

Licensing Sub Committee Agenda

Wednesday, 22 December 2021 at 10.00 am

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
Please enter the building via the Tourist Information Centre entrance.

If you are attending the Town Hall for this meeting, please enter the building via the Community Contact Centre entrance.

		Page No.
Members of the Licensing Sub Committee to sit on this hearing are:		
Councillors Cox, Edwards, Patmore with Councillor Rankin in reserve.		
1.	Appointment of Chair for this Meeting	
2.	Apologies for absence	
3.	Minutes of previous meeting	1 - 6
4.	Declarations of Interest	
5.	Notification of Additional Urgent Items PROCEDURAL NOTE- Temporary Event Notice	
6.	Application for a Temporary Events Notice, with an objection. Flames Grill, 19 Havelock Road, Hastings	9 - 52
7.	Additional urgent items (if any)	

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

1. APPOINTMENT OF CHAIR FOR THIS MEETING

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

2. APOLOGIES FOR ABSENCE

None received.

3. DECLARATIONS OF INTEREST

Councillor Fernando – SIA registered working for Titanium security

4. NOTIFICATION OF ADDITIONAL URGENT ITEMS

None received

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

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

On 29th November 2021 Hastings Borough Council was served two separate 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 2a of the Council Special Saturation Policy.

The first TEN provided for an extension of hours from 3am to 5am on 18th and 19th December 2021. The second TEN provided for an extension of hours on the 25th December 2021 from 3am to 5am.

Copies of the TEN were served on responsible authorities at the same time as being placed before the licensing authority. Subsequently an Objection Notice was received from Sussex Police on 29th November 2021 and updated 1st December 2021 in respect of both TENs. Environmental protection did not make any representations on this occasion.

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Sussex Police had made attempts to contact the DPS and premises licence holder Mr Foot regarding the Notices by various means, The Licensing Lead officer had also emailed Mr Foot with no reply.

PC Daren Spalding, 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. The main reason for the objection was due to recently updated statistics around public place violent crime during the night-time economy.

A previous TEN had recently been agreed for French's in October 2021. However, an objection had 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.

PC Spalding stated Mr Foot who is the premises licence holder and designated premises supervisor had not added his usual signature to the first TEN, but instead digitally signed it. The first TEN was emailed to the relevant authorities by the manager, Mr Rick Cowlard. It was not received from Mr. Foot's email address. Sussex Police tried to ring Mr Foot on both telephone numbers obtained from the TEN application but received no answer. An email had been sent to Mr Foot to check he is aware of this first TEN.

The second TEN for the 25th of December 2021 stated no entry or re-entry after 3:30 AM. There was no mention of the premises licence conditions being extended for the duration of the second TEN. This second TEN has been physically signed by Mr Foot.

PC Spalding confirmed Sussex Police had seen an increase in the night-time economy since lockdown was lifted earlier this year. There was also the added concerns of violence against women and girls with an increase in suspected spiking incidents.

Recently, Sussex Police obtained up-to-date crime statistics in support of the continuation of the Cumulative impact policy. Police records show that Robertson Street had the highest crime rate compared to any other location within this part of Castle Ward which has the highest public place violence rate in Sussex. Crime was at its highest during the night-time economy. Castle Ward was now ranked 4th highest for serious violence in Sussex. Overall, there had been an increase of approximately 49% of public place violent crimes in the Castle ward.

PC Spalding 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 were being deployed in the town, Sussex Police cannot solve this alone. The letter 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

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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 Sussex police if they will object to any TEN within the Castle Ward. PC Daren Spalding reiterated Inspector Cornwallis's letter which states the police will object with the crime figures in Castle Ward as high as they are now. Mr Cowlard questioned the police as he has been informed Wetherspoons has been granted two TENS to extend their license on 23rd and 24th December.

The Chair asked for there to be a check if Weatherspoon's has been granted a TEN. The Senior Licencing officer left the meeting to confirm if a TEN had been granted.

