

Licensing Sub Committee Agenda

Thursday, 16 March 2017 at 10.00 am

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.

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For further information, please contact Emily Horne on 01424 451719 or email ehorne@hastings.gov.uk

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Members of the Licensing Sub Committee to sit on this hearing are:		
Councillors Sinden, Batsford and Street with Councillor Roberts in reserve.		
1.	Appointment of Chair for this meeting	
2.	Apologies for Absence	
3.	Minutes of the meeting held on 24 August 2016 and 21 September 2016	1 - 14
4.	Declarations of Interest	
5.	Notification of any additional urgent items	
6.	Application for the Review of Premises Licence: The Tub PH, 57 Cambridge Road, Hastings. (Assistant Director, Environment & Place)	17 - 74
7.	Additional urgent items (if any)	

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LICENSING SUB COMMITTEE

24 AUGUST 2016

Present: Councillors Batsford, Dowling and Sabetian (Chair) with Councillor Patmore in reserve. Also in attendance: Bob Brown, Licensing Manager; Trevor Scrase, Senior Licensing Officer and Karis Valli, Senior Environmental Health Officer

57. APPOINTMENT OF CHAIR FOR THIS MEETING

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 Sabetian should take the Chair. This was seconded by Councillor Batsford.

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

58. APOLOGIES FOR ABSENCE

None.

59. MINUTES OF THE MEETING HELD ON 31 MAY 2016

RESOLVED that the minutes of the meeting held on 31 May 2016 be approved and signed by the Chair as a true record.

60. DECLARATIONS OF INTEREST

None.

61. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

62. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE: NISA LOCAL, 1-3 PARKSTONE PARADE, PARKSTONE ROAD, HASTINGS

The Licence Holder/DPS had been invited to attend the hearing, but was not present. Cllr Dowling Proposed that the Hearing continue, which was seconded by Councillor Batsford.

Councillor Sabetian set out the procedure that the Sub-Committee would adopt (in accordance with Standard Practice).

The Licensing Manager, Bob Brown, presented the report of the Assistant Director of Environment and Place in respect of an application for the review of the premises

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licence under Section 51 of the Licensing Act 2003 at NISA Local, Parkstone Parade, Parkstone Road, Hastings. Mr Brown, Licensing Manager, presented the report.

Mr Scrase, Senior Licensing Officer (Applicant), said he instigated the review of the premises licence under the licensing objectives 'the Prevention of Crime and Disorder and the Protection of Children from Harm' as a result of evidence provided by Karis Valli, Senior Environmental Health Officer (Food/Health & safety), following a food safety inspection. He said a number of conditions attached to the premises licence had been breached and so he submitted a review to address the ongoing poor management and supervision of the premises.

The existing use of the shop covers the premises for the 'off sales' supply by retail of Alcohol. It currently operates under the following trading hours: Sale of alcohol – Monday to Sunday 10.00 – 23.00hrs.

The shop was granted a premises licence on 13th June 2007 to Millenium C Stores under Mr Uday Patel. On 28th October 2008, the premises was changed to NISA local. On 25th November 2009, the premises holder Mr Amit Gohil transferred the licence and then on 11th October 2010 it was transferred to another limited company name, KP & UK Ltd by the same person. On 11th May 2012, the premises licence was transferred from KP & UK Ltd to Ganas Food and Wine Ltd. The registered company owner is currently Mr Kanapathillai Sanjeev.

Mr Scrase said he received notification on 19th April 2016 from the Environmental Health Department that the shop had changed ownership to VJN Groceries Ltd, although it was still registered under Ganas Food and Wine Ltd, the directors details were still the same. He referred to his statement on page 15 of the agenda and spoke about the events leading up to the review.

- On 4th May, Mr Scrase said he visited the shop, neither the personal licence holder or manager were present. Mr Sanjeev was confirmed as the owner.
- On 11th May, both Mr Scrase and Mr Brown visited the premises, there was 1 member of staff on duty at the time. He did not know the designated premises supervisor(DPS) and was unable to produce a list of persons authorised to sell alcohol by him. There were customers in the shop. Mr Scrase advised that further sales were unlawful and asked Mr Gupta to contact him.
- On 12th May, Mr Scrase had not received any contact.
- On 17th May, Mr Scrase visited the store. Mr Gupta was present, he confirmed he was the manager and explained that Mr Sanjeev was the shop owner, but he did not know the DPS, Mr Jeyraji.
- On 18th May, Mr Sanjeev attended the office and submitted an application to transfer the company premises licence to VJN Groceries Ltd. Mr Scrase asked for confirmation of the DPS from Mr Sanjeev.
- On 9th June, confirmation of the DPS was received as being Mr Jeyraji. Mr Scrase requested Mr Sanjeev attend the office to discuss breaches of the Licensing Act: failing to notify change of company; selling of alcohol and non-compliance with a number of conditions on the premise licence. Mr Sanjeev confirmed he was not a personal licence holder and that the DPS was the

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husband of his sister. A record of the interview, dated 29th June, was appended to the agenda on page 47.

Mr Scrase recommended the premise licence be revoked for the reason that if the committee decided to suspend the licence for 3 months, he felt the position would not change. He went on to say the poor level of management control had occurred over a prolonged period of time, for example the DPS visited every couple of months and staff were changeable. Although there was no proof of underage sales, he said there were two senior schools in the vicinity. If conditions were added to the licence it would not change because the existing conditions had been breached continuously with very little effort made to remedy the situations since April 2016.

Mr Brown read the witness statement received from PC Chris Travena on page 85 of the agenda, Appendix C.

Karis Valli, Senior Environmental Health Officer (Food/Health & Safety), said she had visited the premises on 19th April following a complaint received on 16th April from a member of the public regarding high risk foods being delivered in an unrefrigerated vehicle and concerns over poor hygiene. On 19th April she undertook an investigation and noted a range of offences such as a change of ownership; the business was un-registered, the owner/supervisor was not present, there were no training records or food procedures and registers. Furthermore, the building was in a poor structural state and lacked house-keeping. The premises, she said, was a public health risk. She notified the Licensing Department and took a graduated approach to enforcement by sending letters to the management.

Councillor Dowling sought clarification on the whereabouts of the Licence Holder. Mr Scrase said the Licence Holder had changed and the premises was now run by Mr Sanjeev, the owner. The DPS was his brother in law. Mr Brown added that the premises was run by an absent management team. Several conditions that had been placed on the licence had been ignored for some time.

Councillor Sabetian queried why it would not make a difference if the licence was suspended for 3 months. Mr Brown said suspension was generally used as a training tool to educate the staff, not deal with continuous breaches of conditions. If the DPS was removed staff training would not be adequate. The DPS has not engaged with the Authority unless forced to do so. In an interview with Mr Scrase it was clear that they cannot achieve the conditions currently set on the licence and therefore the committee's options were limited.

In his summary, Mr Scrase said the premise was poorly run with no direct supervision or compliance of the licensing objectives.

RESOLVED (unanimously) to REVOKE the licence as follows:

The reason for this decision was:

The Committee have listened very carefully to the evidence before it. There seems to be a total disregard of the licensing conditions; in

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particular CCTV not working; one member of staff rather than the two prescribed (staff apparently employed on a casual/transient basis) and no training records.

The Committee's concerns were heightened by the close proximity of a senior school. The management team are mostly absent including both the DPS and the License Holder. This shows that the Licensing Objectives are being seriously undermined in particular the prevention of Crime and Disorder and the Protection of Children from Harm.

The Committee were very disappointed of the non-attendance of the Licence Holder, despite having been sent due notification which is indicative of the general poor management of the premises.

63. ADDITIONAL URGENT ITEMS (IF ANY)

None.

(The Chair declared the meeting closed at. 2.47 pm)

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Present: Councillors Howard, Street (Chair) and Webb with Councillor Patmore in reserve. Also in attendance: Bob Brown, Licensing Manager; Trevor Scrase, Senior Licensing Officer; Anthony Masters, Sussex Police Licensing Officer, Mrs Jean Irving, Head of Licensing and Public Safety for Sussex Police and Sergeant Vokins, Sussex Police Licensing Team.

1. APPOINTMENT OF CHAIR FOR THIS MEETING

In accordance with the terms of reference of the Licensing Committee, the Principal Solicitor invited nominations for the appointment of Chair for the duration of the meeting. Councillor Webb moved that Councillor Street should take the Chair. This was seconded by Councillor Howard.

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

2. APOLOGIES FOR ABSENCE

None.

3. DECLARATIONS OF INTEREST

None.

4. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

5. APPLICATION FOR A PREMISES LICENCE: SEED, 50 GEORGE STREET, HASTINGS

Members of the Committee, Officers, Statutory Consultees, the applicants and their representative, introduced themselves. Councillor Street set out the procedure that the Sub-Committee would adopt (in accordance with Standard Practice).

The Licensing Manager, Mr Brown, presented the report of the Assistant Director of Environment and Place in respect of an application made to Hastings Borough Council on 27th July 2016 under Section 17 of the Licensing Act 2003 for a new Premises Licence at SEED, 50 George Street, Hastings.

An amendment to the officer's report was noted on page 5 of the agenda, paragraph 9 'To have Recorded Music, Monday to Sunday, 10.00hrs to Sunday 00.00hrs'. The words 00.00hrs were corrected to read 02.00hrs.

Previously trading as Pomegranate, the premises has held a full premises licence in the company name Pomegranate Food and Drink House Limited since 2005. This company was dissolved on 26th April 2016 and SEED Hastings Ltd created.

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Due to an administrative oversight, the company directors omitted to inform the Licensing Department of the change within the statutory 28 days and therefore the premises licence became lapsed. Subsequently, a new Premises Licence application was submitted on 27th July 2016 which requested the following conditions:-

To have supply of alcohol for On and Off sales, Monday to Sunday from 10.00hrs to 01.30hrs. New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.

To have Plays, Films, Live Music, performance of Dance and similar events, Monday to Sunday from 12.00hrs to 00.00hrs.

To have Recorded Music, Monday to Sunday, 10.00hrs to Sunday 02.00hrs.

Hours open to the public, Monday to Sunday, 10.00hrs to 02.00hrs.

These hours and licensable activities are the same as the ones that were licensed under the old premises licence.

Following agenda publication, the following supplementary information was received from Peter Mayhew of Beyond the Blue (representative of the applicant):-

Date received: 15 September 2016 – Email received from Peter Mayhew entitled: 'Representation response', stating that the applicant had considered the representations received and would be willing to offer the following changes in the times of the licensable activities from the application:-

Hours proposed by the applicant:

- Opening Hours - Sunday to Thursday 10.00 to 00.00
Friday & Saturday 10.00 to 01.00
- Sale of Alcohol - Sunday to Thursday 10.00 to 23.40
Friday & Saturday 10.00 to 00.40
- Live Music - No Change
- Recorded Music - Sunday to Thursday 10.00 to 00.00
Friday & Saturday 10.00 to 01.00
- Late Night Refreshment - Sunday to Thursday 23.00 to 00.00
Friday & Saturday 23.00 to 01.00
- Exhibition of Films - No Change
- Performance of a Play - Removed
- Performance of Dance - Removed
- Entertainment Related to Dance Live or recorded Music - Removed
- Additional Hours for New Year's Eve - Removed

Suggested conditions

General – All Four Licensing Objectives

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1. **Staff Training** - Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.

