

Your Ref: Our Ref: ESX/LIC/CI Date: 2<sup>nd</sup> May 2012.  
Contact Name: C/I Keating Tel. Extension: 60221 Direct Dial No: 01424 456171

Dear Mr Brown

**SUSSEX POLICE REPRESENTATION AGAINST THE APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003**

**Georgies 39-41 George Street Hastings East Sussex. TN34 3EA.**

Sussex Police wish to make representation against the application for the grant of a premises licence submitted by Mr. William Neech and Mr. Peter Harper on the 24<sup>th</sup> April 2012, relating to Georgies 39-41 George Street Hastings East Sussex. TN34 3EA.

The basis for the opposition is that the grant of a premises licence for these premises will not promote the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance but instead, will give rise to potential negative cumulative impact.

Details of the application are as follows.

The standard hours the premises will be open to the public are Monday - Sunday, 12:00hrs to 04:00hrs, with no seasonal or special event variations.

The application for the grant of a premises licence, made under Section 17 of the Licensing Act 2003, is for the licensable activities of supply of alcohol, the provision of regulated entertainment, the provision of facilities for entertainment and the provision of late night refreshment.

Times requested for the licensable activities are:-

Supply of Alcohol (consumption on the premises only).

Monday to Sunday 12:00hrs - 03:30hrs (no seasonal or special event variations).

Provision of regulated entertainment (live music, recorded music, performance of dance and entertainment similar to live music, recorded music performance of dance etc). (Indoors Only)

This will include comedy nights, discos, karaoke, dance classes etc.

Monday to Sunday 12:00hrs - 04:00hrs (no seasonal or special event variations).

Provision of facilities for dancing. (Indoors Only)

Monday to Sunday 12:00hrs - 04:00hrs (no seasonal or special event variations).

Provision of facilities for entertainment similar to dancing. (Indoors Only)

Monday to Sunday 12:00hrs - 04:00hrs (no seasonal or special event variations).

Mr. R. Brown  
Licensing Manager  
Environment and Safety Directorate  
Aquila House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY.

Provision of late night refreshment. (Indoors Only)

Monday to Sunday 23:00hrs - 03:30hrs (no seasonal or special event variations).

The applicant has stated that the premises will have a capacity of five hundred (500) persons.

The concentration of licensed premises within a small area of the town causes problems of crime and disorder and public nuisance. In consequence of this, following extensive consultation in 2007, the Licensing Authority in January 2008 believed it was both appropriate and necessary to introduce the Special Saturation (Cumulative Impact) Policy. The policy was reviewed in 2009 when small amendments were made. A further review took place in January 2011 resulting in the three areas being retained with no additional modifications.

On Monday 16<sup>th</sup> April 2012 both Mr. Neech and Mr. Harper attended the Hastings Borough Council Licensing Department in order to discuss their application for a premises licence, relating to Georgies. They met with Mr. Scrase the Licensing Officer who in addition to other matters informed the applicants that the premises were within the area covered by the Special Saturation (Cumulative Impact) Policy.

Paragraph 13.29 of the Secretary of State's Guidance to the Licensing Act 2003, amended in October 2010 provides,

*"The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises license, club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives".*

This principle is reflected in the Hastings Borough Council Special Saturation (Cumulative Impact) Policy contained within the Hastings Borough Council Licensing Policy.

These premises are situated within Area 2A of the Special Saturation (Cumulative Impact) Policy in which there is a presumption that any new premises licence or variation will be refused. This policy was introduced and reviewed because of the pressure created by the density of licensed premises in the area of George street. Hastings Borough Council Licensing Policy says,

*"This policy relates to applications for the grant and/or variation of premise licences, club premises certificates or the issue of provisional statements. Each application will be taken on its own merit..... There will be a presumption against the grant of such licence or certificate unless the applicant can rebut the presumption that the granting of such a licence or certificate would undermine the licensing objectives."*

Paragraph 8.41 of the Secretary of State's Guidance to the Licensing Act 2003, amended in October 2010 provides, *'In preparing an operating schedule, the Secretary of State expects applicants to have had regard to the statement of licensing policy for their area. They should also be aware of the expectations of the licensing authority and responsible authorities about the steps that are necessary for the promotion of the licensing objectives'*.