Mr Cowlard made his representation. Since becoming the Manager 18 months ago only one incident has happened which had been outside the premises. Mr Cowlard highlighted significant progress has been made in the venue with staff training, upgraded CCTV and a new security company with better door staff. Two TENs were granted in October for an extension to 5am. These events had no issue, and the door staffing was increased. There were no noise complaints, complaints from licensing or the Police regarding the October events. Mr Foot confirmed the two previous events have been successful with no issues. Mr Cowlard explained that other venues within the town centre are open until 5am and 6am. In closing Mr Cowlard explained 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.

Mr Foot confirmed that the two previous events had been successful and had passed completely unscathed. French's had been closed for 18 months which has had a significant impact on the business. The two previous events had helped the business with measures put in place for there to be no issues.

The chair asked Mr Foot that for the events in October to be successful, would a lot of alcohol need to be sold between 03:00 - 05:00? Mr Foot informed the committee that the town centre can often be busier in the early hours of the morning than it is at midnight. Mr Cowlard answered that the events were also a success due to there being no complaints or incidents at either of the events in October.

PC Spalding asked Mr Cowlard that to pay for staffing for a further two hours a lot of alcohol would need to be sold which is a concern to the police. Mr Cowlard reiterated that the events held in October passed with no issues.

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

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The Licencing Lead confirmed a TEN for 23rd and 24th December 2021 which provided an extension from 00:00 – 01:00hrs received on 21st October 2021 for Weatherspoon's had not been objected to. PC Spalding noted that the Weatherspoon's TEN predated Inspector Cornwall's letter dated 19th November 2021 when the violent crime statistics were available.

The Sub-Committee retired to debate the application.

RESOLVED (unanimously):

Temporary Event Notice regarding 18th December 2021 and 19th December 2021

This Decision relates to the Temporary Event Notice dated 29th November 2021 made by Stephen Foot for temporary event on 18th December 2021 and 19th December 2021.

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.

Decision

RESOLVED (unanimously)

On balance the Sub-Committee accepts the evidence provided in support of the Objection Notice and has decided to serve a Counter Notice. The Temporary Event cannot go ahead.

REASONS FOR GIVING A COUNTER NOTICE

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 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 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.

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3. The Sub-Committee notes 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.

Temporary Event Notice regarding 25th December 2021

This Decision relates to the Temporary Event Notice dated 9th November 2021 but received by the licensing authority on 29th November 2021, made by Stephen Foot for temporary event on 25th December 2021.

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.

Decision

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On balance the Sub-Committee accepts the evidence provided in support of the Objection Notice and has decided to serve a Counter Notice. The Temporary Event cannot go ahead.

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Committee believed this had not overcome the issues with the Licensing Objectives.

6. ADDITIONAL URGENT ITEMS (IF ANY)

None

(The Chair declared the meeting closed at. 12.40 pm)

Agenda Annex

Licensing Sub Committee Procedures **Temporary Event Notice**

1. The Chair's Introduction and Explanation of the Procedure, which will be followed

- Introduce Members and Officers and invite the applicant, objectors and any representatives to the table, asking them to introduce themselves.
- Explain that the hearing will follow a procedure, and that is that the Officer will make his report, followed by the Police and finally the Applicant. There will be an opportunity for questions. Members may ask for clarification from the Licensing Officer and Summaries may be given if required.
- Ask if the Parties received the report and are ready to proceed.
- If any Party to the hearing fails to attend ask Members to consider whether to adjourn the hearing or to proceed in the Party's absence.

The Hearing of each application will then follow the order set out below:

2. Summary of report by Licensing Manager / Officer.

3. Police make submissions on the application.

Any questions from

- Applicant / Representative?
- Officers?
- Members?

4. Applicant / Representative make submissions on the application / call any witnesses.

Any Questions for Applicant / Representative / Witnesses from

- Officers?
- Members?
- Police?

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

If clarification given, questions on clarification only from:

- Applicant / Representative?
- Members?
- Police?

6. Summaries (if required)

- Licensing Manager / Officer summing up
- Applicant/Representative summing up
- Police summing up

7. 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: 22nd December 2021

**Report Title: Application for a Temporary Events Notices, with an objection.
Flames Grill, 19 Havelock Road, Hastings.**

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

Purpose of Report

To consider an Objection Notice to three Temporary Event Notices (TENs) served on behalf of Flames Grill, 19 Havelock Road, Hastings, TN34 1BP. Responsible Authorities. One.