2. **Recording Practices** - The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:
 - Any complaint against the premises in respect of any of the licensing objectives
 - Any crime reported at the premises
 - Any use of seizure of offensive weapons
 - Any illegal drug related incident
 - Any temporary or permanent exclusion from the premises of customers
 - A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.

All written reports and registers will be regularly checked by the DPS and additional training will be given to all staff when reports highlight such a need.

The Prevention of Crime and Disorder

3. **Drugs Zero Tolerance Policy** - A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.

4. **Self-Service of Alcohol** - No self-service of alcohol will be permitted at the premises.

5. **Food & Soft Drinks** - Substantial food and non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.

Public Safety

6. **Capacity** - The number of persons accommodated inside at any one time (excluding staff) shall not exceed 65 persons.

7. **Noise Escape** - Where Live or Recorded Music is played windows and doors will be kept shut (except for normal entry and exit) after 23:00 to avoid a public nuisance being caused.

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8. **Noise Prevention** - Before 23:00 Live and Recorded Music should be barely audible outside the premises when the front doors are closed and should be inaudible after 23:00 outside the premises when the doors are closed.
9. **Noise Prevention** – The DPS shall ensure a suitably trained or experienced member of staff performs checks outside the premises on a regular basis to ensure that condition 8 (here listed) is being met at the appropriate times.
10. **Noise Prevention** – Bottle / Glass Bins shall only be emptied outside the premises at the following times:
 - Monday to Friday 09.30 to 21.30
 - Saturday 08.00 to 13.00
 - Sunday & Bank Holidays – None
11. **Commercial Waste Collection** – Commercial Waste Collection (including glass recycling) shall only take place at the premises at the following times:
 - Monday to Friday 08.00 to 18.00
 - Saturdays 08.00 to 13.00
 - Sunday & Bank Holidays – No Collections
12. **External Tables** – All external tables shall be rendered unusable after 23.00 on each day.
13. **No Drinks Permitted Outside** – Alcoholic Drinks will not be permitted to leave the premises after 23:00, including for those leaving for the purpose of smoking.
14. **Exit Signage** – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public exit to the premises.

The Protection of Children from Harm

15. **Challenge 25** – A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

Date received: 19 September 2016 – Email received from Peter Mayhew (Agent) containing:-

- The policy & procedure documents employed at the premises
- A letter of support we received for the applicant
- Petition of local residents and businesses in support of the application.

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The committee administrator confirmed the supplementary information had been circulated to all parties. The Members confirmed they had received and read the supplementary information.

The premises was located within Area 2 (George Street/High Street, Old Hastings) of the Council's Special Saturation Policy (Cumulative Impact). During the 28 day statutory consultation period, a representation against the application had been received from Mrs Jean Irving, Head of Licensing and Public Safety, Sussex Police. A representation had also been received from Trevor Scrase, Senior Licensing Officer and Stewart Bryant, Senior Environmental Health officer both of Hastings Borough Council. One other representation from a local interested party had been received at the time the agenda was published. The representations are referred to in Appendix C of the agenda. The Special Saturation Policy (Cumulative Impact) states "Each application will be considered on its own merits. Where no representations are received any application will be granted in terms consistent with the operating schedule. Where relevant representations are received in relation to applications for the grant of a new premises licence, club premise certificate or provisional statement, there will be a presumption against the grant of such licence or certificate unless the applicant, in the operating schedule, can rebut the presumption that the granting of such licence or certificate would undermine the licensing objectives. Applicants are advised to seek legal advice if making an application for a licence in a Special Saturation Area".

Councillor Street asked Mr Brown if the application would have been granted if the licence had not lapsed. Mr Brown stated that the applicants would have had to seek a minor variation with a new plan to show the relocation of their bar counter.

Jean Irving, Head of Licensing and Public Safety for Sussex Police Authority, made her representation on the grounds that the grant of the premises licence will not promote the licensing objectives, particularly the prevention of crime and disorder and the prevention of public nuisance. She said the application had become confusing due to the number of amendments. The Police, she said, were opposed to the granting of the licence and had raised concern that the matrix included in the Council's Licensing Policy had recently been updated to reflect differing types of licensed premises, which the application was at variance with. She said the premises had operated as a restaurant, and if changed to a pub/bar they would expect provision for CCTV. She recommended a further condition be considered that no over the bar sales of alcohol occur and that alcohol shall not be served on the premises otherwise than to persons taking substantial meals there, by waiter / waitress service and for consumption by such persons as ancillary to a table meal. She stated that although they had not received any complaints regarding the premises, the cumulative impact does not focus on the running of premises, it is the effect the business has on the wider area.

Sergeant Vokins, Sussex Police Licensing Team, referred to the cumulative impact zone, he said the impact on police resources on Thursday, Friday and Saturday evenings were significant. Specifically, in regard to alcohol related incidents.

Mr Scrase, Senior Licensing Officer, referred to his representation, he explained that since the licence had lapsed, the applicants had applied for several temporary event

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notices (TENS), however with limited TENS available it was necessary for them to apply for a new premises licence application. He said he made the owners aware that they would need to navigate the Licensing Act 2003 and the new matrix policy implemented in January 2016 which states that the terminal hour is 00.00hrs (midnight) for a restaurant in the cumulative impact zone. He explained that the applicants had applied to vary the operation of their business from a restaurant to a tapas bar including the supply of alcohol beyond the terminal hour in the Matrix, therefore they need to rebut the presumption that the granting of such a licence would undermine the licensing objectives.

Mr Scrase referred to his comments on the application, Appendix C of the agenda:

1. The hours applied for in the new application mirror the hours authorised on the lapsed premises licence.
2. Pomegranate has been successfully operating since initial grant of a Justices Restaurant Licence and then since November 2005 under a premises licence.
3. The grant of the premises licence was not subject of a Licensing Sub Committee decision, there being no representations.
4. I did have conversation with Joanna at some stage in the past two years, the exact date(s) of which I cannot confirm, regarding their intention to alter the type of operation from restaurant to more tapas style. It was confirmed that the premises licence would still be held by their limited company Pomegranate Food and Drink House Limited.
5. Although the hours of some licensable activities on this application now go beyond the matrix, if the previous premises licence had not lapsed, the only course of action which would have been required from Joanna and Jamie would have been a minor variation with a new plan to show the relocation of their bar counter.

Mr Brown, read the representations received to the Sub Committee from Simon de Lunge, resident, on page 51 of the agenda and the representation received from Mr Bryant, Senior Environmental Health Officer, on page 49 of the agenda, Appendix C. Neither party were able to attend the meeting.

Councillor Street, sought clarification from Mr Brown on Condition 4 of the conditions referred to in Mr Bryant's list of proposed conditions on page 50 of the agenda. The definition should be 'responsible' not 'mature' member of staff.

Mr Mayhew said Simon de Lunge, resident, who had made a representation had approached the applicant and was going to withdraw his objection. Mr Brown said that although not officially withdrawn, the representation will be taken into account.

Mr Mayhew, representative of the applicant, explained that the application had arisen due to an administrative error. He said the applicants were seeking to re-apply for the premises licence and to change the operation from a sit down restaurant to tapas/restaurant/bar. He said he did not believe the premises/proposal would drain police resources; there were no reports of crime or complaints during the 11 years the applicants had been trading, the noise complaint referred to in the police representation was not serious and the member of staff who was seen taking shots at the bar was no longer employed at the premises. When comparing the core hours in

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the matrix with the original application, he said the premises was previously running with an excess of 14 hours per week beyond the matrix requirement. The new hours proposed will extend beyond the matrix by two hours in total per week, one hour on Friday and one hour on Saturday, thereby reducing the cumulative impact by 12 hours per week. The applicants have also applied for planning consent to vary the opening hours. Referring to the police condition (alcohol subsidiary to food), the premises has operated without this condition. He said they felt that the police had used this as an opportunity to review the licence.

In summary, Mr Brown said they had taken advice to see if there was any other way forward in dealing with the lapsed licence, the resolution was for the applicants to submit a fresh application.

To summarise, Jean Irving said the premises did not have planning permission for A3 use and that their objection related to the change of use of the premises from a restaurant to a bar. She said they had presumed the premises would be operating as a restaurant until 12pm or less. Furthermore, the Cumulative Impact Policy does not target specific premises. She reminded the Sub Committee that the application conflicted with the matrix voted in by Full Council in January 2016.

Mr Scrase said the premises had been running since 2005 with no problems. The Council had instigated the process for the applicants to submit a new application.

Mr Brown explained that the previous licence had no conditions relating to the service of alcohol with food.

Mr Mayhew said there had been a great deal of support for the premises from residents. He said CCTV had never been required previously and that it would be a financial burden, but it would be accepted if the Sub Committee asked. He stated that the premises were not changing into a bar. As such, he recommended a number of conditions which reflected the core activities of the premises.

RESOLVED (unanimously) to GRANT the licence for the hours proposed by the applicant as follows:-

- Opening Hours – Sunday to Thursday 10.00 to 00.00
Friday & Saturday 10.00 to 01.00
- Sale of Alcohol – Sunday to Thursday 10.00 to 23.40
Friday & Saturday 10.00 to 00.40
- Live Music - No Change
- Recorded Music - Sunday to Thursday 10.00 to 00.00
Friday & Saturday 10.00 to 01.00
- Late Night Refreshment - Sunday to Thursday 23.00 to 00.00
Friday & Saturday 23.00 to 01.00
- Exhibition of Films - No Change
- Performance of a Play - Removed
- Performance of Dance - Removed
- Entertainment Related to Dance Live or recorded Music - Removed
- Additional Hours for New Year's Eve - Removed

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Subject to the following conditions:

1. **Staff Training - Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:**
 - a. The responsible sale of alcohol
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.

2. **Recording Practices - The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:**
 - Any complaint against the premises in respect of any of the licensing objectives
 - Any crime reported at the premises
 - Any use of seizure of offensive weapons
 - Any illegal drug related incident
 - Any temporary or permanent exclusion from the premises of customers
 - A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.

All written reports and registers will be regularly checked by the DPS and additional training will be given to all staff when reports highlight such a need.

3. **Drugs Zero Tolerance Policy - A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.**

4. **Self-Service of Alcohol - No self-service of alcohol will be permitted at the premises.**

5. **Food & Soft Drinks - Substantial food and non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.**

6. **Capacity - The number of persons accommodated inside at any one time (excluding staff) shall not exceed 65 persons.**

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7. **Noise Escape - Where Live or Recorded Music is played windows and doors will be kept shut (except for normal entry and exit) after 23:00 to avoid a public nuisance being caused.**
8. **Noise Prevention - Before 23:00 Live and Recorded Music should be barely audible outside the premises when the front doors are closed and should be inaudible after 23:00 outside the premises when the doors are closed. For the avoidance of doubt, noise shall include that arising from all mechanical or electrical equipment used by the premises and that noise arising from customers on the premises.**
9. **Noise Prevention - The DPS shall ensure a suitably trained or experienced member of staff performs checks outside the premises on a regular basis to ensure that condition 8 (here listed) is being met at the appropriate times.**
10. **Noise Prevention – Bottle / Glass Bins shall only be emptied outside the premises at the following times:**
 - **Monday to Friday 09.30 to 21.30**
 - **Saturday 08.00 to 13.00**
 - **Sunday & Bank Holidays – None**
11. **Commercial Waste Collection – Commercial Waste Collection (including glass recycling) shall only take place at the premises at the following times:**
 - **Monday to Friday 08.00 to 18.00**
 - **Saturdays 08.00 to 13.00**
 - **Sunday & Bank Holidays – No Collections**
12. **External Tables – All external tables shall be rendered unusable after 23.00 on each day.**
13. **No Drinks Permitted Outside – Drinks will not be permitted to leave the premises after 23:00, including for those leaving for the purpose of smoking.**
14. **Exit Signage – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public exit to the premises.**
15. **Challenge 25 – A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.**

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The reason for this decision was:

The Committee has listened to all evidence and representations and is satisfied, based on the evidence presented, that the applicant has demonstrated that there will be no negative impact on the licensing objectives. The Committee has had regard to the Secretary of State's guidance dated 15th March 2015 and the Council's own Licensing Policy and objectives including the Special Saturation Policy (Cumulative Impact) and matrix.

