



HASTINGS BOROUGH COUNCIL
LICENSING SUB COMMITTEE HEARING.

OBJECTION TO THE TRANSFER OF A PREMISES
LICENCE.

MR. IAN TRIBE.

(The Royal George)

TUESDAY 27th JUNE 2017.

BODICHON ROOM
MURIEL MATTERS HOUSE HASTINGS.

APPENDICES.

THIS FILE AND ALL DOCUMENTS CONTAINED THEREIN MUST BE RETURNED TO A
REPRESENTATIVE OF SUSSEX POLICE AT THE CONCLUSION OF THE LICENSING HEARING.

Index of Documents.

Objection – Transfer of a Premises Licence – Mr. Ian Tribe.

27th June 2017.

Section.

- A) Objection to the transfer of the premises licence.
(Mr. Nigel Lewis).
- B) Statement – Anthony Masters (Licensing Officer).
Statement – PC Trevena (Licensing Officer). (23rd May'17).
Statement – PC Trevena (Licensing Officer). (25th May'17).
- C) Emails from local resident making formal complaint
relating to the operation of the premises.



Sussex Police
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www.sussex.police.uk

Alcohol Harm Reduction Unit

28th March 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. NIGEL LEWIS.

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.

On 16th March 2017 Sussex Police received an application to transfer the premises licence at the above address from Priory (Sussex) Ltd to Bar Hastings Ltd. A search of Companies house indicates that Mr Nigel Lewis is the sole director of the latter company.

Mr Lewis became the Premises Licence Holder of the Zar Zar bar, 91 – 92 Queens Road, Hastings, TN34 1HL on 17th July 2012. Both Mr Lewis and the Designated Premises Supervisor failed to run the premises in accordance with conditions on the premises licence. namely:- that food must always be available & the premises shall be operated as a café encouraging light alcohol consumption.

On 19th November 2013 Sussex Police received an application for a personal licence to be granted to Mr Nigel Lewis. Sussex Police objected to the application on the grounds of the prevention of crime and disorder, considering that Mr Lewis was unsuitable to hold a personal licence due to his extensive criminal convictions for relevant offences which were unspent under the Rehabilitation of Offenders Act 1974. Hastings Council Licensing Committee listened to the police concerns at a hearing, and refused the application.

Between May 2014 & April 2015 Police became aware of 14 incidents relating to, or associated with the Zar Zar bar; these included drunkenness, disorder and assaults resulting in various degrees of injury, including skull fractures.

Due to the number of incidents of crime and disorder Police requested an Action Plan of the premises management on 5th February 2015; this plan was to bring about an improvement in the way the premises was operated.

On Monday 16th February 2015 at 17:32hrs Sussex Police received a report concerning a male suspect pulling out a gun in a premises. The suspect producing the firearm from behind the bar in the premises was Mr Lewis. It was later established that the firearm was an air rifle. When police attended this incident, officers saw Mr Lewis in Queens Road holding a gun by his side, he was arrested for possession of a firearm & later charged under 16A and Schedule 6 of the Firearms Act 1968, possession of a firearm with intent to cause fear of violence.

Sussex Police Headquarters

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

Telephone: 101 | 01273470101

On the 13th April 2015 Sussex Police made an application to Hastings Borough Council for a review of the premises licence for Zar Zar Bar. At the hearing on 8th June 2015 the Licensing Sub-Committee supported the application and in order to promote the licensing objectives, a number of conditions were applied to the Premises Licence.

With regard to the incident involving Mr Lewis and the firearm, on 25th September 2015 at Lewes Crown Court he was found guilty of affray and was sentenced to 18 months imprisonment suspended for 2 years, an unpaid work requirement of 300 hours and forfeiture and destruction of the air rifle. The Judge directed that the offence of possessing a firearm with intent to cause fear of violence lie on file.

Mr Lewis has an extensive history of 26 criminal convictions for 73 offences between 1st January 1965 and 25th September 2015. Between 10th November 1972 and 8th January 1993 Mr Lewis has been sentenced to a total of 19 years and 3 months imprisonment for eight separate offences. The most serious of these being the offence of Arson with Intent to Endanger Life in 1993 for which he was sentenced to eight years imprisonment. Under the Rehabilitation of Offenders Act 1974 this conviction will never be spent. Between 21st May 1975 and 25th September 2015 Mr. Lewis has received a total of five years and 1 month suspended prison sentences for four separate offences, the most recent of these relate to the affray of which he was found guilty on 25th September 2015; this conviction will not be spent until 25th March 2021.

Paragraph 8.94 of the 'Revised Guidance issued under Section 182 of the Licensing Act 2003 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. Such objections are expected to be rare and arise because the police have evidence that the business or individuals seeking to hold the licence or business or individuals linked to such persons are involved in crime (or disorder).

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

- Mr Lewis' application for a personal licence being refused by the Licensing sub-committee due to his previous convictions.
- The premises Mr Lewis previously owned, Zar Zar bar, was placed on an action plan, however following no improvements, the premises was subject to Premises Licence Review proceedings.
- Mr Lewis' conviction history, in particular the most recent conviction in 2015 which he committed in his own licensed premises.