Recommendation(s)

- 1. The Sub-Committee considers the Temporary Event Notices in the light of the objection notice made by Sussex Police and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives and determine whether to serve a counter notice.**

Reasons for Recommendations

The Sub-Committee must consider the oral representations and information given at the hearing before reaching a decision

Introduction

1.0 Background

1. 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.
2. On the 9th December 2021, Hastings Borough Council was served 1 Temporary Events Notice in respect of **Flames Grill, 19 Havelock Road, Hastings, TN34 1BP. (Attached at Appendix A)**. This TEN was accepted in part only, for the 25th December 2021. The two additional dates were non - compliant with the Regulations.
3. On the 10th December 2021, Hastings Borough Council was served 2 further Temporary Event Notices in respect of the same premises. (Attached at Appendix B).
4. This premise holds a licence authorising the sale of late night refreshment, to operate until 02.00 hours from Monday to Wednesday, until 04:00hrs on Thursday to Saturday, until 02.00 hours on a Sunday, Non standard hours until 03.00 hours on a Sunday preceding a Bank Holiday Monday, under the Licensing Act 2003 (**Attached at Appendix B**), The premise is located within Area 2 (Hastings Town Centre) of the Council Special Saturation Policy (Cumulative Impact).
5. This premises licence was subject of a Review brought by Sussex Police in December 2019. In the licensing hearing which took place on the 13th February 2020, the sub committee imposed a number of conditions on to the premises licence to reduce the operating hours by one hour meaning they had to close from 03.00 hours. The premises licence holder appealed the decision and the matter was due in court on the 9th December 2021. On the 8th December 2021, a settlement was reached and the Hastings Borough Council allowed the reduction of hours that Security Industry Authority (SIA) authorised door supervisors, needed to be at the premises. This agreement allows SIA to start at 23.00 hours instead of 21.00 hours.

2.0 Application

6. The TEN applications request the following:
25th December 2021 03.00 hours until 05.00 hours on the same day,
27th December 2021 03.00 hours until 05.00 hours on the same day,
1st January 2022 03.00 hours until 05.00 hours on the same day,

3.0 Consultation

7. The Act provides for periods of notice and the number of events that may be held. Notice must be given to the Licensing Authority, Police and Environmental Protection ten working days before the beginning of the event period. The Police and Environmental Protection then have three working days to lodge objections with the Licensing Authority and Applicant.
8. A copy of the Police objection notice to the TEN, which was received on the 14th December 2021, is attached at **Appendix C**. Environmental Protection have not made any representations.
9. Objections must relate to the undermining of the licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm. This has been done.
10. Senior Licensing Officer Trevor Scrase has prepared a list of other Castle ward venues with late licences, including premises providing late night refreshment. This is attached in **Appendix D**.
11. A location plan of the premises is attached at Appendix E.

4.0 Legal Considerations

12. Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate.
13. If an objection notice to a temporary event notice is made by a responsible authority and no compromise can be reached between the parties, a hearing must be held.
14. Paragraph 7.28 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.
15. Sch 1, para 1(11) of the Licensing Act 2003 (Hearings) Regulations 2005 confirms the hearing has to take place within 7 working days of the end of the objections period (being 3 working days from service on the objector of the TEN as per section 104(3) of the 2003 Act). But a decision must be reached and the written notice of the decision served at least 24 hrs before the beginning of the event (as per Section 105(4)).
16. If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives.

17. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.
18. The Department for Culture, Media and Sport 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.
19. All members of the Licensing Committee have previously been supplied with copies of the DCMS Government guidance and the Hastings Borough Council Statement of Licensing Policy.
20. Human rights considerations must be taken into account fully in balancing licensing issues, in particular, Article 1 of the first protocol and article 8. 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. Article 8 relates to the right to respect for private and family life, home and correspondence. These are however qualified rights and can be deprived of “in the public interest”. Interference is permissible if what is done:-
 - Has its basis in law;
 - 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.

If members choose to issue a counter notice there is a right of appeal.

Right of Appeal

Under the provisions of Section 181 and Schedule 5 of the Licensing Act 2003, there is a right of appeal against the decision of the Licensing Committee if the applicant is aggrieved at the outcome. Where the relevant licensing authority gives a counter notice, the premises user may appeal against that decision.

