

Public Document Pack
Licensing Sub Committee Agenda

Thursday, 23 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.

For further information, please contact Democratic Services on 01424 451719 or email
democraticservices@hastings.gov.uk

		Page No.
Members of the Licensing Sub Committee to sit on this hearing are:		
Councillors Cox, Roberts and Patmore with Councillor Rankin in reserve.		
1.	Appointment of Chair for this Meeting	
2.	Apologies for absence	
3.	Declarations of Interest	
4.	Notification of Additional Urgent Items	
PROCEDURAL NOTE- Temporary Event Notice		
5.	Application for a Temporary Events Notice, with an objection. Dragon Bar, 71 George Street, Hastings	3 - 26
6.	Additional urgent items (if any)	

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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 5



Report to: Licensing Sub-Committee.

Date of Meeting: 23rd December 2021. 10.00 hours.

**Report Title: Application for a Temporary Events Notice, with an objection.
Dragon Bar, 71 George Street, Hastings.**

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

Purpose of Report

To consider an Objection Notice to a Temporary Event Notice (TEN) served on behalf of Dragon Bar, 71 George Street, Hastings, TN34 3EE. Responsible Authorities. One.

Recommendation(s)

- 1. The Sub-Committee considers the Temporary Event Notice 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 8th December 2021, Hastings Borough Council was served a Temporary Events Notice in respect of **Dragon Bar, 71 George Street, Hastings, TN34 3EE. (Attached at Appendix A).**
3. This premise holds a licence to operate until 23.30hrs under the Licensing Act 2003(**Attached at Appendix B**), The premise is located within Area 2 (Hastings Old Town) of the Council Special Saturation Policy (Cumulative Impact).

2.0 Application

4. The TEN application requests the following:

31st December 2021 23.00 hours until 02.00 hours on the following day, the 1st January 2022, for the public, then until 04.00 hours for staff and family.

3.0 Consultation

5. 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. A copy of the Police objection notice to the TEN, which was received on 13th December 2021, is attached at **Appendix C**. Environmental Protection have not made any representations.
6. 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. Copies of the application are required to be served on a list of responsible authorities at the same time as placing the application before the local authority, this has been done.

4.0 Legal Considerations

7. 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.
8. 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.

9. Paragraph 7.28 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.
10. 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. 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.
11. 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.
12. All members of the Licensing Committee have been supplied with copies of the DCMS Government guidance and the Hastings Borough Council Statement of Licensing Policy.
13. 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, the applicant has a right of appeal to the Magistrates’ Court within 21 days but no later than five working days before the day on which the event period specified in the temporary event notice begins. There is also a right of appeal to conditions imposed as a result of the hearing by any person affected by the decision.

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

Old Hastings 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 Letter of Objection.
Appendix D. Location map.

Officer to Contact

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

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	<input checked="" type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other (please state)		
Surname	PIGGOTT		
Forenames	PATRICK JOSEPH		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	<input type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> 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)			
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)			
Post town		Postcode	

31/12/2021 - 01/01/2022
 UK 202107856
 TEN 3450

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)

71 GEORGE STREET
TN34 3EE
DRAGON BAR

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	HOP50292
Club premises certificate number	5361238

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)

X

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

RESTARAUNT - BAR

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

NEW YEARS EVE CELEBRATIONS

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 checked="" 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 checked="" type="checkbox"/>	
The provision of regulated entertainment	<input checked="" 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 checked="" type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
31.12.21 - 01.01.22		
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)		
TO PUBLIC 02:00 AM 1.01.22 TO STAFF & FAMILY 04:00 AM 1.01.22		
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)		
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"/>
100 PEOPLE MAX		

<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> <p>DJ LIVE & REG MUSIC 02:00 AM 01.01.22</p>


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 BOROUGH COUNCIL	
Licence number	HO 20296	
Date of issue		
Date of expiry	25-10-05	
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 type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input 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 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 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 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 type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input 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)	
<p>The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:</p> <p>(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</p> <p>(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.</p>	
Signature	
Date	07.12.21
Name of Person signing	PATRICK PIGGOTT.

