

Please quote: Electric Stag
Your reference:
Date: 22 May 2012
Please ask for: David Bell
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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 – Electric Stag, GF 53 Robertson Street – New 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 likelihood of negative cumulative impact.

As you are aware I have long had concerns about the general noise climate in the Town Centre area during unsocial hours especially on Friday & Saturday nights. As such I welcomed the fact that a licence was surrendered for these and associated premises which had been the subject of complaint on occasion. Even with the closure of these premises I consider the town centre to continue to have an unsatisfactory noise climate as a result of music breakout and the noise of revellers outside premises and in the street in general.

The current application is for very long hours 7 days per week with e.g. recorded music 06:00 – 04:00 and live music from 08:00 – 04:00 although it is stated that "Whilst live performances of music not deemed incidental (according to DCMS guidelines) are not planned there may be, on occasion, the possibility of live music on the premises". It strikes me that this application has been put together to cover a range of activities and times with little thought having been given to the suitability of the premises in terms of size or location. I do not believe that the applicants have had any 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

A handwritten signature in black ink that reads "David Bell".

David Bell
Principal Environmental Health Officer