Where that authority decides not to give such a counter notice, the chief officer of the police or environmental health department of the local authority may appeal against that decision.

Full details of all the rights of appeal can be found within Schedule 5 of the Act. Any appeal should be made to Hastings Magistrates Court, Bohemia Road, Hastings within 21 days from the notification of this decision but no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins. You must contact the Magistrates Court to establish the formal procedure for the appeal.

5.0 Options

- Issue a Counter notice (refusal)

- Not issue a Counter notice (grant)
- Grant the TEN with conditions (as per existing conditions upon the licence)

Wards Affected

Castle Ward.

Policy Implications

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

Equalities and Community Cohesiveness
Crime and Fear of Crime (Section 17)
Risk Management
Environmental Issues
Economic/Financial Implications
Human Rights Act
Organisational Consequences
Local People's Views
Anti-Poverty

Additional Information

Appendix A. Temporary Event notice.
Appendix B. Licence summary.
Appendix C. Sussex Police Section 104(2) LA2003 Letter of Objection.
Appendix D. List of closing times – Castle Ward late-night licensed venues
Appendix E. Location plan of premises.

Officer to Contact

Trevor Scrase, Senior Licensing Officer.
tscrase@@hastings.gov.uk
01424 783240.

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Hastings Borough Council

Temporary Event Notice Regulation 2(2)

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr Mrs Miss Ms Other (please state)		
Surname	KANIK		
Forenames	CAGLAA		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr Mrs Miss Ms Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[REDACTED ADDRESS]			
Post town			Postcode
7. Other contact details			
Telephone numbers	[REDACTED CONTACT DETAILS]		
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
[REDACTED ALTERNATIVE ADDRESS]			
Post town			Postcode

TEN 3451. 25/12/2021.
 WK 202107908

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime Evening (optional) Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references)
(Please read note 2)

FLAMES GRILL
19 HAVELOCK ROAD TN34 1BP

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
-------------------------	--

Club premises certificate number	
----------------------------------	--

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

SIA DOOR SUPERVISOR BE ON DUTY

Please describe the nature of the premises below. (Please read note 4)

FAST FOOD TAKE AWAY

Please describe the nature of the event below. (Please read note 5)

--

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
25-12-21 / 27-12-21 / 1-1-22		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
03.00 - 05.00 02.00 - 05.00 03.00 - 05.00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		61
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)</p>
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4. Personal licence holders (Please read note 13)			
Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	HASTINGS BROUGH COUNCIL		
Licence number	H031091		
Date of issue			
Date of expiry	05/03/2025		
Any further relevant details			

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 16)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)	
The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	9-12-2021
Name of Person signing	CAGLAR KANIK.

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	KANIK.		
Forenames	CAGLAR.		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
7. Other contact details			
Telephone numbers Daytime	[REDACTED]		
Evening (optional)	[REDACTED]		
Mobile (optional)	[REDACTED]		
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

TEN 3454.
IM 202107968

27/12/2021.

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
FLAMES GRILL	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
SIA SUPERVISOR BE ON DUTY	
Please describe the nature of the premises below. (Please read note 4)	
FAST FOOD TAKE AWAY.	
Please describe the nature of the event below. (Please read note 5)	

--

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
27-12-21		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
03.00 - 05.00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		
61		
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p>
--

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number	14031091	
Date of issue		
Any further relevant details	05/03/2025-	

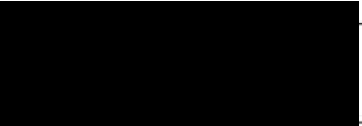
5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
--	---------------------------------	---

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	10-12-21
Name of Person signing	CAGLAR KANIK

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	KANIK.		
Forenames	CAGLAR.		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town			Postcode
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

TEL 3503/22

WV202107970.

01/01/2022.