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	

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PREMISES LICENCE

Premises licence number

HOP50292

Part 1 – Premises details

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

DRAGON BARS LIMITED
71 GEORGE STREET

Post Town
HASTINGS, EAST SUSSEX

Post Code
TN34 3EE

Telephone number 01424 423688

Where the licence is time limited the dates
NOT APPLICABLE

Licensable activities authorised by the licence

RECORDED MUSIC
SUPPLY OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

RECORDED MUSIC:	MONDAY-SATURDAY: 11:00-23:30
	SUNDAY: 11:00-22:30
SUPPLY OF ALCOHOL:	MONDAY-SATURDAY: 11:00-23:00
	SUNDAY: 11:00-22:30

The opening hours of the premises

MONDAY-SATURDAY: 11:00-23:30
SUNDAY: 11:00-23:00

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

SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION BOTH ON AND OFF THE PREMISES

HASTINGS BOROUGH COUNCIL

Part 2

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

DRAGON BARS LIMITED
T/A DRAGON BAR
71 GEORGE STREET
HASTINGS
EAST SUSSEX
TN34 3EE
01424 423688

**(Review of premises licence 11th August 2009. Appeal hearing 4th December 2009)
(Licence issued 16th December 2009).**

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

5361238

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

PATRICK JOSEPH PIGGOTT

[REDACTED]

(Change of address 16th July 2020)

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: HO 20296

ISSUING AUTHORITY: HASTINGS BOROUGH COUNCIL

HASTINGS BOROUGH COUNCIL**Annex 1 – 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).

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Annex 1 – 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

Annex 1 – 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.

HASTINGS BOROUGH COUNCIL

Annex 2 – Conditions consistent with the operating schedule

GENERAL

Following review on 26th June 2009, additional conditions were imposed. See Annex 3 following.

Comply with the requirements of the Licensing Act 2003.

Ensure all staff are trained in Licensing Law.

THE PREVENTION OF CRIME AND DISORDER

Following review on 26th June 2009, additional conditions were imposed. See Annex 3 following.

Ensure that the zero tolerance in respect of illegal substances is operated within the premises.

Ensure staff do not serve persons who intoxicated or disruptive.

PUBLIC SAFETY

Following review on 26th June 2009, additional conditions were imposed. See Annex 3 following.

Ensure all fire exits, extinguishers and emergency exits are properly maintained and checked.

THE PREVENTION OF PUBLIC NUISANCE

Following review on 26th June 2009, additional conditions were imposed. See Annex 3 following.

Ensure staff monitor noise levels in the building to ensure disturbance is not caused to residents.

THE PROTECTION OF CHILDREN FROM HARM

Following review on 26th June 2009, additional conditions were imposed. See Annex 3 following.

Persons over 14yrs and under 18yrs are admitted only if accompanied by an adult and if they have entered for a meal and before 18.00hrs.

Ensure staff operate a “No ID No sale” policy in respect of age sensitive goods.

Ensure staff only accept photographic evidence as proof of age.

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

**PREMISES: REVIEW OF A PREMISES LICENCE –
DRAGON BAR, 71 GEORGE STREET, HASTINGS**

DATE OF HEARING: 11 AUGUST 2009

LICENSING REVIEW

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**

RESOLVED (unanimously) that the application be GRANTED subject to the following conditions:

- 1. Noise from music and patrons on the premises (including the outside area having a Highways Permit) shall be no more than barely audible within any neighbouring residential premises at any time as perceived by an authorised officer of Hastings Borough Council and not at all after 23:00 hours;**
- 2. (AMENDED AT APPEAL HEARING ON 4th DECEMBER 2009) Use of plastic glasses (polycarbonate or similar) within the permitted highway area outside the premises after 21:00 hours on Friday and Saturday and after 14:00 hours on Bank Holiday Saturdays, Sundays and Mondays and special occasions as listed by Hastings Borough Council (for example Carnival);**
- 3. Challenge 25 to replace current Challenge 21 Policy;**
- 4. Street furniture to be folding or stackable for storage in pub overnight;**
- 5. Personal Licence Holder to be supervising sales in person after 21:00 hours on Friday and Saturdays and after 14:00 hours on Bank Holiday Saturdays, Sundays and Mondays and special occasions as listed by Hastings Borough Council (for example Carnival);**
- 6. Personal Licence Holder to supervise activity with the permitted drinking area in George Street after 21:00 hours on Friday and Saturday and after 14:00 hours on Bank Holiday Saturdays, Sundays and Mondays and special occasions as listed by Hastings Borough Council (for example Carnival);**
- 7. On May Bank Holiday celebrations street furniture will not be placed on the highway permit areas or areas used by patrons, until the procession has passed;**
- 8. Consumption of alcoholic drink within the permitted area in George Street to cease at 22:00 hours;**
- 9. Customers not to be permitted to take alcoholic drink outside the designated permit area; and**

HASTINGS BOROUGH COUNCIL

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

10. A working log to be maintained as to all incidents (such as ejections, refusals, searches, drug seizures etc) which must be logged therein. The DPS to check the log not less than once per month, sign it off and where appropriate provide staff training on any issues arising.

The reason for this decision is as follows:

The Committee have listened very carefully to all the evidence put before it and have made their decision having regard to all the Licensing Objectives in particular the prevention of Crime and Disorder and prevention of Public Nuisance.