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 Stephen Curry – Hastings & Rother District Commander

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



Sussex Police
Serving Sussex

www.sussex.police.uk

Alcohol Harm Reduction Unit.

19th April 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. NIGEL LEWIS.

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

Further to the Sussex Police objection dated the 28th March 2017 Sussex Police would like to bring to the attention of the Licensing Committee the following information which we would seek to raise in the hearing on Monday 24th April 2017.

On Wednesday 12th April 2017 the Licensing Authority received an email from a complainant relating to the Royal George 32 Station Road Hastings East Sussex. The email was forwarded to Sussex Police on Thursday 13th April 2017 for their notice.

The complainant brings to the attention of the Licensing Authority the behaviour of customers sitting outside of the premises. Whilst the complainant was walking past the premises, two males who were drinking outside of the premises have attempted to sell the complainant products such as makeup. They asked 'would you like this' you know you want to buy it'. The complainant ignored them but then witnessed the males asking other members of the public as they walked past.

A redacted copy of the email is attached to this letter.


Since the premises has been open two females have independently spoken to two different members of Sussex Police's alcohol harm reduction unit.

The first female spoke to a Licensing Officer on the Team by telephone, it was a weekday, between 12:30 – 13:30 hours. The female said she was walking towards the premises and there were a number of people sitting outside. The female said they were intimidating and she had to cross the road as a result. She then said the premises used to be a nice place years ago and now it looks really horrible and she said that she wouldn't go there again.

The second female told PS Denham Vokins that she was walking past the premises on a weekday at about midday. She saw a number of people outside the premises who she believed were drinking from glassware. Some were sat at the chairs and tables outside the premises, others were stood nearby. This group of people looked unkempt and had the appearance of habitual drinkers. The female found them quite intimidating as they were all across the pavement. She had to walk through the middle of this group to get from the railway station to the town centre. They were talking in very loud voices which the informant felt had aggressive, threatening undertones. She recognised a number of the group as being associates or possibly part of the street drinking community in Hastings.

Sussex Police believe this information to be pertinent to the objection and request that it be brought to the attention of the Licensing Sub Committee.

Sincerely,



Mrs. Jean Irving
Head of Licensing & Public Safety

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

RESTRICTED (when complete)**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1)

URN

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Statement of: Anthony David MASTERS

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Licensing Officer (Sussex Police)

This statement (consisting of 4 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 23rd May 2017Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the Sussex Police Licensing Officer for the areas controlled by the Hastings Borough Council and Rother District Council. My primary function relates to the enforcement of the Licensing Act 2003 relating to public houses, clubs, restaurants and late night refreshment premises. I oversee the applications relating to new premises licences, variations, and temporary event notices etc. I also monitor licensed premises relating to the four licensing objectives. I collate information / evidence to show how a licensed premises may have contravened the licensing objectives or conditions as contained within the premises licence or club premises certificate. The information gathered by me maybe used in any formal court proceedings, licensing authority hearings in addition to formal warnings or action plans.

I am a personal licence holder under the provisions of the Licensing Act 2003. Licence No. HO20671 issued by the Hastings Borough Council. I have also attained the BIIAB Level 2 qualification for Licensing Practitioners (Alcohol) and I am an affiliate member of the BII.

At 15.15hrs on MONDAY 22nd May 2017, accompanied by PC Trevena CT572, I attended The Royal George 32 Station Road Hastings East Sussex. TN34 1NJ. The purpose of the visit to meet with Mr. Ian Fredrick Tribe. An application had been received to transfer the premises licence into his name. This was accompanied by an application to vary the premises licence to name himself as the Designated Premises Supervisor.

I approached the bar and spoke with a male [REDACTED]. He was the sole member of staff on duty. This was in contravention to a condition within the premises licence which states 'To ensure that two bar staff are on duty at any one time'. [REDACTED] was approximately 50 years old of slight build with a tanned complexion and long black thinning hair. He was obviously drinking whilst on duty, consuming what



Continuation of statement of Anthony David MASTERS

appeared to be lager. The way he spoke, his response to my questions his appearance and demeanour gave me concern that he was authorised to sell alcohol or competent to deal with an incident if one occurred.

██████ informed me that Mr. Tribe was not present but said he would get Mr. Lewis who was upstairs.

The property owners are Priory (Sussex) Ltd. and Mr. Lewis is the current tenant. When Mr. Lewis attended the bar I could smell alcohol on his breath but he stated it was his day off. I believed this to mean it was his day off from working at the premises as I am not aware of him having any other employment. Due to the noise in the main bar we moved to a small bar located within another area of the premises.

I asked Mr. Lewis what time the premises had been closing?

He replied 'about 8 o'clock'.

I informed him I had received information that the premises had been closing at 1:30am – 2:00am. Mr. Lewis shouted across the bar to two females who were seated at the bar asking them what time it closed Friday and Saturday?

They replied '8 o'clock'.

He stated he did not want to stay open late due to the possible problems. I asked why the previous Premises Licence Holder / designated Premises Supervisor had left after a very short period of time.

