

Please quote: 39-41 George Street  
Your reference:  
Date: 21 May 2012  
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**Environmental Protection Team**  
Aquila House, Breeds Place  
Hastings, East Sussex TN34 3UY

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

Dear Mr Brown

### **Licensing Act 2003 – 39-41 George Street, Hastings – New Premises Application**

Under the licensing regime the role of the Environmental Protection Team is to avoid the creation of situations where new or varied licenses, by virtue of their proposed activities, their locations, or times of operation, give rise to nuisance to local residents. In this respect the provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the general public from the effects of noise nuisance. However, as the DCMS guidance recognises these may not, by themselves, be sufficient to protect local residents.

I wish to make representation as I have serious concerns about the implications of a premises licence being granted for the above premises in respect of the licensing objectives prevention of public nuisance and prevention of crime and disorder as I consider that there is a strong likelihood of negative cumulative impact.

I am aware that these premises were previously licensed and to my knowledge was the subject of complaint about loud music noise from 2 residents during the time of the last premises licence holder. I understand that there were also noise problems previously but I have only been able to get anecdotal information regarding that. It is my belief that since the commencement of the current licensing regime in 2005 the premises only operated intermittently until the licence was surrendered in July 2009. I have personally witnessed the bass beat of music being audible outside the premises late at night and in the early hours of the morning.


The current application is for live music, recorded music and performance of dance or anything of a similar description until 04:00 hrs with supply of alcohol and late night refreshment until 03:30 hrs and closure at 04:00 hrs every day. The applicants have stated that there will be a capacity of 500 people and have proposed a number of steps to address the licensing objectives. I am of the opinion, however, that these will not prevent the fundamental problem of large numbers of people coming to and leaving the premises at extremely unsocial hours. There are a considerable number of residential premises in the vicinity. I attach maps with areas within a radius of 50, 75 and 100 metres shaded together with a table giving numbers of residential premises within each shaded area. All of these I consider could be quite seriously affected by noise from the premises, patrons in the immediate vicinity of the premises and patrons making their way to and from the premises. In the latter case the potential for noise disturbance could extend considerably further.



I do not believe that the applicants have had sufficient regard to the fact that the premises are within an area covered by the Special Saturation (Cumulative Impact) Policy within the Council's Licensing Policy. They have not made reference to this. Nor have they demonstrated that there will be no negative cumulative impact arising from their proposals or rebutted the presumption against grant of a new licence in this area.

In light of the above, I have no alternative but to recommend refusal of a licence.

Yours sincerely



David Bell  
Principal Environmental Health Officer