

LICENSING SUB COMMITTEE

22 NOVEMBER 2021

Present: Councillors Cox, Patmore, Roberts and Fernando (in reserve).

68. APPOINTMENT OF CHAIR FOR THIS MEETING

Councillor Roberts proposed that Councillor Patmore should take the Chair, seconded by Councillor Cox.

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

69. APOLOGIES FOR ABSENCE

None received.

70. MINUTES OF PREVIOUS MEETING

RESOLVED (unanimously): that the minutes of the meetings held on 23rd and 30th June 2021 be approved as a true record.

71. DECLARATIONS OF INTEREST

None received.

72. APPLICATION FOR A TEMPORARY EVENTS NOTICE, WITH AN OBJECTION. FRENCH'S, ROBERTSON STREET, HASTINGS.

Mr Cowlard, manager of French's, informed the meeting that Mr Foot, the premises owner, was unwell and unable to attend. Mr Cowlard said he was present to make a representation to the Sub-Committee in Mr Foot's place.

Councillor Patmore proposed the meeting proceed in Mr Foot's absence, seconded by Councillor Roberts.

RESOLVED (unanimously): that the Sub-Committee hearing proceed in the applicant's absence, noting that he has sent a representative to address the Sub-Committee.

Mr Bryant, the Licensing Lead Officer gave a precis of his report to the Sub-Committee.

On 11th November 2021 Hastings Borough Council was served a Temporary Events Notice (TEN) in respect of French's, 24 Robertson Street, Hastings. French's already holds a licence to operate until 3am under the Licensing Act 2003 and is located in Area 2 of the Council Special Saturation Policy.

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The TEN application requests an extension of hours from 3am to 5am on 27th and 28th November 2021.

Copies of the TEN were served on responsible authorities at the same time as being placed before the licensing authority. Subsequently an objection was received from Sussex Police on 15th November 2021. Environmental protection did not make any representations on this occasion.

Ms Rolfe, Sussex Police Licensing Officer, explained that the objection to the TEN was raised under the Licensing Objectives prevention of crime and disorder; public nuisance; and public safety not being promoted. Five incidents relating to French's were recorded over the past five months, however the main reason for objection is due to recently updated statistics around public place violent crime during the night-time economy.

A TEN was recently agreed for French's in October 2021 and Ms Rolfe confirmed there were no issues raised regarding that event. On that occasion there was a verbal agreement that the licence conditions would be extended and that there would be no entry after 3am. The same offer was made to Sussex Police regarding the current TEN. However, an objection has been raised on this occasion as the crime statistics, which weren't available in October, show a sharp increase in violent crime in the area.

Ms Rolfe set out the context for the objection from Sussex Police. 3am is a very busy time for the police and ambulance service, with high levels of disorder and emergency services stretched. Since the beginning of October there have been 10 suspected drink spiking incidents in the town and Hastings has been identified as a hotspot for serious violent crime during the night-time economy. Castle Ward is now ranked 4th highest for serious violence in Sussex.

Inspector Tombling read a letter on behalf of Inspector Aidan Cornwall, District Inspector for Hastings, who was unable to attend the hearing. The letter reiterated that serious violence in Castle Ward continues to be a real concern for Sussex Police and that although additional patrols are being deployed in the town, Sussex Police cannot solve this alone. Inspector Tombling detailed some of the violent crimes which have taken place in the area over the past month, include a stabbing; rape; knife attack; and violent assault. Each incident has left victims with life changing injuries and all are linked to the night-time economy and intoxication. The level of intoxication harm being caused within the ward is unacceptable and amongst the highest in Sussex. Any new licence or TEN should not be issued if they are likely to make the issue worse. Sussex Police will therefore continue to object to any new application or TEN within the area until the level of violence reduces.

Mr Cowlard, asked Ms Rolfe to confirm there were two TENs granted in October and both were without incident. Ms Rolfe confirmed there were two TENs, both without

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incident. However, the main reason for objection on this occasion is due to the updated crime statistics for the area.

Mr Cowlard said that a 5am licence would allow for a staggered release of customers, reducing the impact on flash points in the town centre such as late-night eating venues and the taxi rank. Mr Cowlard said he has been the manager of French's since September, during which time there had only been 1 incident. He has taken action to bring in new door staff and increase their number. The CCTV has also been adjusted with more cameras installed. Door staff do encourage customers to get taxis and get home safely after leaving the venue. Clear improvements have been made to the venue in relation to public safety. Mr Cowlard said the previous TENs in October were very successful and allowed the venue to continue employing staff. Without it, post-Covid, the venue would be in trouble. In closing Mr Cowlard said he cannot understand the objection to the current application given that that two notices were granted in October and there were no incidents in the intervening period.

The Licensing Officer, Sussex Police and Mr Cowlard summarised their representations.

The Sub-Committee retired to debate the application.

RESOLVED (unanimously):

We have listened carefully to all the submissions and we are bound to be directed by the promotion of the Licensing Objectives and material consideration of:

- **Prevention of Crime and Disorder**
- **Public Safety**
- **Prevention of Public Nuisance**
- **Protection of Children from Harm**

We have also had regard to the Council's Licensing Policy and the Guidance issued by the Secretary of State under Section 182 of the Licencing Act 2003.

On balance the Sub-Committee accepts the evidence provided in support of the Objection Notice and has decided to serve a Counter Notice.

Reasons:

The Sub-Committee makes the above decision for the following reasons:

1. The Sub-Committee is mindful of the shocking crime statistics presented by the police in relation to Robertson Street and Castle Ward. The Sub-Committee

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believe that allowing this Temporary Event Notice to take place, which would allow longer opening times, would exacerbate alcohol-related crime in the area.

2. The Sub-Committee notes that previous Temporary Event Notices have been allowed to take place at this premises however the Sub-Committee have to take each case on its own merits and make the decision based on the representations before them which includes the new crime statistics which have been presented by the police.
3. The Sub-Committee noted the improvements made by the applicant since bringing in a change of management at the venue and this focus on increasing standards and hope this will continue however on this occasion the Sub-Committee believed this had not overcome the issues with the Licensing Objectives.

(The Chair declared the meeting closed at 12.42pm)