He replied 'She was costing me £600 - £700 a month which I couldn't afford'.

I responded 'So it had nothing to do with the fact that she was not able to manage the premises as she saw fit'?

He made no response.

After Hayley left he then approached Ian Tribe to become the Premises Licence Holder / Designated Premises Supervisor.

I asked 'How long is Mr. Tribe at the premises?'

He replied '4 – 5 hrs a day'.

I asked 'Regular times or mixed shifts?'

He replied 'Different times'.

Signature



Signature witnessed by:

Continuation of statement of Anthony David MASTERS

Mr. Lewis then went on to explain to me his ideas for the business, becoming more food orientated in the small bar.

I informed Mr. Lewis of my concerns relating to [REDACTED] and his whole demeanour, believing he maybe drunk. I questioned whether he should be serving and whether he was fit to deal with an incident. Mr. Lewis immediately shouted at [REDACTED] to stop serving. He then asked the two females seated at the bar to take over. I informed Mr. Lewis that he had no authority under the Licensing Act 2003 to take such action. He was neither the Premises Licence Holder or more important the Designated Premises Supervisor and the person who authorises the sale of alcohol.

Mr. Lewis then contacted Mr. Tribe on my behalf requesting him to attend Bexhill Police Station at 12:00pm Tuesday 23rd May 2017. This appointment was confirmed.

Mr. Lewis then went to the main bar and I went to PC Trevena who was speaking with [REDACTED]. We were informed that Mr. Tribe would be attending the premises shortly and that he was due to start work at 5:00pm. Both these statements were incorrect. There appeared to be a lack of management as to who was working at what times resulting in anyone appearing to manage the bar. Whilst [REDACTED] was talking with PC Trevena I believed him to have been employed at one of Mr. Lewis's previous establishments, the Zar Zar Bar in Queens Road. These premises had been subject of an 'action plan' and review of the premises licence due to mis-management.

PC Trevena requested to see the refusals register and incident book. A dark blue, A4 hard bound book was produced. There was one recorded incident within the book, the details of which I was aware. There were no further details of recorded incidents and no recorded refusals. The remaining pages within this book appeared to have been used to record 'bar tabs' for different persons for varying amounts. This situation contravened a specific condition within the premises licence relating to the refusal register and incident book.

PC Trevena then left the premises in order to make a telephone call. Whilst remaining with me Mr. Lewis made a comment relating to the previous Premises licence Holder / Designated Premises Supervisor being asked to return. This went totally against his previous comment and showed no confidence in Mr. Tribe being able to fulfil his duties.

Whilst at the premises a representative of H. T. Whites informed Mr. Lewis that he would be attending the premises the morning of Tuesday 23rd May 2017 in order to take stock as a result of failure to pay outstanding money.

Whilst standing with Mr. Lewis a male entered the small bar from the Priory Meadow entrance. He was

Signature



Signature witnessed by:

Continuation of statement of Anthony David MASTERS

approximately 50 years old having collar length, straight, dark hair, and 5'6" in height. This male was obviously unsteady on his feet when he entered the bar. He went to Mr. Lewis shook his hand and Mr. Lewis directed him to the main bar. The male's demeanour and speech made me believe he was drunk. I observed this male walk to the main bar and he was obviously unsteady holding onto chairs and the walls. I observed one of the females, who had replaced [REDACTED], pour a pint of Guinness for this male. Both I and PC Trevena informed Mr. Lewis of our concerns and he went to the main bar and prevented the male taking possession of the drink.

As a result of our observations Mr. Lewis arranged to voluntarily close the premises at 16:30hrs and signed PC Trevena's investigators notebook to that effect.

Whilst the premises were in the process of being closed PC Trevena conducted a drug swab test in various areas of the premises. The result of concern was as follows:- Male toilets 5.36 Cocaine

Sussex Police have concerns at readings over 4, and readings near and over 6 are of serious concern.

GE Security, the Ion Trak Itemiser manufacturer, in their Technology Statement gives the following guidance about interpreting swab results.

Readings of between 1 & 2 can be classed as 'low' attributed to cross contamination of the surface tested, background contamination or greatly degraded historic contamination.

Between 2 & 3 can be classed as a 'medium' response attributed to cross contamination of the surface tested or recent historic contamination that may have been left a number of days prior to the sample being taken.

Between 3 & 4 can be classed as 'high' that would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Results 4 and above. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk source of the narcotic. This is not generally experienced as background contamination or through incidental cross contamination.

At 17:15hrs on Monday 22nd May 2017 I contacted Mr Tribe as the interim Premises Licence Holder / Designated Premises Supervisor and advised him of Mr. Lewis's actions in voluntarily closing the premises.



A.D. Masters

Signature

Signature witnessed by:

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(when complete)

Witness contact detailsHome address: C/O Bexhill Police Station Terminus Road BEXHILL East
Sussex.