6. ADDITIONAL URGENT ITEMS (IF ANY)

None.

(The Chair declared the meeting closed at. 11.47 am)

Agenda Annex

Licensing Review Procedures

1. Introductions

- Chair introduce Members and Officers. Invite applicant / Licence Holder / representatives to table. Ask to introduce themselves.
- Chair explain procedure. Ask if Parties received report and ready to proceed.
- In the event that any Party to the hearing fails to attend Members consider whether to adjourn the hearing or to proceed in the Party's absence.

2. Summary of report by Licensing Manager / Officer.

3. Applicant / Representative (for eg Environmental Health, Police, Trading Standards) submissions on the application / call any witnesses.

Any Questions for Applicant / Representative

- Statutory Consultees?
- Licence holder?
- Officers?
- Members?

4. Statutory Consultees (for eg Police, Fire Service, Environmental Health) submissions on the application.

Any questions for Statutory Consultees from

- Applicant / Representative?
- Licence holder?
- Officers?
- Members?

5. The Licence Holder's submission on the application.

Any questions for Licence Holder from

- Applicant / Representative?
- Statutory Consultee?
- Officers?
- Members?

6. Do Members require any clarification from the Licensing Manager / Officer?

If clarification given, questions on clarification only from:

- Applicant / Representative?
- Licence holder?
- Statutory Consultees?
- Members?

7. Summaries (if required)

- Licensing Manager / Officer summing up
- Statutory Consultees summing up
- Licence Holder summing up
- Applicant/Representative summing up

8. Decision Making

- Members retire to discuss the application, propose and second a recommendation and vote on this.
- They may take legal advice from the Legal Advisor. The Legal Advisor will advise the Parties of any legal advice given to the sub-committee. No other person may retire with the Sub-committee.
- The decision is announced by the Chair giving full reasons for the decision, together with any conditions, which are to be attached to the grant of the licence or the reasons for a refusal of the application.

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Agenda Item 6



Report to: Licensing Sub Committee

Date of Meeting: 16.03.2017.

Report Title: Review of Premises Licence. The Tub, 57 Cambridge Road, Hastings. TN34 1BL.

Report By: Mike Hepworth. Assistant Director Environment and Place.

Purpose of Report

To consider an application to review the Premises Licence as a result of representations received.
Responsible Authorities. Three.

Recommendation(s)

1. Members instructions requested.

Reasons for Recommendations

The Licensing Act 2003 requires a licensing sub committee to consider such applications when appropriate representations have been made. The decision reached at the subcommittee can be subject to appeal at the Magistrates Court by any party to the hearing, who is aggrieved by the decision.

Introduction

1.0 Background

On 7th February 2005 the Licensing Act 2003 came into force for all local authorities, marking the practical commencement of the Government's new liquor licensing regime.

On the 16th January 2017 Hastings Borough Council received an application for the review of an existing premises licence for The TUB Public House, 57 Cambridge Road, Hastings, TN34 1BL from Station Manager Dan Channon, East Sussex Fire and Rescue Service, Bohemia Road, Hastings, made under Section 51 the Licensing Act 2003.

Due to an administrative error, this application was properly resubmitted to the Authority on the 25th January 2017 (Application and supporting documentation, attached Appendix A).

The TUB Public House has operated at 57 Cambridge Road, Hastings for many years under a variety of names including, The Tubman, The Union Bar and since October 2016 as The Tub, it having transferred to the local Authority from the old court system in November 2005. The premises was subject to a review hearing in July 2014 (As the Union Bar) under the licensing objective "Prevention of Public Nuisance" the committee decision on that occasion was to add a further 8 conditions to control the problems identified, which are replicated in the licence referred to in appendix A.

The premises licence has been held throughout that time by the current licence holder Mr Robert Falconer. (Attached map of location. Appendix B).

The premise currently holds a premises licence under the Licensing Act 2003, (Attached within Appendix A), which covers the use of the premises for the ' On Sales ' supply by retail of Alcohol, Live and Recorded Music. The current designated premises supervisor is Mr Harvey Palmer (since 20.10.2016)

It currently operates under the following trading hours;

- Sale of Alcohol and Recorded Music. Monday to Thursday 10.00 - 00.00 hrs, Friday – Saturday 10.00 - 01.00hrs and Sunday 10.00 – 23.30 hrs.
- Live Music. Friday – Saturday 08.00 – 23.30 hrs, Sunday 08.00 – 22.30 hrs.

2.0 Application

The grounds for review made by Mr Dan Channon are under the licensing objective "Public Safety" I have considered the application and consider it valid and in line with the central government guidance issued on such matters.

In his application for review, Mr Shannon comments about the history of the premises, the poor management by the operator in failing to carrying out a fire risk assessment, inadequate maintenance of fire equipment and the continued breach of conditions attached to the licence. As a result he is seeking the revocation of the premises licence as he believes the ongoing non-compliance is placing the public at risk.

When submitting an application for a review under the Licensing Act 2003 the applicant is required to send copies of the review application to the other responsible authorities listed under the Act and a copy to the premises licence holder, this has been done.

In addition, the licensing authority is required to place a copy of the notice on the premises concerned and the public notice board situated at Council Offices this has been done, in addition the review notification has been placed on the Council website. These notices must remain in place for 28 days to allow further representations to be made.

An application for review cannot be considered by the Council's Licensing Sub-Committee until the 28 day representation period has elapsed, in this case that ended at midnight on the 22nd February 2017.

3.0 Consultation

As a result of this consultation, a further representation has been received from Mrs Jean Irving, Head of Licensing and Public Safety, Sussex Police. She comments extensively on the history of the Police involvement with the premises management and the serious crime matters found when visits were conducted. She comments on the fire service request for licence revocation and in addition offers a series of 9 conditions that she wishes to be considered together with a period of licence suspension, if the subcommittee is not minded to revoke the licence. She makes this representation under the licensing objectives of “The Prevention of Crime and Disorder” and “The Protection of Children from Harm”. I consider this representation to be valid and in line with Government guidance. (Attached Appendix C)

A further representation has been received from Mr John Ballam, Environmental Protection Officer, Hastings Borough Council. He also comments on the past involvement of the department with the management of the premises and the ongoing noise issues with the premises. He makes his representation under the licensing objectives “The prevention of Public Nuisance” and “Public Safety” he supports the Fire service request for the Revocation of the licence. I consider this representation to be valid and in line with guidance. (Attached Appendix D)

4.0 Legal Considerations

The Licensing Act 2003 is now the only process to licence and control premises for all forms of entertainment, late night refreshment and the sale of Alcohol.

The review process is laid down in statute and allows for representations to be made by specified groups of people provided they are relevant to one or more of

the licensing objectives listed in the Act and are not considered frivolous, vexatious or repetitive.

If a relevant representation is made by either a responsible authority or other party, a hearing must be held.

The Home Office has issued guidance under Section 182 of the Licensing Act 2003. This guidance is provided to Licensing Authorities to assist them in carrying out their functions.

Hastings Borough Council has developed, published and reviewed its Statement of Licensing Policy as required by the Licensing Act 2003.

All members of the Licensing Committee have been supplied with copies of the Official Government guidance and the Hastings Borough Council Statement of Licensing Policy.

Human rights considerations must be taken into account fully in balancing licensing issues, in particular, article 1 of the first protocol. Article 1 relates to the protection of property and the peaceful enjoyment of possessions and property. Holding a premises licence would be considered a possession. These are qualified rights and can be deprived of “in the public interest”. Interference is permissible if what is done, has its basis in law, and;

Is necessary in a democratic society to fulfil a pressing need or pursue a legitimate aim;

Is proportionate to the aims being pursued; and,

Is related to the prevention of crime; or, the protection of public order or health.

The licence holder has a right of appeal to the Magistrates Court against any decisions made by the licensing Sub-Committee with respect to this application for review.

5.0 Options

To modify the conditions of the licence.

To exclude a licensable activity from the scope of the licence.

To remove the designated premises supervisor.

To suspend the licence for a period not exceeding three months.

To revoke the licence.

Members are reminded they must give written reasons for their decision.

Wards Affected

Castle

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness.	No.
Crime and Fear of Crime (Section 17)	Yes
Risk Management	Yes
Environmental Issues	Yes
Economic/Financial Implications	No
Human Rights Act	Yes
Organisational Consequences	No
Local People's Views	Yes
Anti-Poverty	No

Additional Information

Appendix A. Review application (with associated papers)
Appendix B. Map of Location.
Appendix C. Police Representation (with associated letter)
Appendix D. Environmental Protection Representation.

Officer to Contact

Bob Brown. Licensing Manager
bbrown@hastings.gov.uk
01424 783249

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I STATION MANAGER DAN CHANNON

(Insert name of applicant) apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description THE TUB 57 CAMBRIDGE ROAD	
Post town HASTINGS, EAST SUSSEX	Post code (if known) TN34 1BL
Name of premises licence holder or club holding club premises certificate (if known) MR ROBERT FALCONER	
Number of premises licence or club premises certificate (if known) HOP 50183	

Part 2 - Applicant details

I am

Please tick yes 1) an interested party (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

UK 2016/4399
Received in his Auth &
responsible authorities on 25/01/2017.
End on 22/02/2017.

Recd 16/01/2017.
End 13/02/2017

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
EAST SUSSEX FIRE & RESCUE SERVICE
EAST BUSINESS FIRE SAFETY OFFICE
BOHEMIA ROAD
HASTINGS
EAST SUSSEX
TN34 1EX

Telephone number (if any) 01323 462133

E-mail address (optional) East.BusinessSafety@esfrs.org

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Failure to produce/carry out a suitable and sufficient fire risk assessment of the fire related risks to which relevant persons are to comply with published guidance.

Inadequate maintenance of existing fire detection and warning system, fire-fighting equipment, emergency lighting and maintaining the means of escape readily available whilst occupied.

No staff training to assist with evacuation procedures to ensure Public safety.

Following numerous attempts to carry out full fire safety audit of the premises over the past 6 months no response has been made to complete this to achieve compliance with the Regulatory Reform (Fire safety) Order 2005 or the Licensing Conditions relating to Public safety.

Therefore, we would ask the licensing sub-committee to consider revoking the licence as a result of the lengthy and on-going non-compliance with the conditions in the licence and the Regulatory Reform (Fire Safety) Order 2005. This non-compliance is placing the public at risk on a daily basis.

Please provide as much information as possible to support the application

(please read guidance note 2)

18/08/2016 – Concerns passed to this office by Sussex Police relating to concerns about fire safety measures in the premises and inadequate protection to relevant persons sleeping on the upper floors in the residential part above.