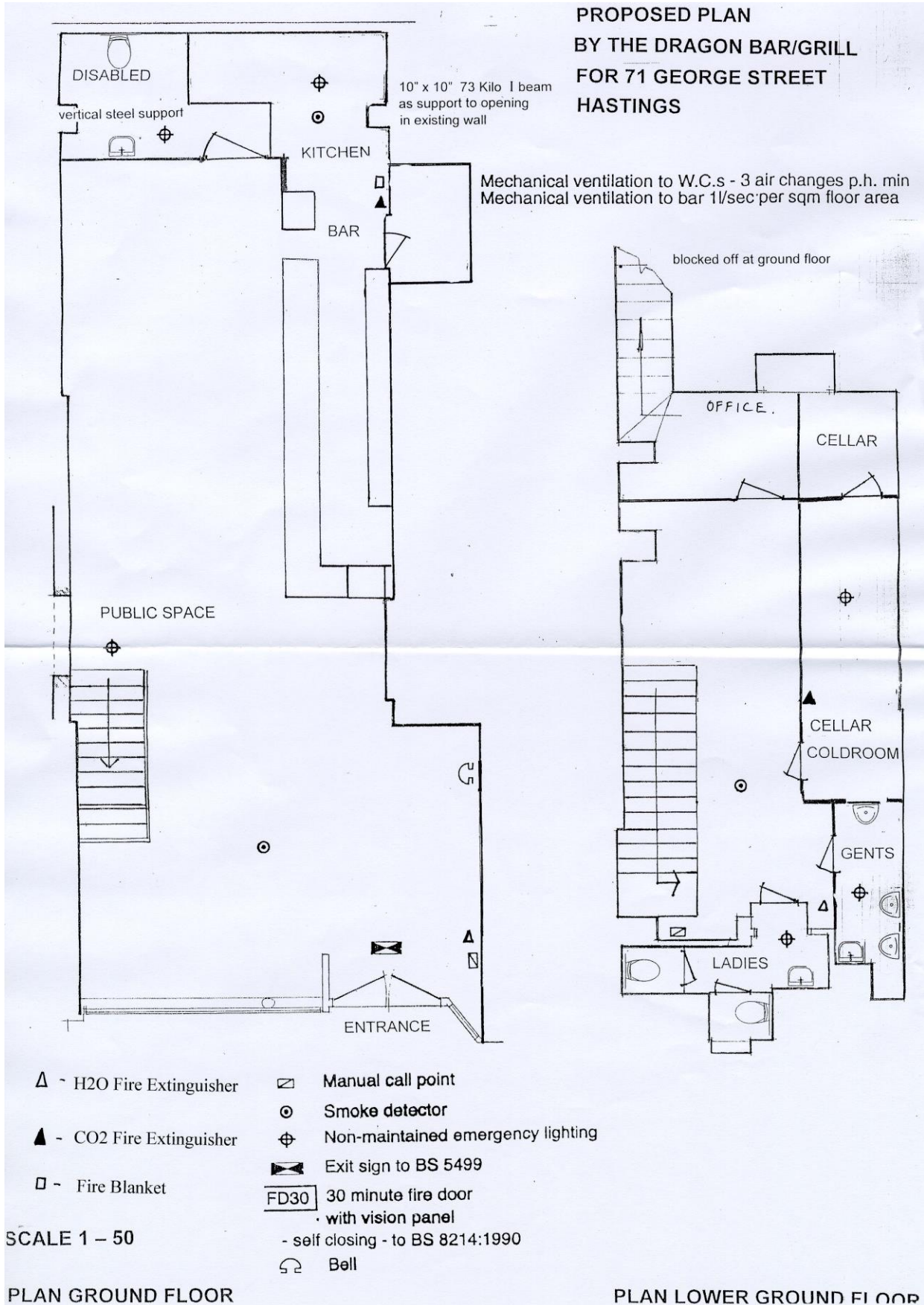
SPECIAL OCCASIONS LISTED BY HASTINGS BOROUGH COUNCIL.

For the purpose of this premises licence and to comply with the conditions above, the dates are listed as:-

- Hastings Carnival. (Procession day);
- Hastings Bonfire celebrations;
- May Day Bank Holiday Monday – Jack in the Green event & Biker May Day Rally..

HASTINGS BOROUGH COUNCIL

Annex 4 – Plans



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Sussex Police
Serving Sussex

www.sussex.police.uk

East Sussex Licensing Team

13th 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) FOR DRAGON BAR, 71 GEORGE STREET, HASTINGS, TN34 3EE
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 on the grounds of the licensing objectives of prevention of crime and disorder, public nuisance and public safety not being promoted.

The TEN was received on Friday 10th December 2021. The TEN seeks to licence the sale by retail of alcohol, supply of alcohol by or on behalf of a club, the provision of regulated entertainment and late night refreshments between the hours of 2330 – 0200 for the public and 2330 – 0400 for staff and family on the 1st January 2022.