Postcode:

Home telephone no:

Work telephone no:

Mobile/Pager no: 07967961654

Preferred means of contact (specify details):

Best time to contact (specify details):

Male /Female

Date and place of birth: 9th July 1956

Former name:

Ethnicity code (16 + 1):

Religion / Belief:

Dates of witness non-availability:**Witness care**a) Is the witness willing and likely to attend court? Yes ☐ No ☐ If 'No', include reason(s) on form MG6

b) What can be done to ensure attendance?

c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?

Yes ☐ No ☐ If 'Yes' submit **MG2** with file.d) Does the witness have any particular needs? Yes ☐ No ☐ If 'Yes', what are they?

(Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concern?)

Witness consent (for witness completion)

a) The Victim Personal Statement scheme (victims only) has been explained to me:

Yes ☐ No ☐

b) I have been given the Victim Personal Statement leaflet:

Yes ☐ No ☐

RESTRICTED - FOR POLICE AND PROSECUTION ONLY*(when complete)*

c) I have been given the leaflet "Giving a witness statement to the police - what happens next?"

Yes ☐ No ☐

d) I consent to police having access to my medical record(s) in relation to this matter *(obtained in accordance with local practice)*

Yes ☐ No ☐ N/A ☐

e) I consent to my medical record in relation to this matter being disclosed to the defence:

Yes ☐ No ☐ N/A ☐

f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA

Yes ☐ No ☐

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

☐

Signature of witness: _____

PRINT NAME: _____

Signature of parent/guardian/appropriate adult: _____

PRINT NAME: _____

Address and telephone number if different from above: _____

Statement taken by: (print name) _____

Station: _____

Time and place statement taken: _____

RESTRICTED (when complete)**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

URN

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Statement of: Chris Trevena

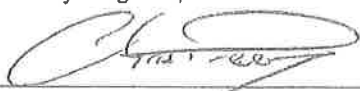
Age if under 18: O/18

(if over 18 insert 'over 18')

Occupation: Police Constable CT572

This statement (consisting of 10 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 23rd May 2017

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)


I am the Police Licensing enforcement officer for Sussex Police and I primarily operate in Hastings and the surrounding area. I have been in this role within Sussex Police for approximately 4 years.

On Monday 22nd May 2017 at approximately 15:15hrs I was on duty carrying out Licensing checks in the Hastings area with Mr Tony MASTERS who is a Sussex Police licensing officer.

We entered THE ROYAL GEORGE, 32 STATION ROAD, HASTINGS, TN34 1NJ to carry out a licensing check as we had concerns about the running of the premises and wanted to also see if the new Designated premises supervisor, Ian TRIBE was available to speak to.

We entered the premises through a side door and I could see about 5 people in the main bar area where the pool table is situated and approximately 3 further people in the lower area of the premises. I could see one male behind the bar.

MASTERS asked the male behind the bar if TRIBE was working and available and the male replied "NO" but then stated that Nigel LEWIS was upstairs and that he would go and get him. He then left the bar area and went through an open doorway behind the bar. A very short time later a male I know as Nigel LEWIS then appeared through the doorway. I

 CT572

Continuation of statement of Christopher TREVENA
have had dealings with LEWIS before during his time at a previous premises in Hastings
and I was aware that he had an involvement in this premises.

MASTERS then started to talk to LEWIS and due to the music being quite loud he asked if they could go to a table situated in the lower area of the bar. As I left the main bar area I saw the male behind the bar take hold of a pint glass that looked as if it had roughly half a pint of lager in and drink the remainder of the drink. I then went down to the lower floor area to where MASTERS and LEWIS were now sat. There were also 2 females stood at the corner of the bar in the lower area.

LEWIS then said to us both that we had just missed TRIBE as he had been at the bar earlier in the day but he had now popped home and was due back in again this evening.

Whilst LEWIS spoke to MASTERS, I stood at the bar and asked the male behind the bar for his details which he gave to me as [REDACTED].

I would describe [REDACTED] as a white male of slim build and looked as though he was in his late 50's. He had longish thinning dark hair that looked greasy and it was combed back. He had jeans and a black t shirt on. He looked dirty and unwashed and from the look of his eyes and the way he was holding himself behind the bar it looked as though he had been drinking alcohol and my initial impression was that he was drunk.

I then asked [REDACTED] if he was working behind the bar and he replied "YES" and I asked him if anyone else was working at that time. [REDACTED] replied "NO".

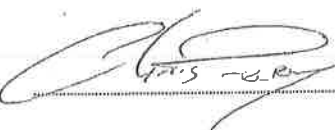
This is a breach of a condition on the premises license of THE ROYAL GEORGE as under the heading 'The prevention of crime & disorder' it states –

To ensure that two bar staff are on duty at any one time.

I then asked [REDACTED] if he had a personal license and he replied "NO".

I then asked if he had received any training in relation to working at THE ROYAL GEORGE and [REDACTED] said that he hadn't had any training here but that he had worked

Signature



CT572 Signature witnessed by:

PTO

Continuation of statement of Christopher TREVENA

in bars before so he knew what he was doing. He also said that he had not seen any training records.