Several attempts made to contact by telephone and visits but unsuccessful.

23/08/2016 – Attended premises and met with previous DPS who resides in the flat above. No fire risk assessment had been carried out, concerns were observed with regards to the hard wired fire alarm system had been disabled and partly removed, unserviceable. Inadequate separation from the licensed parts to the upper floors, emergency lighting luminaires missing or defective, firefighting equipment not maintained since 2005, damaged sockets and exposed electrics. Prohibition Notice restricting sleeping averted as interim single point wireless detection provided as a temporary measure. Informal notice served requiring fire risk assessment to be carried out, and existing fire safety measures maintained and re-instated by 22 Sept 2016.

Several unsuccessful attempts made to arrange for full fire safety audit to be carried out following visit as no contact established.

23/12/2016 – DPI visit carried out with Licensing and Sussex Police. No fire risk assessment had been carried out, emergency lighting and hard wired fire alarm system had not been maintained or re-instated (temporary alarms still in place, not tested). Poor separation between commercial and residential parts, fire-fighting equipment not serviced, means of escape to rear observed blocked internally and externally obstructed by large quantities of building materials following recent refurbishment.

Jan 2017 – Several unsuccessful attempts made to make contact to address concerns/deficiencies identified following DPI visit to carry out full fire safety audit.

10/01/2017 – Letter provided to Robert Falconer and Harvey Palmer instructing that a full fire safety audit will be carried out by East Sussex Fire & Rescue Service on 19 Jan 2017 following unsuccessful attempts to contact.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

11/01/17.

Capacity **East Business Fire safety Hub Manager**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your email address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Post Office Ltd.
www.postoffice.co.uk

10/01/2017 13:28 TP:09 BP:04 SU:SS
Baldslow 222 Harrow Lane
St Leonards-On-Sea
East Sussex
TN37 7PR

Session Id: 2-310813
Txn Id: 1

Horizon Certificate of Posting

An item addressed as follows:-

Building Name or No: 57
PostCode/Zip Code: TN341EL

Has been accepted here today.

It is important that you retain this receipt as it is your Proof Of Posting.

Please refer to Separate Terms and Conditions.

For information regarding Royal Mail products and services visit our web site at www.postoffice.co.uk

Withdraw cash over the counter from your bank account at any of our branches (selected banks) It's free and easy

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CHANGE TO WIN 1 OF 5 HIGH STREET
GET CARDS WORTH £100
TELL US ABOUT YOUR EXPERIENCE
GO TO www.postoffice-tellus.co.uk
or call 0800 006 9133

This is not a VAT receipt

East Sussex Fire & Rescue Service
East Business Fire Safety Office
Bohemia Road
Hastings
East Sussex
TN34 1EX

Tel: 01323 462133
Switchboard: 0303 999 1000

Fax: 01424 420040

E-mail: East.BusinessSafety@esfrs.org

In the case of emergency please dial 999

Mr H Palmer
The Tub
57 Cambridge Road
HASTINGS
TN34 1EL

10 January 2017

please ask for
Craig Williams

our ref
CW/KB/40000972

your ref
n/a

Dear Sir

**REGULATORY REFORM (FIRE SAFETY) ORDER 2005
PREMISES: THE TUB, 57 CAMBRIDGE ROAD, HASTINGS TN34 1EL**

We have been unsuccessful in trying to contact you regarding a forthcoming fire safety inspection, I confirm that a Fire Safety Inspector will inspect the above premises on Thursday 19 January 2017 at 1400hrs. If however this appointment is inconvenient, please phone the above number so that another mutually convenient date and time can be arranged.

The inspection will include an audit of your fire safety measures and procedures. To assist you in preparing for the audit, please refer to the advisory notes which accompanies this letter.

If you need further advice please consult the publication Fire Safety Risk Assessment Guide for Small and Medium Places of Assembly which provides information regarding risk assessment and fire safety relevant to the above premises. This publication may be viewed on the following website: www.firesafetyguides.communities.gov.uk. It is also available for purchase from TSO (The Stationery Office) online at www.tso.co.uk, over the telephone on 0870 600 5522 or from any good bookseller.

For your information a leaflet explaining the Inspection and Enforcement Procedures of East Sussex Fire Authority is also enclosed

Should you require further advice or clarification, please do not hesitate to contact me at the above address.

Yours faithfully



**FIRE SAFETY INSPECTOR
FOR CHIEF FIRE OFFICER & CHIEF EXECUTIVE**

Enc Advisory Notes
 Inspection and Enforcement Procedures (SF44)

**Emailed copies to: Mr R Falconer
 Mr D Vokins – Sussex Police**

Karen Benton - Confidential - Audit of premises by East Sussex Fire & Rescue Service

From: Karen Benton
To: bobfalconer1@yahoo.co.uk
Date: 10/01/2017 12:35
Subject: Confidential - Audit of premises by East Sussex Fire & Rescue Service
CC: 'Denham.vokins@sussex.pnn.police.uk'; Craig Williams; Dan Channon
BC: Trevor Scrase
Attachments: 40000972-10-Jan-17.docx

Security: Confidential

Dear Mr Falconer

Please find attached a copy of the letter of which we have sent to Harvey Palmer today regarding carrying out an audit of The Tub, 57 Cambridge Road, Hastings.

If there are any queries concerning this matter, please do not hesitate to contact us.

Kind regards

Karen

Karen Benton

East Business Fire Safety
Hastings Fire Station (Stn 76)
Bohemia Road, Hastings
Tel [01323 462133](tel:01323462133)
karen.benton@esfrs.org

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FIRE PROTECTION NOTE FOR CASE

NAME AND ADDRESS OF PREMISES:	F.S.O.: Craig Williams
The Tub	FILE NO: 4000972
57 Cambridge Road	DATE INSPECTED: 23/12/16
Hastings	DATE REQUESTED: 23/12/16
TN34 1BL	LEGISLATION: FSO
	SUPERVISORY OFFICER: Dan Channon

Visited premises accompanied by Trevor Scrase (Hastings senior Licensing Officer) and PC Laura Deacon (Sussex Police Rother Licensing Officer) to carry out a During Performance Inspection (DPI).

On arrival met with Harvey Palmer (HP) who is the new DPS, HP was unable to produce a fire risk assessment and stated that they had printed off a copy from the ESFRS website but were unsure how to complete this. This had previously been requested by an SF21 (Informal Notice) served on 22/08/16 with a completion date by 22/09/16.

It was confirmed the existing automatic fire detection and warning system was still unserviceable and was not likely to be fixed until late in 2017. A temporary measure is still in place which had been provided to avert Prohibition restricting sleeping in August 2016. This had not been tested and no records of maintenance were available. I provided HP with an ESFRS fire safety log book.

I observed that emergency lighting in the premises had missing luminaires still and the premises has been painted black throughout following refurbishment. Firefighting equipment had still not been subject to any maintenance, this was previously noted as last being carried out in 2005.

I then checked the means of escape from the rear of the premises which was blocked internally by the storage of a hoover and other items, these were requested to be removed immediately as the premises were occupied by a large crowd of 18-25 year olds, the premises had live music playing which it was confirmed in the event of a fire the sound could be disabled.

Opening up the rear fire exit door it was observed that the escape route was partially blocked by large quantities of building materials and waste, this was stated as being left since the recent refurbishment and would be cleared in the new year.

Prior to leaving I spoke with both HP and Paul Osmond (PO) who was the previous DPS and current tenant in the residential premises on the upper floor. PO expressed concerns that following requests to have works carried out these were not a priority and would be dealt with during 2017 by the Freeholder Mr Robert Falconer.

I instructed HP that contact would be made in the New Year to carry out a full fire safety audit of the premises to address the areas observed and the requirement to carry out and produce a fire risk assessment as previously required following a visit in August 2016.

Craig Williams

Karen Benton - RE: Union Bar, Hastings

From: Trevor Scrase <TScrase@hastings.gov.uk>
To: 'Craig Williams' <Craig.Williams@esfrs.org>
Date: 22/09/2016 16:15
Subject: RE: Union Bar, Hastings
CC: Bob Brown <BBrown@hastings.gov.uk>

Hi Craig,

I am very grateful for confirmation of your inspection.

The Union Bar has been a constant source of noise complaints, primarily to the elderly residents opposite in Holmbury House but they do not call our OOH number when this occurs to enable an authorised officer to attend and ideally witness.

Robert (Bob) Falconer, is I am sure well known to you / your colleagues. He puts a manager in but does little else to assist in respect of repairs or maintenance.

This premises licence was reviewed by Environmental Health, supported by the police back in July 2014.

I was called by Sergeant Denham VOKINS regarding this premises following their visit earlier this month, leading to them reporting their public safety concerns to yourselves. I did question as to why police were not considering reviewing, based on their findings. I was very disappointed in the response especially as I indicated that as they had primary grounds to review for serious breaches of many of the conditions on the licence, with EH expected to join in review re noise and the probability of the fire service under public safety grounds, it would have given sufficient grounds for the licensing committee to revoke the premises licence and close it down.

You may be aware that as a result of a further police visit on Monday 19th September, whilst Bob Falconer was present, when he was fully updated exactly what has allegedly been going on, he as the premises licence holder has removed David Francis (the DPS) from the licence. This means that until he appoints a new personal licence holder, to whom police have no objections, The Union Bar is currently closed for business.

John Ballam, EH is still obtaining witness evidence re noise in the expectation that although it is temporarily not trading at present it will re open in the future.

Please understand that I am not expecting yourselves to instigate a review but would very much appreciate if a review is subsequently received by us from the police, that the fire service would be willing to assist with their evidence under Public Safety grounds. You may be unaware but the fire service put in a response to the review of the Havelock, brought by police, supported by EH, which was crucial in demonstrating the poor and inefficient management on many levels by the then premises licence holder. The committee decision was revocation.

Trevor Scrase
Senior Licensing Officer
Licensing
Environmental Services
Hastings Borough Council
Aquila House

Breeds Place
Hastings,
TN34 3UY
Telephone 01424 451042
licensing@hastings.gov.uk
www.hastings.gov.uk/environment_planning/licensing/

From: Craig Williams [Craig.Williams@esfrs.org]
Sent: 22 September 2016 15:40
To: Trevor Scrase
Cc: Channon, Dan
Subject: Union Bar, Hastings

Hello Trevor

Following concerns passed to this office from the police I subsequently visited the premises. My main concern related to the sleeping accommodation above and lack of adequate separation from the bar area due to a badly damaged door with no self closer, ceilings are also damaged exposing floor above.

The fire alarm panel has been disabled and this is mainly due to break glass call points and detector heads being removed, it was stated Bob Faulkner has not done anything due to costs? At this stage to avoid Prohibition due to the sleeping the DPS(as was) was informed he would need to provide interlinked wireless interim detection which he agreed, this was checked as being carried out during a later visit in the evening by a flexi officer.

Other concerns discussed are that there is not a written fire risk assessment for the premises which is a legal requirement under our legislation, fire extinguishers in the premises have not been tested since 2014, no staff training has been carried out, emergency lights observed as damaged, no maintenance records in place and numerous sockets in bar area with smashed cases and exposed wires - advised during visit these are isolated.

Left a `Record of Inspection` with premises but unfortunately our carbon copy is not legible. A full fire safety audit is due to be arranged for October 2016, without the fire risk assessment being carried out this potentially may result in enforcement action being taken by the Fire Authority.

