

**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: Emma Basson

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police 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 anything in it, which I know to be false or do not believe to be true.

Signature:

Date 09/10/2011

Tick if witness evidence is visually recorded  (supply witness details on rear)

On Saturday 1<sup>st</sup> October 2011 I was on duty in full uniform in a marked police vehicle when at 22.37 hours I was driving past the London Trader public house located at 3-7 East Beach Street, Hastings, East Sussex. I noticed that there were a number of people drinking at the London Trader spilling all over the pavement area outside the public house and into the road. I turned the vehicle around drove past the London Trader and parked opposite the public house in the police bay too see what was going on. I observed the customers outside the public house for about 10 minutes in total and during that time I counted at least 25 persons with glasses consuming alcoholic beverages such as wine, lager and bottles of intoxicating liquor outside of the allocated barrier area that was not controlled by any licensed door staff or supervising security or SIA personnel. Passing pedestrians were forced to push there way through the people or had to walk into the road to avoid the customers of the public house which was unacceptable. At no time did any bar staff or glass collectors come outside to clear the tables or move the customers into the barrier area.

Your Ref: HOP50281

Our Ref:

Date: 11 October 2011

Contact Name: Insp Johnson

Tel. Extension: 77859

Direct Dial No:

Dear Mr Brown

**Application by Hastings Borough Council Environmental Health Department for a Review of the Premises Licence of the London Trader, 3-7 East Beach Street, HASTINGS**

I note that the date for the hearing has been adjourned to Tuesday 25 October 2011.

I would like to add an additional statement of evidence concerning events on Saturday 1 October 2011. The statement is from PC Basson who observed that for a period of over 10 minutes from 2237hrs that night there were 25 customers of the London Trader with drinks, spilling out over the pavement and even in to the road. They were going beyond the allocated area of the pavement licence that had been defined with barriers. There was no control by anyone from the London Trader to rectify this position. She noted that pedestrians who wished to walk past using the pavement either had to force their way through the crowd or walk in the road. She also did not see any glass collection from the tables outside in the pavement area.

This obstruction of the pavement by customers from the London Trader is one of the issues of poor management that the action plan was trying to address. It is remarkable that with the review notice posted in the window and the issue of obstruction of the pavement being part of the review, that the matter had not been remedied. This shows the lack of concern by the Designated Premises Supervisor for the public nuisance caused by his customers directly outside his premises.

Sussex Police joined in the review request by Hastings Borough Council and are supporting all the conditions that were requested by Mr David Bell in his review application, including the reduction in hours and licensable activities. The pavement licence ceases at 2300hrs but customers do need to go outside of the London Trader to smoke. It was for that reason that SIA supervision of the outside was requested. This recent incident happened before the terminal hour of the pavement licence and mean that earlier supervision of the outside of the premises is necessary - from 2100 hours on Mondays to Fridays and from 1200hrs on Saturdays, Sundays and Bank Holiday Mondays.

Yours sincerely

V. Johnson  
Licensing Inspector

Enclosed;  
Statement from PC Basson

Mr B Brown  
Licensing Manager  
Hastings Borough Council  
Aquila House  
Breeds Place  
Hastings  
TN34 3AA