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
<p style="text-align: center;">FLAMES GRILL</p> <p style="text-align: center;">19 HAVELOCK ROAD TN34 1BP.</p>	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
<p style="text-align: center;">SIA SUPERVISOR BE ON DUTY</p>	
Please describe the nature of the premises below. (Please read note 4)	
<p style="text-align: center;">FAST FOOD TAKE AWAY.</p>	
Please describe the nature of the event below. (Please read note 5)	

--

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
01-01-2022.		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
03.00 - 05.00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		
61		
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p>
--

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number	H031091	
Date of issue		
Any further relevant details	05/03/2025	

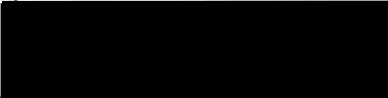
5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
---	---------------------------------	---

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	10-12-21
Name of Person signing	CAGLAR KANIK

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

PREMISES LICENCE

Premises licence number

HOP50326

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description
FLAMES GRILL
19 HAVELOCK ROAD

Post Town
HASTINGS, EAST SUSSEX

Post Code
TN34 1BP

Telephone number 01424 716444

Where the licence is time limited the dates
 NONE

Licensable activities authorised by the licence

LATE NIGHT REFRESHMENT

The times the licence authorises the carrying out of licensable activities

MONDAY – WEDNESDAY	23.00 – 02.00
THURSDAY	23.00 – 04.00
FRIDAY & SATURDAY	23.00 – 04.00
SUNDAY	23.00 – 02.00 (SUNDAY PRECEDING BH MONDAY UNTIL 03.00)

The opening hours of the premises

MONDAY – WEDNESDAY	17.00 – 02.00
THURSDAY	17.00 – 04.00
FRIDAY & SATURDAY	17.00 – 04.00
SUNDAY	17.00 – 02.00 (SUNDAY PRECEDING BH MONDAY UNTIL 03.00)

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

NOT APPLICABLE

HASTINGS BOROUGH COUNCIL

Part 2

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

MR CAGLAR KANIK
19 HAVELOCK ROAD
HASTINGS,
EAST SUSSEX
TN34 1BP

(Licence holder address amended 10th August 2017)
(Variation refused 10th December 2012)
(Variation refused 17th December 2009)
(Variation refused 23rd August 2010)
(Consent order 23rd December 2010)
(Transfer on 1st July 2011)

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

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

NOT APPLICABLE

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

NOT APPLICABLE

HASTINGS BOROUGH COUNCIL**Annex 1 – Mandatory Conditions****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

Annex 2 – Conditions consistent with the operating schedule

General

Close supervision with licence holder on premises most late hours.

The prevention of crime & disorder

To ensure the CCTV system installed, covering the takeaway area, is operational during trading hours and maintained.

To ensure the CCTV tapes / recorded images are stored and retained for 28 days and access is available to the police and licensing authority at reasonable times.

On 23rd December 2010 a consent order was granted by Hastings Magistrates Court, duly signed by both parties with the following conditions agreed by the premises licence holder:- On Thursday, Friday and Saturday evenings a SIA registered door supervisor is employed between the hours of 12.00 (midnight) and 04.00 hours to limit the number of persons on the premises and to ensure that members of the public leave the premises in a quiet and orderly manner at the end of Licensable Hours. See Annex 3 – Consent Order.

Public safety

To comply with health & safety legislation.

To ensure the fire extinguishers are checked regularly and serviced annually.

To ensure the first aid kit is maintained and available for use.

The prevention of public nuisance

To ensure the refuse / waste is stored in a skip at the rear of the premises and collected twice weekly.

The proprietor shall provide & maintain suitable & sufficient litter bin(s) outside the premises during opening hours and shall, at the close of business each night, cause the street to be checked for and cleared of all litter that may have arisen as a consequence of the business. These measures may be undertaken in conjunction with the proprietors of other similar establishments in the vicinity.

On 23rd December 2010 a consent order was granted by Hastings Magistrates Court, duly signed by both parties with the following conditions agreed by the premises licence holder:- On Thursday, Friday and Saturday evenings a SIA registered door supervisor is employed between the hours of 12.00 (midnight) and 04.00 hours to limit the number of persons on the premises and to ensure that members of the public leave the premises in a quiet and orderly manner at the end of Licensable Hours.

The protection of children from harm

No children under 15 years permitted without adult supervision.

HASTINGS BOROUGH COUNCIL

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

DATE OF HEARING: 10 December 2012

LICENSING SUB-COMMITTEE Cllr Wilson (Chair), Cllr Webb and Cllr Poole

REFUSE

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

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

On balance, the Sub-Committee DOES NOT ACCEPT the evidence provided in support of the application and therefore the application fails to satisfy the principal material considerations.