I hope this assists in your request?

Kind Regards

Craig

Craig Williams CFPA-E Dip
Fire Safety Inspector



Central Business Fire Safety Office

(Eastbourne, Wealden & Lewes)

Eastbourne Fire Station
Whitley Road
Eastbourne BN22 8LA
Tel: (01323) 462434
Mobile: 07506751462
Email: craig.williams@esfrs.org
Office Email: Central.BusinessSafety@esfrs.org
Web: www.esfrs.org

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Craig Williams - Union Bar, Hastings

From: Craig Williams
To: TScrase@hastings.gov.uk
Date: 22/09/2016 15:39
Subject: Union Bar, Hastings
CC: Channon, Dan

Hello Trevor

Following concerns passed to this office from the police I subsequently visited the premises. My main concern related to the sleeping accommodation above and lack of adequate separation from the bar area due to a badly damaged door with no self closer, ceilings are also damaged exposing floor above.

The fire alarm panel has been disabled and this is mainly due to break glass call points and detector heads being removed, it was stated Bob Faulkner has not done anything due to costs? At this stage to avoid Prohibition due to the sleeping the DPS(as was) was informed he would need to provide interlinked wireless interim detection which he agreed, this was checked as being carried out during a later visit in the evening by a flexi officer.

Other concerns discussed are that there is not a written fire risk assessment for the premises which is a legal requirement under our legislation, fire extinguishers in the premises have not been tested since 2014, no staff training has been carried out, emergency lights observed as damaged, no maintenance records in place and numerous sockets in bar area with smashed cases and exposed wires - advised during visit these are isolated.

Left a `Record of Inspection` with premises but unfortunately our carbon copy is not legible. A full fire safety audit is due to be arranged for October 2016, without the fire risk assessment being carried out this potentially may result in enforcement action being taken by the Fire Authority.

I hope this assists in your request?

Kind Regards

Craig

Craig Williams CFPA-E Dip
Fire Safety Inspector



Central Business Fire Safety Office
(Eastbourne, Wealden & Lewes)
Eastbourne Fire Station
Whitley Road
Eastbourne BN22 8LA



RECORD OF INSPECTION

Premises & Contact Details

File No: 40000972
Premises Name: THE UNION BAR
Building:
Street: CAMBRIDGE RD
Town: HASTINGS
Post Code: TN34 1BL

Person with Responsibility for the Premises

Name: PAUL OSMOND
Position: LEASEHOLDER
Telephone Number:

Inspector's Details

Inspector's Name: SM D. CHAMMON Telephone Number: 01323 462133
Address: BOHEMIA RD, FIRE STATION, BOHEMIA RD, HASTINGS
Post Code: TN34 1EX

I have carried out an inspection at the above address and discussed Fire Safety/Petroleum Safety issues* with PAUL OSMOND. This note, although not a formal Enforcement Notice, lists matters below that you should deal with in order to comply with the Regulatory Reform (Fire Safety) Order 2005*/the Petroleum (Regulation) Acts 1928 & 1936*/ (insert other legislation) *

We agreed that the matters listed below will be dealt with before or as stated below.

Please let me know when you have taken the necessary action; sending me an annotated copy of this form will be acceptable. The Fire & Rescue Service also inspects premises on behalf of other agencies with regard to Fire Safety related matters. Where the Fire & Rescue Service is acting on behalf of another agency/authority, a copy of this form will be sent to them. You should notify them when the work has been completed.

AREA/ITEMS INSPECTED BAR AREA

Area/Items inspected have been found to be satisfactory (If not satisfactory, detail below)

Table with 2 columns: Item No, Notification of Deficiencies. Contains handwritten entry: Attended above address at 20:15 on 22nd Aug 2016 and spoke with Paul Osmond (PO) and witnessed interlinked wireless smoke detectors fitted to bar area and hall on second floor landing.

Inspector's signature: [Handwritten Signature]

Date: 22/08/16

Recipient's signature: [Handwritten Signature]

Position in Company: LEASEHOLDER

Date: 22/08/16

Title Note created on 23/08/2016 08:35 by Benton, Karen

Attended the premises following concerns passed to the office from Sgt Denham Vokins on 18/8/16.

On arrival I was met by PAUL OSMOND (PO)(Leaseholder) whom resides in the flat above the commercial premises. PO confirms that the premises does not have a current fire risk assessment and was therefore provided with the ESFRS proforma and fire safety log book which I explained what was require to identify the preventive and protective measures.

The current automatic fire alarm system was observed to be off line and not working, this was explained as being due to various detector heads and manual call points being removed. I explained that due to the sleeping risk above this was inadequate and interim detection was required to avoid prohibition or restriction of sleeping. I contacted SM DAN CHANNON (DC)to attend to discuss whether interim detection would be acceptable in theses circumstances, on arrival and following discussion it was agreed by PO that wireless interlinked detectors would be provided and a further inspection by DC would take place this evening at 2000hrs.

A record of inspection (SF21) was left with PO and further identified deficiencies observed such as fire fighting equipment not maintained since 2005, defective emergency light units in ground floor, damaged electrical sockets and exposed cables and compartmentation issues in various locations due to water ingress. Door leading from the ground floor bar area leading to the sleeping accommodation on the 1st and 2nd floors requires maintaining to provide 30 minutes fire separation to include intumescent strips, cold smoke seals and a self closing device.

**PO explained that the pub has primarily in the process of being allocated funding to carry out a full re-furbishment by Heineken however, this is still in the early stages.
Further fire safety audit to be carried out in November 2016.**



**Craig Williams CFPA-E Dip
Fire Safety Inspector**

Regarding Other FS Activity, Complaint - The Union Bar, 57, Cambridge Road, Hastings, TN34 1EL

File Attachment

File name:



East Sussex Fire & Rescue Service

RECORD OF INSPECTION

Date: 22/8/16

Premises & Contact Details

File No: 4000972
Previous Visit: Uncl 206
Building: CANNON Hill Farm
Town: HASTINGS
Post Code: TN34 1BL

Person with Responsibility for the Premises

Name: Mr R Fabian
Position: Owner
Telephone Number: 07710 272100

Inspector's Details

Inspector's Name: CRAIG HUNTER Telephone Number: 01323 462434
Address: TONGUE LANE, SPENCER DRIVE, EASTLEIGH, BEXHARTON
Post Code: BN22 8LR

I have carried out an inspection at the above address and discussed Fire Safety/Emergency Safety issues with Paul Oswald. This note, although not a formal Enforcement Notice, lists matters below that you should deal with in order to comply with the Regulatory Reform (Fire Safety) Order 2005, The Petroleum (Regulations) Act 1984 & 1987, (insert other legislation) *

We agreed that the matters listed below will be dealt with before 22 September 2016 or its stated expiry.

Please let me know when you have taken the necessary action, sending me an annotated copy of this form will be acceptable. The Fire & Rescue Service also inspects premises on behalf of other agencies with regard to Fire Safety related matters. Where the Fire & Rescue Service is acting on behalf of another agency/authority, a copy of this form will be sent to them. You should notify them when the work has been completed.

AREAS/ITEMS INSPECTED Premises

Area/items inspected have been found to be satisfactory (if not satisfactory, detail below)

Notification of Deficiencies

There is currently no working fire alarm on the premises. Due to the sleeping risk above and compartmentation issues interim single point wireless detectors are requested immediately before any sleeping can take place on the premises this evening. An agreed SA Charman will re-visit the premises at 2000 hrs to inspect that these measures have been put in place.

Inspector's signature: C Hunter

Date: 22 Aug 2016

Recipient's signature: [Signature]

Position in Company: householder

Date: 22/8/16

* Delete as appropriate



RECORD OF INSPECTION

Reference No.

Date

Site No.

Reference to previous report

1. Carry out a suitable and sufficient fire risk assessment for the premises to identify the potential and preventative measures required for the premises.

Although not extracted, one should consider the following areas, not just during the inspection -

(A) Provisions for those against emergency services arriving from a neighbouring premises.

(B) Fire loading, e.g. storage, emergency lighting, escape routes, etc. in accordance with relevant codes of practice and standards.

(C) Fire loading from the area to find where to be maintained to provide means for movement including relevant steps & total weight counts and fitted with an approved self-closing device.

(D) Damaged electrical cables were observed and it is recommended that a competent person is employed to ensure the electrical installation has been subject to periodic inspection and a certificate provided to the office, with a copy sent to East Sussex Fire & Rescue Service.

Refer to last fire report

Refer to last

Meeting

TN 34 16X



Inspector's signature

[Signature]

Date

Inspector's signature

[Signature]

Inspector's name

[Name]

Date

PREMISES LICENCE

Premises licence number

HOP50183

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

THE TUB
 57 CAMBRIDGE ROAD

Post Town
 HASTINGS, EAST SUSSEX

Post Code
 TN34 1BL

Telephone number 01424 420074

Where the licence is time limited the dates
 NOT APPLICABLE

Licensable activities authorised by the licence

LIVE MUSIC
 RECORDED MUSIC
 SUPPLY OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

LIVE MUSIC:	FRIDAY-SATURDAY: 08:00-23:30	SUNDAY: 08:00-22:30
RECORDED MUSIC:	MONDAY-THURSDAY: 10:00-00:00	FRIDAY-SATURDAY: 10:00-01:00
	SUNDAY: 10:00-23:30	
SUPPLY OF ALCOHOL:	MONDAY-THURSDAY: 10:00-00:00	FRIDAY-SATURDAY: 10:00-01:00
	SUNDAY: 10:00-23:30	

The opening hours of the premises

MONDAY-THURSDAY: 10:00-00:30
 FRIDAY-SATURDAY: 10:00-01:30
 SUNDAY: 10:00-00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION ON THE PREMISES

HASTINGS BOROUGH COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

ROBERT FALCONER
C/O THE CLARENCE @ SILVERHILL
391 LONDON ROAD
ST. LEONARDS ON SEA
TN37 6PA.

(Change of registered address July 2016)
(CHANGE OF REGISTERED ADDRESS 23RD JUNE 2008)
(Change of premises name on 26th September 2013)
(Review on 15th July 2014)

Registered number of holder, for example company number, charity number (where applicable)

NOT APPLICABLE

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

HARVEY PALMER

(Change of DPS 20th October 2016)

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

PERSONAL LICENCE NUMBER: HO31223

ISSUING AUTHORITY: Hastings Borough Council

HASTINGS BOROUGH COUNCIL

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

HASTINGS BOROUGH COUNCIL

Mandatory Conditions - continued

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1)The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2)The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3)The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
(a) a holographic mark or
(b) an ultraviolet feature.
6. The responsible person shall ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

HASTINGS BOROUGH COUNCIL

Mandatory Conditions - continued

(b) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
- (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

HASTINGS BOROUGH COUNCIL

Mandatory Conditions – continued

3. Where

- (a) The film classification body is not specified in the licence, or
- (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

HASTINGS BOROUGH COUNCIL

EMBEDDED RESTRICTIONS

On Licences

2. RESTRICTIONS

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours the consumption of alcohol on the premises
- b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel
- c) during the first thirty minutes after the above hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals
- d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises
- e) the ordering alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered
- f) the sale of alcohol to a trader of club for the purposes of the trade or club
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces
- h) the taking of alcohol from the premises by a person residing there; or
- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, of the liquor is supplied at the expense of their employer or of the person carrying on in charge of the business on the premises.

