

**LICENSING SUB COMMITTEE
20 JUNE 2012**

Present: Councillors Dowling, Webb & Wilson (in the Chair) and Martin in Reserve.

4. APPOINTMENT OF CHAIR

In accordance with the terms of reference of the Licensing Committee, the Chief Legal Officer invited nominations for the appointment of Chair for the duration of the meeting. Councillor Dowling moved that Councillor Wilson should take the Chair. This was seconded by Councillor Webb.

RESOLVED (unanimously) that Councillor Wilson be appointed as Chair for the duration of the meeting.

5. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

6. APPLICATION FOR A NEW PREMISES LICENCE: 39-41 GEORGE STREET, HASTINGS

Councillor Wilson set out the procedure that the Sub-Committee would adopt (in accordance with the Standard Practice), both the applicants and the interested parties confirmed they understood this.

The Head of Environmental Services submitted a report on an application for a new premises licence at 39-41 George Street, Hastings, as a result of representations received.

Mr Bob Brown, Licensing Manager, presented the report to the committee

Inspector Ross and Mr Peter Spink, Counsel for Sussex Police, were present. Their representation related to the licensing objectives of crime and disorder and public nuisance. Mr Spink asked the committee to refuse the application in full as the premises are within the cumulative impact zone to which the special saturation policy applies and no reference was made to this in the applicants' operating schedule. Mr Spink said that the George Street area has a number of licensed premises and is also a residential area. The applicants said that the age group they wanted to attract was 25+ but that they would let anyone in over the age of 18. Sussex Police are concerned that it will contribute to crime and disorder and public nuisance and that they do not have the resources to cover another licensed premises in the saturation zone. Mr Spink went on

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to say that the applicants have addressed to some extent how they would regulate proceedings in the premises but there is nothing about dealing with how patrons would leave the premises.

Mr Bell, the Principal Environmental Health Officer, spoke regarding the prevention of public nuisance and crime and disorder. He stated that approximately 31 residential premises within 50m of the site were likely to be effected by noise; and 54 residential premises at 75m, and 70 residential premises at 100m radius. He added that the applicants have proposed a number of steps to address the licensing objectives but he did not think that they will prevent the fundamental problem of large numbers of people coming to and leaving the premises at extremely unsocial hours. He also said that he did not believe 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.

Mr Dick Edwards, Chair of Hastings Old Town Residents' Association (HOTRA), was present and made a representation regarding noise and disturbance and was also concerned with the presence in George Street of a large number of people which could obstruct access for emergency public service vehicles. HOTRA is also concerned that due to police resource constraints there will be an inevitable increase in public nuisance.

Miss Stacy Masters was present and Mr Brown read out her letter. Miss Masters stated that her flat is no more than 40 metres away from the premises and she has experienced many aspects of anti social behaviour associated with existing licensed premises in the area of George Street. She was concerned that to have such a large number of people would cause additional disorder and anti social behaviour. Also of concern is noise from the smoking area and the possibility of the loading bay in Sturdee Place becoming a taxi rank.

Mrs Murphy was also present and Mr Brown read out her letter. Mrs Murphy is also concerned about noise nuisance and anti social behaviour, particularly when patrons leave the premises after closing.

Mr Neech and Mr Harper, the applicants, were present and informed the committee that they intend to rebrand the premises under the name of 'The Drawing Room' with a table service option to attract a clientele of the 25s and over. They also wish to make it available to local students. Mr Neech thought the operating schedule set out the necessary steps to ensure that the concerns over public nuisance and crime and disorder were addressed. He said they had made contact with Bar Watch and consulted with local security firms and that it was their intention to hire 8 door

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supervisors. They would provide a free taxi ordering service and ask patrons to wait inside until taxi arrives.

Members were concerned that neither of the applicants had experience of running a night club and asked what training they would undertake and provide for their staff. Mr Neech said that either he or Mr Harper would be on the premises and they will employ staff with bar experience. Mr Neech mentioned that he managed up to 90 staff on a daily basis.

Mr Brown explained the requirement in law that if supplying alcohol someone must hold a personal licence who is then nominated as a Designated Premises Supervisor.

RESOLVED (unanimously) that the application be REFUSED for the following reason:

The Committee has listened very carefully to all of the submissions made this morning. It does not consider that the applicants have thoroughly addressed, either in their operating schedule or this morning, that the granting of the licence would NOT undermine all of the licensing objectives. It was their duty to discharge this test.

The Committee was not satisfied that the arrival and egress of patrons in particular had been dealt with in a manner that would uphold the licensing objectives of prevention of public nuisance and the prevention of crime and disorder.

The Committee has also had regard to the Guidance issued by the Home Office in April 2012 and its own policy re-adopted in January 2011.

(The Chair declared the meeting closed at 11.57am)