We REFUSE the application for the following reasons:

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

The applicant's operating schedule does not rebut the presumption that the granting of this application undermines the licensing objectives, in particular the Prevention of Crime and Disorder and Public Nuisance.

This is a legal requirement and is up to the applicant to discharge. He has failed to do so.

The Committee have had regard to its own policy and the guidance issued by the Secretary of State in April 2012.

HASTINGS BOROUGH COUNCIL

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

APPEAL HEARING – HASTINGS MAGISTRATES DATE OF HEARING: 23 DECEMBER 2010.

SUSSEX EASTERN (HASTINGS) MAGISTRATES COURT

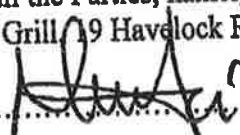
CONSENT ORDER

It is hereby Ordered that that the Premise Licence of the Premises known as Flames Grill, 19 Havelock Road, Hastings be amended to state that the hours of opening time to the public during which late night refreshment could be provided will cease at 02.00 hours on Monday, Tuesday and Wednesday nights, 04.00 on Thursday nights and 02.00 hours on Sunday nights.

It is hereby Ordered that the following Condition be entered on the Premise Licence of the Premises known as Flames Grill, 19 Havelock Road, Hastings

On Thursday, Friday and Saturday evenings a SIA registered door supervisor is employed between the hours of 12.00 and 04.00 hours to limit the number of persons on the premises and to ensure that members of the public leave the premises in a quiet and orderly manner at the end of Licensable Hours.

By Agreement of all the Parties, namely Hastings Borough Council and the Licensee, Mr Kanik, Flames Grill, 19 Havelock Road.

Licence Holder..........
Mr Kanik

Hastings Borough Council
Authorised Signatory.....

for Clerk to the Justices.....

Date 23rd December 2010

HASTINGS BOROUGH COUNCIL

Annex 4 – Plans (Plan amended August 2017)

Do not add to this drawing. All dimensions to be checked prior to construction of work.

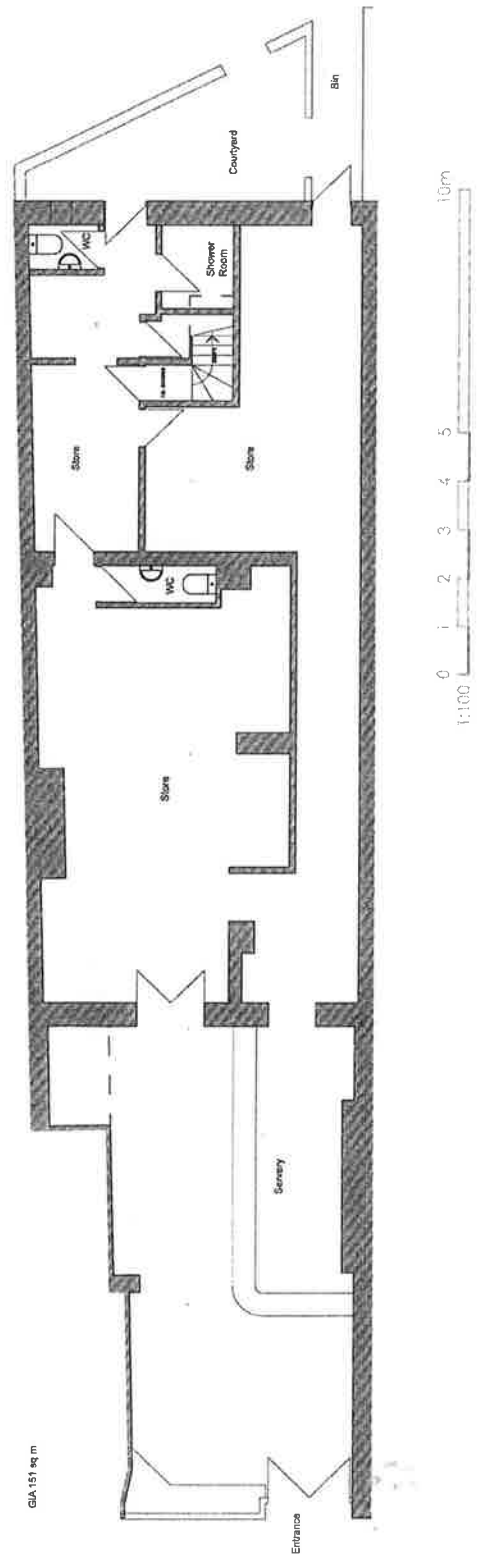
ACC
Asset Construction Consult
 Chartered Building Surveyors
 1 Ditchford Road, East Sussex, TN38 8TQ
 43a Havelock Road, Hailsham, East Sussex, TN24 1BE
 Tel: 01424 853754 Fax: 01424 851171
 www.assetconstructionconsult.co.uk

