the only member of staff present and working behind the bar, which again was a breach of the condition on the premises licence relating to two members of bar staff being on duty. In PC Trevena's professional opinion Mr. Tribe was drunk. PC TREVENA discussed these concerns with Mr. TRIBE who then voluntarily closed the premises. The premises licence also states, "At all times the premises are open and undertaking licensable activity, all staff will actively promote the four licensing objectives. Sussex Police contend that this condition was also breached as Mr TRIBE was drunk and therefore incapable of actively promoting the licensing objectives. PC Trevena provided a written statement concerning this visit. Covered in Appendix B.

Paragraph 8.99 of the 'Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2017) states 'In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer.

Paragraph 8.100 states 'Such objections (and therefore such hearings) should only arise in truly exceptional circumstances.

Sussex Police contend that the 'exceptional circumstances' in this case have been met due to:-

- Since Mr. TRIBE has been the interim PLH & DPS the premises has voluntarily closed twice following Police intervention. It is rare for a premises to voluntarily close owing to poor management problems of the premises own making. This undermines the Licensing objectives of prevention of crime and disorder and public safety.
- Mr. TRIBE has been drunk whilst working behind the bar at the premises. Police have no confidence that he can operate the premises responsibly as both PLH & DPS whilst drunk.
- There have been several breaches of conditions on the premises licence whilst Mr. TRIBE has been the PLH & DPS.
- Mr. LEWIS continues to be involved in the operating of this premises, as well as being the tenant, he has been present at the premises when Police have visited and has made decisions regarding staff and closure of the premises which have been witnessed by Police. This would appear to demonstrate his ongoing involvement in the day to day running of the premises.
- Police sought to gain a similar undertaking from Mr. TRIBE, as they did with Ms. HERITAGE, regarding him operating the premises as he wishes free from interference from Mr. LEWIS. Owing to circumstances laid out above Police have been unable to achieve this.

In light of the above Sussex Police believe that granting the transfer would undermine the crime prevention objective.

Sussex Police therefore invite the committee to refuse the application.

Yours Sincerely,



Chief Inspector Emma Brice – Eastbourne, Lewes and Weald District Commander

Alcohol Harm Reduction Unit, Bexhill Police Station
Terminus Road, Bexhill, East Sussex TN39 3NR
Telephone 101 Ext. 564951