Again this is in contravention to the premises license 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.*
- *A training policy is compiled regarding training provision with names and dates and this shall again be kept on the premises, updated as necessary and made available to police, police licensing officers, local authority officers and trading standards officers.*

I then asked [REDACTED] how he would go about checking on someone's age and he told me that he would look at them and if they didn't look over 21 then he would ask them for ID.

In the premises license the following is stated in relation to age verification –

- 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. Appropriate and sufficient signage will also be displayed in prominent locations inside the premises.

At this point whilst talking to [REDACTED] a male in a suit entered the premises who I knew worked for a local drinks distribution company, HT WHITES. He asked to speak to me outside. I exited the premises and he informed me that he was there to inform the Management that his company would be coming to seize the equipment they had installed at the premises due to unpaid bills and he asked me if it was Ok to interrupt MASTERS to do this as it was LEWIS he needed to speak to. I said it was and asked him who from the premises they had been dealing with. The male informed me that he had only ever dealt with Nigel

Signature



Signature witnessed by:

PTO

Continuation of statement of Christopher TREVENA

LEWIS in relation to the premises and as far as they were concerned it was him who was in charge. The male then informed LEWIS of their intentions to take the equipment back and he said he would be back tomorrow.

During the time this was happening [REDACTED] moved around the bar and he appeared unsteady on his feet and in my opinion due to the way he was talking and acting he was drunk. After a short discussion I had with MASTERS it was clear that he felt the same about [REDACTED].

MASTERS then asked LEWIS what he thought was acceptable for people to drink behind the bar whilst on duty and LEWIS said he felt a couple of pints was OK.

LEWIS then made a comment to me along the lines of "I will tell you, I have been drinking but it's my day off, I have just come down here to get some painting done".

MASTERS then said to LEWIS that in his opinion they should not drink any alcohol whilst on duty and that it was clear that [REDACTED] had been drinking. At this point LEWIS immediately approached the bar and told a female to go behind the bar and take over. I would describe the female as a white female in her late thirties of medium build and approximately 5ft5 with glasses and short brown hair.

MASTERS had now joined me at the bar and I then continued my conversation with [REDACTED]. I asked [REDACTED] if I could see the refusals and incident book and [REDACTED] said he didn't know where it was. LEWIS then said something to the female who was now behind the bar and she went through the opening which I believe went upstairs. A minute or 2 later she then came down with a book which she placed on the bar and LEWIS said to MASTERS that it was the refusals and incident book. MASTERS then picked this up and looked through it whilst I continued to speak to [REDACTED].

I asked [REDACTED] how much he had drunk and he said half a pint. I then said that I had

Signature



Signature witnessed by:

PTO

Continuation of statement of Christopher TREVENA

seen him drinking when I first entered and [REDACTED] initially said that it was lemonade but when I challenged him on what I had seen he then confirmed it was a pint of lager but then said that he had only had one pint. I said to [REDACTED] that from the way he was acting and speaking I felt that he had drunk more than one pint but [REDACTED] then said to me that this was because of a head injury he had and that he had only just recently come out of hospital.

In my opinion [REDACTED] was in no fit state to be working behind the bar whether this was because of his head injury or because of alcohol consumption. Due to this and his lack of knowledge when I spoke to him I believe he would not have been in a position to deal with any type of problem or incident had it occurred.

There is a condition on the premises license which states –

At all times the premises are open and undertaking licensable activity, all staff will actively promote the four licensing objectives.

I asked [REDACTED] if he knew what the 4 Licensing objectives were and he replied "NO. I DON'T KNOW. IS IT NO DRUGS AND NOT TO SERVE UNDER THE INFLUENCE".

I then asked [REDACTED] how long he had worked at the ROYAL GEORGE.

[REDACTED] said that he had worked there for about 4 weeks but he had worked for Nigel before at the ZAR ZAR bar and that Nigel had brought him and [REDACTED] down with him.

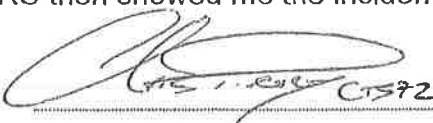
[REDACTED] looked towards the female behind the bar at this point so I assumed that [REDACTED] was the name of the female now behind the bar.

I then asked [REDACTED] if Nigel was his boss and [REDACTED] at this point came across very

Confused and unsure of what to say. He replied "I DON'T KNOW".

MASTERS then showed me the incident book that had been handed to him and he

Signature



Signature witnessed by:

PTO

Continuation of statement of Christopher TREVENA

pointed out that it only had one recorded incident and no refusals recorded. It appeared that the rest of the book had been used to keep bar tabs. I went to take a photo of these pages on my mobile phone but LEWIS then became quite angry and took the book away and said it was his property.

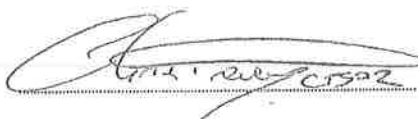
There is again a condition on the premises license relating to the refusals register and incident book which states –

- A refusal register and incident book will be used to record those to whom refusal is given to purchase alcohol and/or on certain events to refuse entry to the premises and to record the detail of incidents at the premises. These should be reviewed by the DPS on a regular basis and feedback then given to staff members. These logs again will be kept on the premises, updated as necessary and made available to police, police licensing officers, local authority officers and trading standards officers.