TITLE
 Existing Plan
 Existing Plan

CLIENT
 Flames Grill

ADDRESS
 Flames Grill
 19 Havelock Road
 Hastings
 East Sussex TN34 1BP

DRAWING NO 17-6064-01
SCALE@A3 1:100
DATE August 2017
ISSUE



GIA 151 sq m

GROUND FLOOR PLAN

IN THE HASTINGS MAGISTRATES COURT

CASE NUMBER 472100077350

CAGLAR KANIK (The Appellant)

V

HASTINGS BOROUGH COUNCIL (The Respondent)

CONSENT ORDER

1. UPON the parties having agreed terms.
2. BY CONSENT, it is ordered that:

2.1 The decision of Hastings Borough Council in the review of the Premises Licence for Flames Grill, 19 Havelock Road, Hastings, East Sussex TN34 1BP (Premises Licence Number: HOP50326) on the 12th February 2020 is substituted for the following:

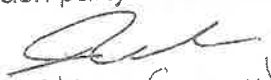
The licence is modified to include the following conditions:

- a. CCTV: Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System operated and maintained throughout the premises internally and externally 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.
- b. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times
- c. CCTV footage will be stored for a minimum of 28 days
- d. 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 and alleged crime
- e. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy


- f. 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
- g. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable
- h. Two SIA registered door staff will be employed at the premises from 23.00hrs until half an hour after the premises has closed on Thursday, Friday and Saturday's plus Bank Holidays, New Year's Eve, public holidays and at any time when a temporary event notice is in operation.
- i. An incident report will be kept and maintained at the premises and made available for inspection by police officers and local authority officers on request. This book shall be solely used for the purpose of recording incidents
- j. A refusal register will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request.
- k. The opening hours of the premises to be;
Sunday to Wednesday 17.00 to 02.00hrs, Thursday to Saturday 17.00 to 03.00hrs Sunday preceding a BH Monday 17.00 to 03.00hrs
- l. Late night refreshment hours to be;
Sunday to Wednesday 23.00 to 02.00hrs. Thursday to Saturday 23.00 to 03.00hrs, Sunday preceding a BH Monday 23.00 to 03.00hrs

2.2 The hearing listed at Hastings Magistrates Court for 9th December 2021 is vacated.

2.3 Each party is to be liable for its own costs.

Signed: 
On behalf of Caglar Kanik
(Appellant)
Dated:

Partee
BDG LLW

Signed: 
On behalf of Hastings Borough Council
(Respondent)
Dated: 09/12/2021


9-12-21



Sussex Police
Serving Sussex

www.sussex.police.uk

East Sussex Licensing Team

14th December 2021

Senior Licensing Officer
Licensing
Environment & Place
Hastings Borough Council
Muriel Matters House
Breeds Place
Hastings,
TN34 3UY

Dear Mr Scrase,

RE; TEMPORARY EVENT NOTICE (TEN) x 3 for Flames Grill, 19 Havelock Road Hastings East Sussex. TN34 1BP. NOTICE OF OBJECTION under Section 104 (2) of the Licensing Act 2003

Notice of objection is hereby given on behalf of the Chief Officer of Police for Sussex for the above TEN'S on the grounds of the licensing objectives of prevention of crime and disorder, public nuisance and public safety not being promoted.

We received 1 Late TEN on Friday 10th December 2021 for 25th December 2021. We also received 2 further TEN'S on Monday 13th December for 27th December 2021 and 1st January 2022. All the TEN'S seeks to licence late night refreshments between the hours of 0300-0500.

