



**HASTINGS POLICE STATION
EAST SUSSEX DIVISION**

Your Ref: Our Ref: ESX/LIC/CI Date: 24th September 2012.
Contact Name: Chief Inspector Keating Tel. Extension: 60221 Direct Dial No: 01424 456171

Dear Mr. Brown

**SUSSEX POLICE REPRESENTATION CONCERNING THE NOTIFICATION OF A TEMPORARY EVENT
UNDER THE LICENSING ACT 2003.**

London Trader, 4 - 7 East Beach Street, Hastings, East Sussex. TN34 3AR.

Please accept this letter as a representation that Sussex Police object to the Temporary Event Notice applied for by Ms. Sarah Reynolds (premises user), on the 20th September 2012, for the London Trader 4 - 7 East Beach Street Hastings East Sussex. TN34 3AR. Ms. Reynolds is also the current Designated Premises Supervisor. This objection is necessary to promote the licensing objectives of Prevention of Crime and Disorder and Prevention of Public Nuisance.

The existing premises licence permits the following licensable activities:-

INDOOR SPORTING EVENTS:	MONDAY – SATURDAY:	09.00 - 23:00
	SUNDAY:	09.00 - 22:00
LIVE MUSIC:	SUNDAY:	11:00 - 21:00
DANCING:	SUNDAY:	11:00 - 21:00
RECORDED MUSIC:	MONDAY-SATURDAY:	09:00 - 23:00
	SUNDAY:	09:00 - 22:00
SUPPLY OF ALCOHOL:	MONDAY- SATURDAY:	09:00 - 23:00
	SUNDAY:	09:00 - 22:00

Ms. Reynolds has given notice of her intention to extend the hours for the licensable activities, sale by retail of alcohol, provision of regulated entertainment (recorded music and dancing) and the provision of late night refreshment on the following date:-
Saturday 13th October 2012 09:00hrs into Sunday 14th October 2012 00:30hrs.
(Hastings Bonfire Celebrations).

Prior to the August 2011 the premises were subject of a large number of incidents relating to both crime and disorder and public nuisance. All of which are well documented by Sussex Police and the Environmental Health Department.

On the 15th August 2011, Mr. David Bell, Principal Environmental Health Officer, initiated a review of the premises licence, supported by Sussex Police. A Licensing Sub Committee Hearing was held on the 25th October 2011 and following this changes were made to the licensable activities which authorised the times the activities were permitted to take place, in addition to adding a number of conditions to the licence. Mr. Stephen Foot, who was the Premises Licence Holder and Designated Premises Supervisor at that time, appealed the decision.

Mr. R. Brown
Licensing Manager
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TN34 3UY.



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This appeal was heard on 10th April 2012 at Hastings Magistrates Court. The Magistrates found no reason to question this decision and as such upheld the decision made by the Licensing Sub Committee.

Sussex Police are of the view that Ms. Reynolds is using this Temporary Event Notice, this application being one such notice, in order to circumvent the conditions imposed by the Licensing Subcommittee on this premises licence at the review hearing which have only been in effect since 10th April 2012.

Since the date of the hearing there have been ~~four~~^{three} incidents of note relating to the premises:-

- Approximately 1826hrs Sunday 22nd July 2012. PC Ash was required to attend the premises as a result of patrons who were standing outside the cordoned area, as indicated on the premises licence, obstructing the footpath and the eastbound carriageway of the A259 East Beach Street.
- Approximately 21.30hrs Saturday 4th August 2012. Mr. Anthony Masters Sussex Police Licensing Officer attended the premises due to the barriers at the front of the premises being incorrectly positioned. Specific measurements are contained within the premises licence relating to the positioning of the barriers. By moving the barriers further from the premises than is permitted, provides Mr. Foot more room for his customers whilst reducing the width of the footpath to pedestrians. Mr. Masters spoke with Mr. Stephen Foot, the Premises Licence Holder concerning the contravention. He rejected his observations and the barriers remained in place.
- Approximately 21.22hrs on Saturday 11th August 2012, Sussex Police received a 999 telephone call from a member of the London Trader SIA doorstaff stating that a male who had been barred had become aggressive and barged past the informant. When police officers attended the member of doorstaff stated that the male had left the area. Whilst try to establish details of the incident and a description of the offender the member of doorstaff stated he had to take a telephone call and walked off. The male was found within the toilets of the premises and was issued a Section 27. notice. The member of doorstaff stated to the police officers that he was working alone and that the 'Barwatch' radio had been broken for at least two weeks.

Sussex Police will provide supporting evidence with regard to the above.

Condition 7 on the premises licence states the following, '*The area (hatched in black on the attached plan) where external tables are located under the licence from the Highways Authority shall have removable barriers around the perimeter to clearly denote the area and customers shall not be permitted to congregate outside of that area. These barriers shall be removed at close of business*'.

Condition 9 on the premises licence states the following, '*The seating area (hatched in black on the attached plan) is to be controlled by a SIA registered supervisor from 12 noon to close of business on Saturdays, Sundays and Bank Holidays and on Fridays from 21.00 hours to close of business during the period April to October inclusive each year and also on all recognised special occasions (both during the months April to October and at other times of the year) as stipulated by the Hastings Borough Council Licensing Authority*'.

The incidents above would tend to show that the management, even after being involved in a review of the premises licence and appeal, are continuing to fail in the control of the premises relevant to the licensing objective, prevention of crime and disorder.

On the 7th August 2012 Ms. Reynolds submitted a Temporary Event Notice of her intention to extend the hours for the licensable activities, sale by retail of alcohol, provision of regulated entertainment(disco and dancing) and the provision of late night refreshment on the following dates:-

Friday 24th August 2012 20:00hrs - 00:30hrs.
Saturday 25th August 2012 20:00hrs - 00:30hrs
Sunday 26th August 2012 20:30hrs - 00:30hrs



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Sussex Police and the Environment Health Department presented the Licensing Authority with representations against the grant of the Temporary Event Notice. Supporting evidence was submitted by Sussex Police in support of the representation and a Licensing Sub Committee Hearing was held on the 17th August 2012. At the hearing Ms. Reynolds read out to those present a prepared statement withdrawing her notification of the temporary event.

Sussex Police object to the notification of a temporary event for the London Trader on the date specified. The notification of the extension of the hours as applied for, would not promote the licensing objectives. In view of the above, Sussex Police invite the Licensing Authority to consider this representation and issue a counter notice.

Yours sincerely,

Chief Inspector H. Keating
District Commander.
Hastings.

c.c. Ms. Sarah Reynolds.