3. Premises with no children's certificate

No person under 14 shall be in the bar of the licensed premises during that permitted hours unless one of the following applies-

- a) he is the child of the holder of the premises licence
- b) he resides in the premises, but is not employed there
- c) he is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress
- d) the bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168, 171 and 201 Licensing Act 1964

4. Premises with children's certificate

A notice which states that a Children's certificate is in force, in relation to the area to which the certificate relates, and explains the effect of the certificate and of any conditions attached to it must be posted in some conspicuous place in that area.

No person under fourteen shall be in the bar of the canteen during the permitted hours unless one of the following applies:

HASTINGS BOROUGH COUNCIL

EMBEDDED RESTRICTIONS

On Licences

3. Premises with children's certificate – continued

- 1) he is the child of the holder of the premises licence
- 2) he resides in the premises, but is not employed there
- 3) he is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress
- 4) the bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary
- 5) he is in an area shown on the plan attached to the licence
 - a. Meals and non-alcoholic beverages are available for sale for consumption in that area
 - b. He is in the company of a person aged 18 or over
 - c. He is there prior to 9pm
 - d. He may remain in the area of the premises specified during the first thirty minutes after the certificate has ceased for the consumption of refreshment.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168, 168a, 171, 201, Schedule 12a Licensing Act 1964

Note:

The latest hours for operation of a certificate is 9pm. See Sch 12A para 5(1) LA 1964.

Where justices have imposed a later hour under Sch 12A para 5(2), that should be reflected in condition (5)(d)

5. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out in the 1964 Licensing Act, and on New Years Eve until 5am on New Years Day.

HASTINGS BOROUGH COUNCIL

Annex 2 – Conditions consistent with the operating schedule

GENERAL

Comply with the requirements of the licensing Act 2003.

THE PREVENTION OF CRIME AND DISORDER

Maintain existing CCTV system and make tapes available to the police or licensing authority at any reasonable time.

Remain an active member of bar watch as long as such a system operates in the Borough.

PUBLIC SAFETY

Ensure all fire exits, extinguishers and emergency lighting is properly maintained.

Ensure all health and safety legislation is adhered to.

THE PREVENTION OF PUBLIC NUISANCE

Ensure staff monitor noise levels to ensure no disturbance to residents.

THE PROTECTION OF CHILDREN FROM HARM

No unaccompanied children allowed on premises.

Staff continue to operate a 'Proof it' age campaign. For persons suspected of being under 18 years.

No Id No sale . Only photographic evidence of age accepted.

Maintain a refusal register.

HASTINGS BOROUGH COUNCIL

Annex 3 – Conditions attached after a hearing by the licensing authority

RESOLVED (unanimously) that the application to vary the conditions of the licence be granted subject to the following conditions:

- 1. There shall be no use of the beer garden for any purpose after 23.00 hours;**
- 2. Replaced with new condition following review hearing.**
- 3. Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.**

DATE OF HEARING: 15 July 2014

LICENSING SUB-COMMITTEE: Councillors Roberts (Chair), Sinden and Webb

APPLICATION FOR REVIEW

We have listened carefully to all the submissions and we are bound to be directed by the promotion of the Licensing Objectives, in particular the Prevention of Public Nuisance

DECISION

The Sub-Committee uphold the review subject to the retention of the Designated Premises Supervisor (DPS) and a site survey for the rear of the premises. However, in recognising the concerns raised about the specific issues under the Licensing Objectives, the licence is subject to the following conditions:

1. The premises licence holder shall ensure that on Fridays, Saturdays and Sundays at least one Security Industry Authority (SIA) approved supervisor will be present when live and recorded music is taking place:

- Ensure that orderly queuing is maintained.**
- Ensure that noise is kept down from those who are queuing at the front entrance of the premises.**
- Ensure that noise is kept down from those who are using the back garden.**
- Assist with the dispersal of customers 30 minutes after the licensable activity has ceased.**

HASTINGS BOROUGH COUNCIL

Annex 3 – Conditions attached after a hearing by the licensing authority - continued

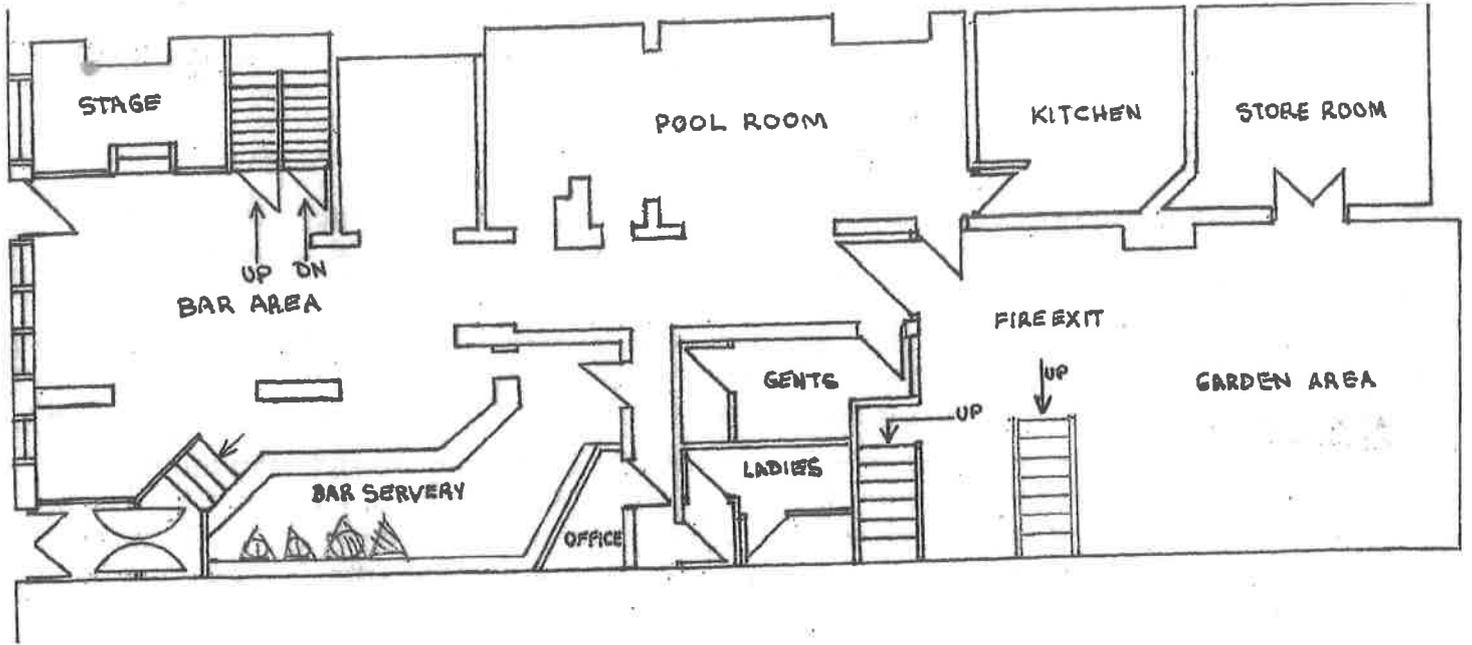
- 2. From Monday to Thursday a responsible member of staff shall be in attendance in the vicinity of the exits to assist with the dispersal 30 minutes after the licensable activity has ceased to ensure that patrons disperse quietly.**
- 3. Noise and music arising from the licensed premises is to be barely audible at the facade of, or in, any residential premises. Noise shall include that arising from all mechanical or electrical equipment used by the premises and noise arising from customers in the premises.**
- 4. The premises licence holder must carry out the written scheme of sound proofing to the rear of the premises in accordance with the site survey (site survey of the rear of The Union Bar, 57 Cambridge Road, Hastings, TN34 1EL) within 2 months of the hearing. On completion of all relevant works the premises must be approved by the Environmental Protection Team.**
- 5. Persons using the front of the building shall not be permitted to take drinks out with them.**
- 6. Where the premises operates with live or recorded music all doors and windows at the front and rear of the premises are to remain closed, save for access and egress.**
- 7. To prevent the escape of music and noise from customers inside the premises the lobby shall not be used for any other activity by patrons or staff save for access or egress.**
- 8. The premises will make available to local residents a contact number of the designated premises supervisor or representative**

Reason - The Committee believe that Mr Francis has previously not engaged fully with his duties as DPS. The Committee hope that this process has assisted him in realising those duties.

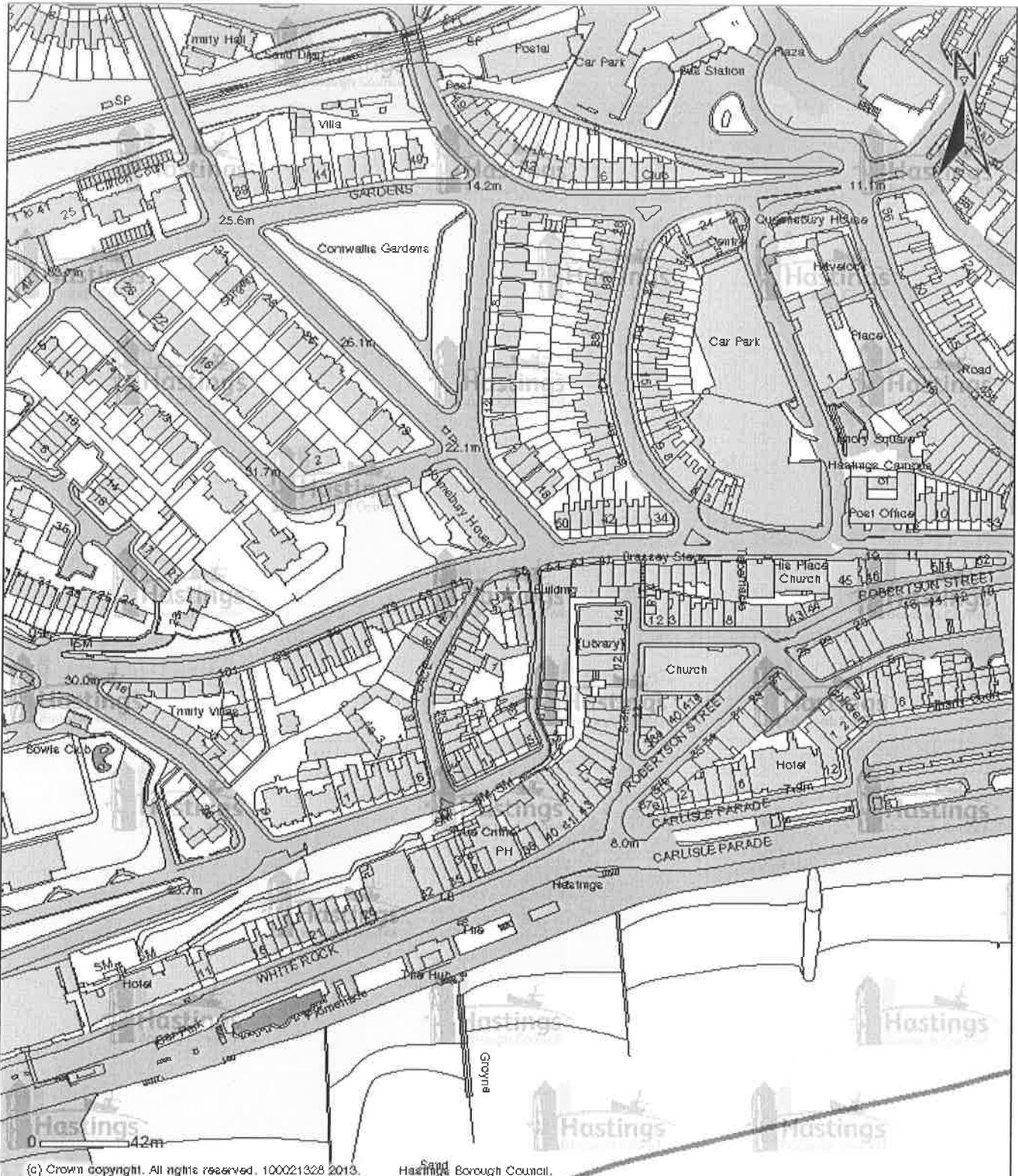
The Committee is encouraged that there has been meaningful contact between the Council's Environmental Health Department and the licensed premises.