A male then entered the lower part of the bar through the side door next to where we were standing. It was immediately clear to me that he was very drunk as he was unsteady on his feet and his eyes were glazed over. He said hello to LEWIS and then LEWIS told the male to go to the top end of the bar. MASTERS and I both agreed with each other that the male was clearly drunk however he was not challenged by any of the staff and proceeded to order a drink from the female behind the bar. Due to our concerns about the male MASTERS then said to LEWIS that the male being served was clearly drunk and should not be drinking any more. LEWIS then went around the bar and told the female behind the bar to stop. He then got a male to leave the premises who wasn't actually the male who we had initially pointed out for being drunk.

MASTERS then stated to LEWIS that he wanted to speak to TRIBE as he was the DPS and Premises License holder and should be the person in charge. MASTERS stated to

Signature



Signature witnessed by:

PTO

Continuation of statement of Christopher TREVENA

LEWIS that he had been unable to get hold of TRIBE to arrange a meeting. LEWIS then phoned TRIBE on his mobile phone to arrange a meeting. LEWIS then handed me the phone to speak to TRIBE. I asked TRIBE what time he was coming down to the premises and TRIBE said to me that he wasn't planning on coming down to the pub today.

This was different to what we had previously been told by LEWIS as he had stated that TRIBE had been at the pub earlier in the day and was due back later.

I then asked TRIBE if he had been in earlier in the day and TRIBE said he hadn't because he had been looking for his Dad who regularly goes missing and that he had found him now but he would not be coming down to the pub as he had drunk too much.

I could tell from the way TRIBE was speaking on the phone that he was intoxicated.

I then asked TRIBE who was due to take over from [REDACTED] who had been serving behind the bar as [REDACTED] had told me that he was finishing at 5. TRIBE then said to me that the bar would probably close at 5.

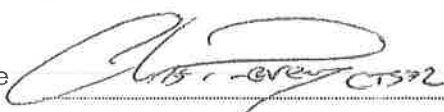
At this point LEWIS shouted in the background to TRIBE that Tina was due to start at 5 and that they were not closing. It seemed to me that LEWIS was trying to coach TRIBE as to what he should say so I then passed the phone back to LEWIS.

It was clear to me from the conversation I had with TRIBE that he had not been to the premises that day and had no idea about what had been going on or what time they were supposed to close and that LEWIS was in fact in control of this although he was not supposed to be involved in the day to day running of the premises.

MASTERS then took over the conversation with TRIBE and arranged to meet TRIBE at 12:00HRS on Tuesday 23rd May 2017 at Bexhill Police station.

We had now got to the point where we had a male behind the bar who appeared drunk and was still behind the bar but not serving due to LEWIS placing another female behind

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PTO

Continuation of statement of Christopher TREVENA

the bar to serve even though moments before she had been sitting at the bar drinking with another female. There were still about 6 customers in the bar and they all appeared to be drinking alcohol and I would say at least 2 of them were at the point where they should be refused further alcohol. The male that had recently entered heavily intoxicated was now sitting at a chair close to the pool table.

MASTERS and I raised our concerns with LEWIS about the premises and issues we had seen and potential problems that may still arise. We also raised the point that there was no DPS or premises license holder present and LEWIS's only link to the premises was as a leaseholder.

We asked LEWIS to think about whether he really felt it was safe and in his best interest for the premises to remain open.

On hearing our comments LEWIS stated that he was going to close the premises by 16:30hrs and not open again until he had spoken to TRIBE after the meeting he was due to have with us the next day.

I recorded in my Police note book that LEWIS had stated that it was his intention to the close the premises voluntarily and LEWIS signed my notebook as a true account.

I then carried out drug swab testing at various places within the premises and then exited the premises with MASTERS at approximately 16:10hrs.

MASTERS and I then returned to the premises at approximately 17:00hrs and it was now locked up and in darkness with no one inside.

We then returned to Hastings Police Station.

On Tuesday 23rd May 2017 at approximately 08:00hrs I was on duty in full uniform at Bexhill Police station.

I am trained in the use of the Ion Track Itemiser 3 which is the machine Sussex Police use

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Continuation of statement of Christopher TREVENA

for obtaining readings of drug swabs taken and one of these machines is located at Bexhill Police Station.

I used this machine to obtain readings from the swabs I had taken from THE ROYAL GEORGE, 32 STATION ROAD the previous afternoon.

The most notable reading I found was from the male toilets within the premises which showed a reading of 5.36 for Cocaine.

Sussex Police have concerns at readings over 4, and readings near and over 6 are of serious concern.

GE Security, the Ion Trak Itemiser manufacturer, in their Technology Statement gives the following guidance about interpreting swab results –

Readings of between 1 & 2 can be classed as 'low' attributed to cross contamination of the surface tested, background contamination or greatly degraded historic contamination.

Between 2 & 3 can be classed as a 'medium' response attributed to cross contamination of the surface tested or recent historic contamination that may have been left a number of days prior to the sample being taken.