Sussex Police has seen an increase in violence in the night time economy since lock down was lifted earlier this year. There is also the added concerns of violence against women and girls with an increase in suspected spiking incidents. Recently Sussex Police obtained up to date crime statistics to see if we had enough evidence to support the continuation of the Cumulative Impact Policy (CIP) which is currently under consultation. The results highlighted there was very much a need to continue with the CIP and therefore we fully support its continuation. Our records show that Havelock Road is within the Hastings Cumulative Impact Policy.

The Castle Ward has the fourth highest public place violence rate in Sussex. Crime is at its highest during the night time economy during week days as well as weekends. Overall we have seen an increase of approximately 49% of public place violent crimes in the Castle Ward.

East Sussex Licensing Team

Police Station, North Trade Road, Battle,
East Sussex TN33 0EX

Sussex Police reviewed the premises licence for this premises in December 2019 and the hearing took place on 13th February 2020. On 13th February 2020 the Licensing Sub Committee made a decision to impose a number of conditions on to the premises licence and to reduce the operating hours by one hour meaning they had to close from 0300hrs. The premises appealed the decision and the matter was due in court on 9th December 2021. On the 8th December 2021, a settlement was reached and the Local authority allowed the reduction of hours SIA needed to be at the premises. The agreement was to allow SIA to be at the premises from 2300hrs as opposed to 2100hrs.

The premises does not sell alcohol but we have proven in the past they suffer from those who are intoxicated leaving nearby premises. Being allowed to increase their hours at such a busy time of the year, we believe will only increase the risk of crime and disorder and public safety for not only the public but also for the staff.

Allowing premises to increase the operational hours whilst crime rates are so high, would not only add to the increase in crime and disorder but also add pressure to the emergency services. Therefore, the Chief Officer of Police contends that permitting TEN to be used in accordance with the notice is likely to undermine the licensing objectives of the prevention of crime and disorder, public nuisance and public safety.

Yours sincerely,



Insp Tombling
Licensing Inspector
East Sussex Licensing Team
Sussex Police

Please address all future correspondence to Licensing Officer Kirstie Rolfe, email; kirstie.j.rolfe@sussex.pnn.police.uk and EastSussex.Licensing@sussex.pnn.police.uk

Licensing Police Staff are currently working from home, email is the preferred method of communication.

Closing times licensed public houses / licensed premises in Castle Ward, Hastings.

MODA, Queens Road	05.00 hours.
Clarence, Middle Street	Friday 02.30 / Saturday 03.00 / Christmas Eve 03.00
John Logie Baird, Havelock Road	02.00
The Brass, Havelock Road	Friday & Saturday 04.00
Havelock, Havelock Road	Friday 02.00 / Saturday 03.00 / Christmas Eve 03.00
Crypt, Robertson Street	Friday & Saturday 03.30 / Christmas Eve 04.00
Yates, Robertson Street	Friday & Saturday 03.30
South Star, Robertson Street	Friday & Saturday 02.00
Tin Tins, Robertson Street	Friday & Saturday 03.30
Owl & Pussycat, Robertson Street	03.00
Trinity Townhouse, Claremont	Friday & Saturday 02.30
Printworks, Claremont	Friday & Saturday & Christmas Eve 03.30
Pigs Palace, White Rock	Friday & Saturday 02.30
Club XS, Prospect Place	06.00.

Late Night Refreshment / Takeaways.

Erol's Kebab, 194 Queens Road	Sunday to Thursday Friday & Saturday Bank Holidays	Midnight, 02.30 02.30
KFC, York Buildings.	Monday – Sunday	Midnight.
Oregano Leaf Pizza, 78 Queens Road	Sunday to Wednesday Thursday to Saturday	01.00 03.00

Scoffers, Claremont	Monday to Sunday	05.00.
Smiffy's Chippy, Robertson Street	Monday to Sunday	05.00
Super Pizza, White Rock	Sunday to Thursday	02.00
	Friday & Saturday	04.00
	New Years Eve	04.00



Title:

Flames Grill, 19 Havelock Road, Hastings.

Scale: 1:1250

Date: 15 / 12 / 2021



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