The Committee have had regard to it's own licensing policy and the guidance issued by the Secretary of State.

Annex 4 – Plans



GROUND FLOOR PLAN OF TOB MAN SCALE 1:100



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Hastings Borough Council.



Title:

Appendix B

Scale:

1:2500

Date:

17/2/2017

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Sussex Police
Serving Sussex

www.sussex.police.uk

Hastings District

16th February 2016.

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

Dear Mr. Brown,

**Re: Application by East Sussex Fire Service for a review of the Premises Licence of
The Tub 57 Cambridge Road Hastings East Sussex. TN34 1BL.**

Sussex Police wish to make a representation in relation to the above review of the premises licence on the grounds that the licensing objectives of:-

- The prevention of crime and disorder.
- The protection of children from harm.

have been seriously undermined.

The premises were previously known as The Union Bar with the change of name, to The Tub, formally taking place on the 26th September 2016.

At 1200hrs on Tuesday 16th August 2016, at the request of Sussex Police, a meeting was held at the premises between representatives of Sussex Police and management of the premises. Those in attendance were; Sgt. Denham Vokins, PC Christopher Trevena and Licensing Officer Anthony Masters from Sussex Police, and David Francis – Designated Premises Supervisor, Paul Osmond – Joint Manager and Harvey Palmer – Joint Manager from the premises.

At the meeting Sussex Police discussed a number of concerns regarding incidents occurring at the premises and intelligence which had been received by Sussex Police in relation to alleged underage clientele, proxy sales, door staff, use of drugs within the premises, mixed-age events and Barwatch.

David Francis stated that although he was the Designated Premises Supervisor he did not attend the premises on a regular basis. He 'popped in' now and again or in order to watch one of the bands. He was not a 'hands on, pulling pints' Designated Premises Supervisor.

Sussex Police were advised that the premises were opening three days a week hence Mr. Osmond had other daytime employment until 18:00hrs. Therefore he had very limited attendance whilst the business was operating. Harvey Palmer was now taking responsibility for the day to day operation of the premises having recently returned from a 6 month absence.

Police asked to examine the refusals register. This consisted of a small notebook which limited the evidence / information concerning refusals. On inspecting the book there had been no entries relating to refusals since July 2016.

The following subjects were discussed:-

Underage/ProxySales.

Mr. Osmond said he would remove alcohol from underage persons attending the premises and then return it to them when they left 'out of respect'. Police informed Mr. Osmond that this should not happen under any circumstances and was reminded of the licensing objective 'protection of children from harm'. He then stated that the alcohol was seized and poured away. Mr. Osmond went on to explain that there were strict ID measures in place. However, when open, the premises were very dark and it could not be guaranteed that underage customers were not sold alcohol, and was difficult to prevent proxy sales from occurring

FormalTraining.

Police established that no formal training was given to staff at the premises. Mr. Francis stated that he observed new staff whilst serving and gave brief information with regard to the premises licence. However no training given with regard to Challenge 25, proxy sales etc.. Police stressed that training was essential as the premises held mixed aged events. Police recommended that the premises stopped holding mixed aged events, where underage persons and adults attended at the same time, as there were insufficient procedures in place to prevent the children from being served alcohol and a general lack of control by management.

Door staff.

The member of security staff used at the premises was not an employee of any recognised SIA Company. Police confirmed that none of the management held a current SIA licence; nor was there the necessary insurance policy in place for the premises to use in-house door staff. Police asked how the member of door staff was deployed and ascertained there was inadequate patrol of the premises and in particular the toilets. The management were advised with regard to employing a minimum of two properly accredited door staff. On the 15th July 2014 a Licensing Sub-Committee hearing took place as a result of a review of the premises licence, instigated by Environmental Health. A condition was imposed on the Premises Licence Holder relating to the employment of Security Industry Authority staff however their use was very much directed towards the prevention of noise nuisance.

Barwatch.

The premises licence states 'Remain an active member of Barwatch as long as such a system operates within the Borough'. Mr. Francis stated he had not attended a meeting for several months and in the case of Mr. Osmond several years. Police advised them that this was a breach of a condition on the premises licence.

Drug Investigation.

PC Trevena conducted 'lontrack' drug swab testing at the premises, and samples were taken from a number of areas including the toilets, bar area etc. and a small table adjacent to pool table was of particular interest. The readings obtained were as follows.

Bar Tables	6.23 Cocaine
Pool Table	4.84 Cocaine
Lobby - 1 area	3.66 Cocaine
Male toilets	5.51 Cocaine
Ladies Toilets	5.88 Cocaine

Sussex Police have concerns at readings over 4, and readings near and over 6 are of serious concern.

GE Security, the Ion Trak Itemiser manufacturer, in their Technology Statement gives the following guidance about interpreting swab results.

Readings of between 1 & 2 can be classed as 'low' attributed to cross contamination of the surface tested, background contamination or greatly degraded historic contamination.

Between 2 & 3 can be classed as a 'medium' response attributed to cross contamination of the surface tested or recent historic contamination that may have been left a number of days prior to the sample being taken.

Between 3 & 4 can be classed as 'high' that would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Results 4 and above. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk source of the narcotic. This is not generally experienced as background contamination or through incidental cross contamination.

Police also found two small clear plastic re-sealable bags on the floor in the bar area. This type of bag is commonly used for carrying illegal drugs. White powder was clearly visible on the surface of a low level table. On a sofa cushion in the bar area lumps of excrement were found. On bringing these matters to the management attention they did not express surprise or concern about the findings.

A door in the bar area leading to a staircase for the flat above, occupied by Mr. Osmond, could not be closed. Where the securing latch would have been positioned a large proportion of the door was missing. The area had sustained damage. Mr. Osmond said it had been in that state for at least two months and police relayed serious concerns about the door in relation to the control of customers and restricting their access to the flat above.

Throughout the entire premises there were found to be broken electrical power sockets and exposed wiring.

Sgt Vokins was so concerned about the safety and condition of the premises, on the 18th August 2016 he contacted Mr. James Portnell of the East Sussex Fire and Rescue to advise him of the visit and in particular the broken power sockets and a damaged door, believed to be a fire door.

On the 19th August 2016 Sgt. Vokins emailed Mr. Ian Wheeler at the Hastings Borough Council Environmental Health to inform him of excrement on one of the sofa's in the bar area.

At the request of Sussex Police another meeting was held at the premises on Monday 19th September 2016. The purpose of this meeting was to provide Mr. Robert Falconer, the Premises Licence Holder, details of the previous meeting and concerns the police had with regard to the premises. The attendees were; P.C. Deacon and Anthony Masters from Sussex Police and Robert Falconer – Premises Licence Holder, Paul Osmond – Joint Manager and Harvey Palmer – Joint Manager on behalf of the premises management.

The following subjects, discussed at the previous meeting, were brought to the attention of Mr. Falconer, underage clientele, proxy sales, formal training, door staff, mixed age events, the internal door, Barwatch and drug use within the premises.

Having heard Sussex Police concerns Mr. Falconer voluntarily closed the premises with immediate effect and removed the Mr. David Francis as the Designated Premises Supervisor.

On the 30th September 2016 a letter was sent to Mr. Falconer a copy of which is attached marked Annex 1.

On Wednesday 19th October 2016 Sussex Police received an application to vary the premises licence, to name Mr. Harvey Palmer as the Designated Premises Supervisor.

On Saturday 22nd October 2016 P.C. Deacon visited the premises on the reopening night. Sussex Police had not received any prior notification concerning the reopening of the premises. She noticed that the clientele were visibly older since the premises was being operated on a no under 18's policy. Mr. Palmer was present and stated the premises were going to introduce sloped or textured surfaces in the toilets to deter drug use.

On Friday 23rd December 2016 P.C. Deacon conducted a licensing check of the premises. Mr. Palmer was present and there was a live music event taking place. Those persons present ranged from 16 years and above, with those under 16 years being provided a wrist band to prevent them purchasing alcohol. Mr. Palmer stated that this was a 'one off' event.

On Monday 30th January 2017 PC Trevena conducted an 'Iontrack' drug swab test at the premises:-

Cubicle 1	6.17 Cocaine
Cubicle 2	6.36 Cocaine
Table within the communal area adjacent to the toilets	3.,46 Cocaine
Bar Counter Area	4.74 Cocaine

The above readings remain extremely high and are of significant concern to Sussex Police.

It is noted that the Review Application requests revocation of the Premises Licence. Should the sub-committee not be minded to revoke the Premises Licence, Sussex Police request that the licensing committee seriously consider attaching the following proposed conditions to the Premises Licence in order to promote the licensing objectives and keep people safe.:-

- 1) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, (PSDB Publication Number 09/05) operated and maintained throughout the premises internally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days
 - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
 - Any breakdown or system failure will be remedied as soon as practicable.
- 2) A Challenge 25 policy be adopted and recommended photographic ID such as a passport, driving licence, citizen cards and proof of age standards scheme (PASS) cards shall be acceptable. Staff are to be trained to request the appropriate ID from anyone who appears to be under the age of 25 years of age and that alcoholic drinks are refused unless that ID is produced.
- 3) A refusals register, either written/electronic, shall be kept near the point of sale and all refusals for the sale of alcohol shall be recorded. The DPS shall take responsibility for training staff in the use of the

register and will regularly check to ensure entries are being made. The register will be made available to a representative of the Sussex Police or Licensing Authority on request.

- 4) Maintain an incident record at the premises and ensure that all staff use it to record details of any incident of crime or disorder including date and time, details and/or descriptions of the people involved, exact location of the incident and which staff are present when the incident took place. The use of such a record will ensure that all staff are aware of any ongoing problems and the persons responsible.
- 5) All staff will be trained in licensing law and the responsible sale of alcohol prior to commencement of selling alcohol; a staff training manual will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request.
- 6) Every Thursday, Friday, Saturday, Bank Holidays and when premises are operating under the authorisation of a Temporary Event Notice there shall be provided at the premises a minimum of one member of door staff or such additional number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for licensable activities and cognisance will be taken of any police advice.
- 7) The Premises Licence Holder and/or the Designated Premises Supervisor or a person nominated by them shall actively participate and be a member of a Pub and Club watch scheme for the area with in which the premises is located.
- 8) No person under the age of 18 years shall be permitted on the premises when they are being used for the purposes of the supply of alcohol and/or the provision of regulated entertainment.
- 9) The Premises Licence Holder will have in place a written policy, to the satisfaction of Sussex Police and the Local Authority, in relation to zero tolerance on drugs which will include inspection of the premises, staff training, search of customers, seizure, retention, disposal, signage, documentation and notification to Sussex Police of drug related offences.