Between 3 & 4 can be classed as 'high' that would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Results 4 and above. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk source of the narcotic. This is not generally experienced as background contamination or through incidental cross contamination.

Due to the visit we made and the problems that MASTERS and I encountered whilst at the premises and the drug readings I do have concerns about the premises and the suitability of TRIBE as the DPS and Premises license holder. I am also not convinced of how much involvement TRIBE as the DPS actually has with the premises.

It appears to me that Nigel LEWIS is very much involved in the day to day running of the premises. The male from HT WHITE's stated that he had only ever dealt with LEWIS.

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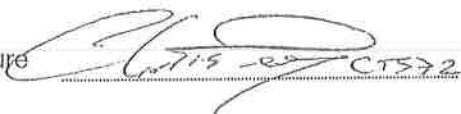
Continuation of statement of Christopher TREVENA

It was LEWIS who [REDACTED] stated had brought him down to the pub from a previous pub he worked at with LEWIS.

When MASTERS raised concerns about the male behind the bar, LEWIS immediately swopped him over with the female. When I was having the conversation with TRIBE on the phone it seemed to me that LEWIS was trying to coach him as to what to say in the background.

LEWIS had also stated that TRIBE had been there earlier in the day and was due back but when I spoke to TRIBE it was clear this was not the case.

Signature

 CT572

Signature witnessed by: _____

PTO

RESTRICTED (when complete)**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Chris Trevena

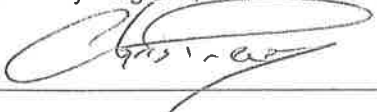
Age if under 18: O/18

(if over 18 insert 'over 18')

Occupation: Police Constable CT572

This statement (consisting of 4 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 25/05/2017

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)


Further to my last statement dated 22nd May 2017.

On Thursday 25th May 2017 at approximately 11:30hrs I was on duty in full uniform with PC FREEMAN CF902 and we were on foot patrol in the Hastings town centre area.

We walked past the ROYAL GEORGE, 32 STATION ROAD, HASTINGS.

The premises was closed and I noted a handwritten sign on the door which stated that it was due to open at 12:00hrs.

We continued our foot patrol of the area and I returned back with PC FREEMAN at approximately 11:45hrs and the front door of the ROYAL GEORGE was now open.

PC FREEMAN and I entered the premises and I saw a male I know as  sitting at the public side of the bar. There was also an elderly male sitting at the bar with what looked like a glass of red wine.

I then approached the bar and there was a male standing behind the bar who I recognised. He came from behind the bar and introduced himself as Ian. I confirmed with him that his name was Ian TRIBE who is the DPS and premises license holder of the premises.

I could immediately tell that TRIBE had been drinking alcohol due to the way he was holding himself and the way he spoke to me as his speech was slow and vague. He also smelt of alcohol and in my opinion he was drunk.



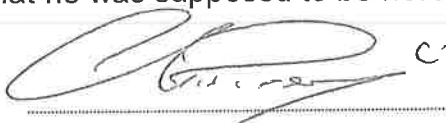
Continuation of statement of *CHRIS TRESENA*

I introduced myself to TRIBE and he then apologised for not making the meeting with my colleague Tony MASTERS earlier in the week. I then asked TRIBE if he had been getting things sorted and TRIBE then said to me "IT HAS ALL BEEN UP IN THE AIR WITH EVERYTHING THAT HAS BEEN GOING ON AND I AM NOT SUPPOSED TO BE HERE" I asked to see the incident book and TRIBE then handed me a light blue hard covered A4 size book which had "Incident book" written on the front.

I opened the book up and it had one recorded incident in the book from March 2017 which is the same incident that was recorded in the previous book MASTERS and I had seen on a previous visit. The rest of the pages were blank. I commented to TRIBE that this was a different book to the one I had seen before and TRIBE replied "IS IT. I DON'T KNOW. THIS IS ALL GOING OVER MY HEAD". I then said to TRIBE that he should know as he is the DPS of the premises. I then asked if he had been drinking as I was concerned at the way he was acting and at this point to me it was clear that he was drunk. TRIBE said to me that he had drunk one pint. I then challenged TRIBE and said to him that I thought he was drunk. I then asked him again how much he had drunk. This time TRIBE used his hand and showed me 2 fingers and waved them around. I then said to TRIBE so you are saying you have had 2ish drinks and I would say you are drunk and it's not even 12 o'clock.

TRIBE then said to me that he was not supposed to be here but that he had a call from [REDACTED] the night before asking him to come in and open up today because Nigel LEWIS had been taken into hospital that evening. TRIBE then said that was why they had the sign on the door stating they would not be opening until twelve. TRIBE then said again to me that he was not supposed to be here and that everything that has been going on has been stressing him out and that he doesn't know what's going on and what Nigel has been doing. TRIBE was getting quite flustered in the way he was acting. I then firmly said to TRIBE that he was supposed to be here and he was supposed to know what was going on

Signature



CT572

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PTO

Continuation of statement of CHRIS TREVENA

as he was the Designated premises supervisor and license holder. [REDACTED] then joined in the conversation as he was sitting at the bar close to where we were talking. [REDACTED] said that TRIBE was only opening up and that he was going to be working behind the bar until they close at five thirty and that TRIBE was coming back to close up as LEWIS was in hospital. I then asked [REDACTED] if he had been drinking. [REDACTED] then showed me a mug that was in front of him and said that he was only drinking tea because he has got an infection on his head that is causing him pain. [REDACTED] then pointed to a lump on his head. I then said to [REDACTED] that from what he was saying he was not really in a position to be running the bar either and [REDACTED] agreed with me and said "YEH I KNOW".