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 which is currently under consultation.

Our records show that George Street, is within the Hastings Cumulative Impact Policy, this TENS application does not provide any information on how this policy will be achieved and as such undermines the licensing objectives of prevention of crime and disorder, public nuisance and public safety not being promoted. Recent crime data shows that George Street, has the highest crime rate within Old Hasting ward, with this premises being within the hot zone.

The application also implies that there will be illegal trading from 0200 – 0400 where members of the public will be excluded from the premises for a family / staff celebration.

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.

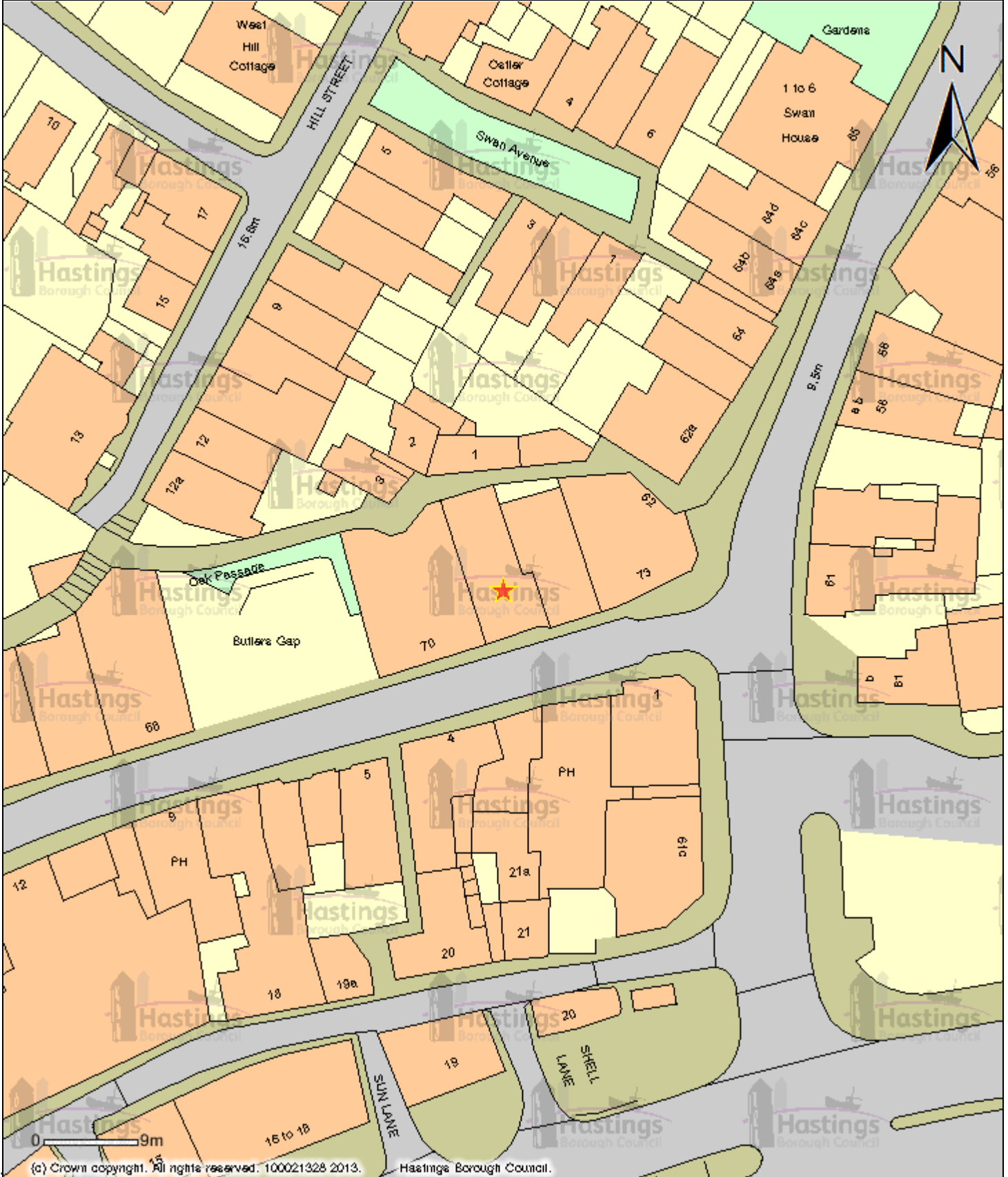
Yours sincerely,

A handwritten signature in black ink, appearing to be 'T. Tombling', written over a faint circular stamp.

Insp Tombling
Licensing Inspector
East Sussex

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.



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Title:

Dragon Bar, 71 George Street, Hastings.

Scale:

1:500

Date:

15 / 12 / 2021

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