Sussex Police request that the premises licence be suspended for a period of not less than four weeks, to enable the management of the premises to prepare and implement the policies and procedures as above and undertake alterations to the toilets to prevent the use of drugs.

Sussex Police contend that the measures and conditions are both appropriate and proportionate.

Yours sincerely,

On behalf of Sussex Police.



Jean Irving
Head of Licensing & Public Safety.



Sussex Police
Serving Sussex

www.sussex.police.uk

SEST – Alcohol Harm Reduction Unit.

30th September 2016

Mr. R. Falconer

37 White Rock
Hastings
East Sussex.
TN34 1JP

Dear Mr. Falconer.

RE: THE UNION BAR 57 CAMBRIDGE ROAD HASTINGS EAST SUSSEX. TN34 !BL

May I first thank you for being present at the meeting held on Monday 19th September 2016. I am aware that this meeting was 'sprung' on you at the last moment due to your management team not informing you.

As you are aware on Tuesday 16th August 2016, I, Sgt. Vokins and PC Trevena had a meeting with your management team, Mr. Francis (Designated Premises Supervisor), Mr. Osmond (Manager) and Mr. Harvey Palmer (Joint Manager). The meeting was to enable Sussex Police to liaise with the management team with regard to ongoing problems. As a result of that meeting I believed it was appropriate and necessary to have a meeting with you to discuss current problems at the premises, managerial concerns and operating procedures. The premises licence is in your name and therefore appropriate action needed to be taken by you in order to secure that licence.

The matters raised with your management team are as follows:-

Incident 6th November 2015 approx. 01:01hrs. Reported Assault. Whilst the two female victims were performing on the stage the suspects, unknown male and female, have thrown what is believed to be fake blood over band. No injury caused but damage was caused to the musical equipment to the value of £3000. A formal investigation was initiated by Sussex Police but it is believed to be a publicity stunt as a result of entries within 'Facebook' and other social media.

Incident 30st January 2016 approx. 23:00hrs. Reported Glassing. Staff did not consider this to be a serious incident and therefore there was no direct call from the premises. Sussex Police not aware of incident until notified 0953hrs 31st Jan. '16. Victim / Informant required stitches to a cut.

Lack of Control.

Mr. D. Francis admitted that he did not attend the premises on a regular basis, 'sometimes dropped in on a Saturday' and 'maybe once a week' but certainly was not a 'hands on' Designated Premises Supervisor. Mr. Osmond was sharing his managerial duties due to having other employment not connected with the premises. Mr. Palmer stated that he had only recently returned to working at the premises, after a six month absence and jointly managed the premises. It was obvious that the premises lacked full managerial control and Sgt. Vokins remind those present that only Mr. Francis as the Designated Premises Supervisor was recognized within the Licensing Act 2003.

Refusals / Incident Register(s).

The incident / refusals register comprised of a book roughly the size of a mobile telephone. On inspection it was found that some pages had been torn out, other pages partly removed and no entries had been made since the 5th July 2016. Mr. Osmond stated that a previous register had been thrown away due to staff using it for purposes other than recording refusal / incidents.

Underage Sales.

It was noticed that there were no 'Challenge 25' posters on display within the premises. Mr. Osmond stated those persons under 18 yrs. of age only normally attended to watch the live bands. Sgt. Vokins asked how age verification was dealt with either by coloured wrist bands or hand stamps. All three members of staff stated they had nothing in place to deal with this situation. PS Vokins advised them that it would be ideal if age verification was dealt with by a door supervisor at the front of the premises prior to customers gaining entry. Once inside age / proxy sales becomes an even greater challenge for bar staff. Mr. Osmond stated that there are very stringent safeguards with regard to underage persons attending the premises. Alcohol was seized from those underage customers attempting to gain entry and then returned to them when they left. Mr. Osmond was reminded of the licensing objective 'protection of children from harm'.

Proxy Sales.

There was no guidance to staff as to the prevention of proxy sales of alcohol. Premises on many occasions too dark for members of staff to view transfer of alcohol from one person to another. Whole guidance / procedure for preventing proxy sales, one drink per person questionable.

Formal Training.

No record of or formal training given to new staff by any member of the management team. Mr. Francis stated that he observed new staff whilst serving and given brief information with regard to the premises licence. No training with regard to Challenge 25, proxy sales etc. In all procedures again questionable.

Internal Door.

Insecure internal door allows customers to exit premises to upstairs private residence of Mr. Paul Osmond. Question the actions of customers in the past existing premises into the flat on the attendance of police officers

Barwatch.

Although there is a condition within current premises licence to be a member of the local Barwatch scheme, both Mr. Francis and Mr. Osmond stated they had not attended a meeting for several months and in the case of Mr. Osmond several years. Mr. Osmond questioned the procedures of the current forum despite not attending a meeting for some years.

Drug Investigation.

PC Trevena made an examination of the premises with regard evidence concerning the use of drugs within the premises. A drug swab examination was made in various areas of the premises including the toilets, bar area etc.. Small table adjacent to pool table of particular concern. In addition evidence of smoking taking place within the premises.

16/08/2016	Hastings	Union Bar	Bar Tables	6.23 Cocaine
16/08/2016	Hastings	Union Bar	Pool Table	4.84 Cocaine
16/08/2016	Hastings	Union Bar	LobbY - 1 area	3.66 Cocaine & 1.60 MDMA
16/08/2016	Hastings	Union Bar	Male toilets	5.51 Cocaine
16/08/2016	Hastings	Union Bar	Ladies Toilets	5.88 Cocaine
16/08/2016	Hastings	Union Bar	Ladies Toilets 2	2.49 Cocaine

Alarms between 2-3 (Medium Response) Could be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of narcotic.

Readings of 4 and above. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk source of the narcotic. This is not generally experienced as background contamination or through incidental cross contamination. In small room adjacent to the pool table were a number of low level tables. Two small empty deal bags were found hidden behind one of the tables

Other Observations.

Within the small room referred to above there were a number of low level sofa type chairs. On the cushion of one of the chairs human / animal excrement was found. Throughout the entire premises there were found to be broken electrical power sockets and exposed wiring. As a result of the findings both East Sussex Fire and EHO were alerted to our findings.

As a consequence of our meeting you have closed the premises with immediate effect and removed Mr. Francis as the Designated Premises Supervisor. At this time the premises remain closed until a new Designated Premises Supervisor is proposed in addition to any other procedures you wish to put in place. This was a positive action in order to promote the licensing objectives.

I am aware that in May 2014 an application for the review of the premises licence was submitted by the Environmental Health Department.

Details of the meetings I have had with you and your management team will be kept on record and may be used as evidence in any future licensing hearings.

Sussex Police will continue to monitor the premises when they resume operating to ensure the premises licence and conditions contained therein are adhered to and the licensing objectives are promoted.

Yours Sincerely,

A. D. Masters.
Sussex Police Licensing Officer.
SEST – Alcohol Harm Reduction Unit.

MEMORANDUM



Date: 16th February 2017
From: John Ballam -Environmental Protection Officer
To: Licensing
My Ref: WK201614444
Your Ref:

Application Number: WK201614444
Address: The Tub, 57 Cambridge Road, Hastings, TN34 1BL

Proposal: Application for the review of a premises licence or club premises certificate under Section 51 of the Licensing Act 2003

Dear Mr. Brown

An application for a review of the premises licence for the above premises was received by the Licensing Authority on 25th January 2017.

The application has been made by Station Manager Dan Shannon, East Sussex Fire and Rescue Service, Hastings under the licensing objective public safety.

Under the Licensing regime the role of Environmental Health is to avoid the creation of situations wherein a licenced premises 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 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 with the current management of the premises, in respect of the Licensing objectives the Prevention of Public Nuisance and Public Safety

In order to explain the history of this premises license in respect of noise complaints, I will outline the following incidents to assist:

Following a series of complaints and the witnessing of a noise nuisance by an authorised officer of the council a Noise Abatement Notice was served, on 1st July 2011 on the Manager of the premises Paul Osman.

Despite this notice Hastings Borough Council continued to receive complaints from 2012 – 2016 unfortunately the complaints were either received post event or the officers arrived when the music was finished, having been called too late to witness. The complaints were of loud music and noise from patrons either waiting outside the premises or leaving the premises. The complaints included enquiries from Councillor Clark, on the issues, on behalf of local residents.

On 15th July 2014 a review of the premises licence was undertaken following the high number of complaints. However complaints continued, including one on 20th July 2014 and two in August 2014.

On 26th October 2016 another complaint was received via Councillor Rogers and yet another warning letter was sent, this time to the recently appointed Designated premises Supervisor Harvey Palmer.

On 2nd December 2016 officers witnessed a noise nuisance from the premises in the form of loud music and noise from patrons outside the premises, during an observation period of 1 hour and 9 minutes. During this period there were between 20-30 people outside the premises.

On 12th December 2016, due to the length of time since the service of the last Noise Abatement Notice, new notices were served on The Premises Licence Holder Robert Falconer, The Designated Premises Supervisor Harvey Palmer and The Manager Paul Osman. The case remains on the Council's out of hours referral list in order to witness any breach of these notices.

Under the original Premises Licence the THE PREVENTION OF PUBLIC NUISANCE states to:
Ensure staff monitor noise levels to ensure no disturbance to residents.

Following the review in July 2014, further conditions were added these included:

1. The Premises Licence holder shall ensure that on Fridays, Saturdays and Sundays at least one Security Industry Authority (SIA) approved supervisor will be present when live and recorded music is taking place to:

Ensure that orderly queuing is maintained

Ensure that noise is kept down from those who are queuing at the front entrance of the premises

Ensure that noise is kept down from those who are using the back garden

Assist with dispersal of customers 30 minutes after the licensable activity has ceased

2. Noise and music arising from the licensed premises is to be barely audible at the façade of or in any residential premises. Noise shall include that arising from all mechanical or electrical equipment used by the premises and noise arising from customers in the premises;

This department, upon discussion with Trevor Scrase, Licensing Officer at Hastings Borough Council, is aware that other noise complaints have been received directly by the Licensing department and a further investigation undertaken by them.

We are also aware that there have been further incidents relating to the licensing objectives that have been linked to this premises that have had a negative impact on the surrounding area and as such has shown that there has been a lack of compliance and poor management shown by management in respect of the licensing objectives, primarily the Prevention of Public Nuisance and Public Safety

We have continued to gather evidence for a possible review ourselves and we are happy to support the application made by Station Manager Dan Shannon under the Licensing objective Public Safety for a review of the premises license

In Conclusion:

Both Paul Osman and Robert Falconer have been present in their respective roles throughout the process of complaints, which is, in the opinion of this department, indicative of the poor management, previously alluded to.

This is the second review initiated against the premises in the last three years.

The noise issues and complaints have continued, despite the service of a notice and numerous warnings.

It is the opinion of Environmental Health that given the stated points above, that a request for revocation of the licence would be appropriate in this case and would ask the committee to seriously consider this action.

Kind Regards



John Ballam
Environmental Protection Officer
(On Behalf of Ian Wheeler – Environmental Health Manager)

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