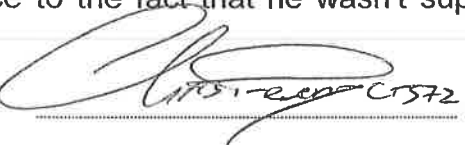
I then said to TRIBE that I had serious concerns about his ability to be in charge of the pub as he was drunk and [REDACTED] was also not a suitable person to be left alone. [REDACTED] and TRIBE both then said to me that they agreed with what I was saying and that before I turned up they had been discussing whether they should open or not. TRIBE then said that he was going to close the pub and it would all be closed by 1pm. I then said to him that it was his decision. TRIBE then said to me that it would be ok as they hadn't opened properly yet anyway. I then asked who had served the elderly male the glass of red wine. TRIBE then said that no one had served him and that the drink was left over from the night before and that they had kept it in the fridge for the male.

This appeared to me like TRIBE thought he had done something wrong and did not want to say who had served the male. I then left the premises with PC FREEMAN.

I returned to the premises at 13:05 and it was in darkness and closed.

In my opinion TRIBE is not a suitable DPS or premises license holder for the premises. Not only was he drunk and in no position to manage the premises effectively but he also kept making reference to LEWIS as the person in charge. TRIBE also kept making reference to the fact that he wasn't supposed to be there and he didn't know what was

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Signature witnessed by:

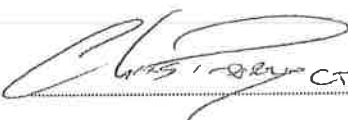
PTO

Continuation of statement of
going on.

CHRIS TREVENA

 CTS 72

Signature

 CTS 72

Signature witnessed by:

PTO

From: [REDACTED]

Sent: 12 April 2017 19:51

To: Licensing

Subject: Premises Licence Application

Dear Sir/Madam

I am writing to you to complain about a local pub in Hastings centre.

Franks front room LTD

32 Station Rd, Hastings TN34 1NJ

About a week ago around 10am I was walking past, and there was a couple of men sitting outside of the building drinking from there.

As I was walking past they tried to sell me some goods, such as mac makeup, by saying 'would you like this' 'you know you want to buy it'. I carried on walking and ignored them. As I walked away they also carried on doing this to people behind me.

Yesterday 11/04/2017 at around 6:30

Me and my partners kids was walking past, and they had a broken table outside and chairs, where about 5/6 people was sitting around. They was blocking the whole path, it completely stunk of alcohol (I kind of expect a little bit outside of a pub) but this was extreme. It was very hard for me and the kids to walk past that we had to go in to the road. Which isn't safe at all.

I understand this pub opens at 9am but doesn't serve food. I don't understand how this is allowed as all it brings is drunken people outside from 9am. If they was serving food that would be a different matter.

I only live a few doors down from this pub so I regularly walk past it and I feel that this pub needs to have someone come and do a licensing check on it as I don't feel as its safe.

My details are

[REDACTED]

Email:

[REDACTED]

[REDACTED]

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>

From [REDACTED]

Sent: 12 May 2017 20:24

To: Licensing

Subject: Re:- royal george

Dear sir/madam

Im writing to complain about the royal George formaly frank front room in hastings on devonshire road.

There have been many times when there customers fight and make a wracket but tonight friday 12th of may at 730 two girls that have been in the pub for most of the day (saw them whilst going to work and then still there once i come home come round to the top of middle street screaming and shouting and kicking the garages at the bottem of the building which has disturbed my evening rest several kicks and bangs as me and my partner have watched them making threats about the pub and being abusive.

Im a local door supervisor and i would say they had way to much to drink at 6 pm when i walked past the pub so 2 hours later of drinking they was in a state one couldnt even stand up she was that drunk. While watching a male from the pub come out and offered them a bag of white powder to share!

Also i have seen people that are customers leaving this venue at 130- 200 am in the mornign long after the venue has shut with fresh open bottles of alchool so it leads me to assume that they are serving drinks way past there allowed hours.

My partner has complained about this venue in the past and there was a meeting about it coming up im guessing as the same person is running the pub that the responce of this meeting was he is allowed to contuine to run the licenced premises still! Im disappointed that this is allowed to happen with a problem venue as this! And would like to log another complant as this is now pushing into my down time always hearing this venue and the problems it courses right on my doorstep so i cant aviod the area.

This is a ongoing problem which is now fast becoming out of hand

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Feel free to contact me any time in this regard and im willing to assist in anything that is required to help you

Yours faithfully

[REDACTED]