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Local Policing Support Team

19th October 2017

Mr. B. Brown,
Licensing Manager, Licensing Team,
Hastings Borough Council,
Muriel Matters House,
Breeds Place,
Hastings, East Sussex TN34 3UY

RE: TEMPORARY EVENT NOTICE FOR THE PREMISES AT THE ROYAL VICTORIA HOTEL, MARINA, ST. LEONARDS-ON-SEA, EAST SUSSEX TN38 0BD

NOTICE OF OBJECTION under Section 104 (2) of the Licensing Act 2003

Dear Mr. Brown,

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the above Temporary Event Notice on the grounds of the Prevention of Crime and Disorder Licensing Objective.

The Notice, submitted by Mr. Woo Seung Shin and hand-delivered by him to Bexhill Police Station on 18th October 2017, is to permit the supply of alcohol from Thursday 2nd November 2017 to Monday 6th November 2017 between 11:00hrs and 23:00hrs daily.

Currently the hotel does not have a premises licence. On 22nd December 2016 the premises licence holders, Dr. Woo Seung Shin and Mrs. Sun Ok Shin, entered into a Partnership Voluntary Arrangement and, at the same time, into Individual Voluntary Arrangements with Purnell's Insolvency Practitioners in respect of the Royal Victoria Hotel. An 'Interim Authority Notice' was not submitted to the licensing authority within the 28 days specified under S. 47(2) or (b) of the Licensing Act 2003 and therefore the premises licence lapsed on or around 19th January 2017. Neither Dr. Shin nor Mrs. Shin informed the local authority and continued to supply alcohol.

On Tuesday 10th October 2017 a letter from Hastings Borough Council's licensing manager Mr. Brown to the premises licence holders was hand-delivered to the hotel. The letter advised that, as the premises licence had lapsed, licensable activities must not take place at the premises. The penalties for so doing were also set out in the letter.

At 21:50hrs on the same day two police officers visited the premises and were told that the first floor bar was open and customers were being served with alcohol. Dr. Shin stated that he had not read the letter delivered earlier in the day and therefore was unaware that he could not sell alcohol. One of the officers read the letter aloud to him and he subsequently closed the bar. A statement from one of the attending officers PC CB863 Bienvenu, is included in the evidence bundle which will be submitted prior to the hearing.

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Malling House Malling, Lewes, East Sussex, BN7 2DZ

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At 17:38hrs on Thursday 12th October 2017 PC Wilkes and police licensing officer Cathie Wolfe entered the premises, went upstairs to the first floor and saw that the bar was open and customers were being served with alcohol.

When Dr. Shin was spoken to, he said that he still had not seen the letter from Mr. Brown and professed not to understand his situation. It was pointed out to him that an officer had read the letter to him two days earlier but he denied that this had happened. He was interviewed by the officers and told he would be reported for committing three Licensing Act 2003 offences, namely S.136 Unauthorised licensable activities, S.137 Exposing alcohol for unauthorised sale and S.138 Keeping alcohol on premises for unauthorised sale.

On 13th October 2017 Sussex Police received a copy of a TEN applied for by Edward Shin who is Dr. Shin's son. The Notice, a late TEN, was to permit the supply of alcohol between 11:00hrs and 23:00hrs on Thursday 19th October 2017. As the Notice was served with less than five working days before the date of the event it did not comply with S.100A(3)(i) and was therefore rejected by the local authority licensing team.

On 16th October 2017 a second TEN was hand-delivered by Dr. Shin to Bexhill Police Station. The TEN was again in the name of Edward Shin and was to permit the supply of alcohol on 25th October 2017 between 11:00hrs and 23:00hrs. When this Notice and the earlier TEN were compared with other documents held by Sussex Police it was clearly evident that both Notices had been signed by Dr. Shin although the name of the person signing was given as Edward Shin.

By signing the TENs Dr. Shin made a false statement which is an offence under S.158(1)(c) and (3) of the Licensing Act 2003; Sussex Police will give consideration to prosecuting him for this offence as well as the other licensing offences referred to above.

On Tuesday 17th October 2017 Sussex Police received a copy of a Temporary Event Notice (TEN) hand-delivered and submitted by Dr. Shin to permit the supply of alcohol from Wednesday 25th October 2017 to Monday 30th October 2017 between 11:00hrs and 23:00hrs daily. As the Notice was served with less than ten working days prior to the start of the event, it constituted a late temporary event notice under S.100A(3)(i) of the Licensing Act 2003. Sussex Police objected to the Notice on the grounds of Crime and Disorder; a copy of the representation is included in the evidence bundle. A counter notice under S.104A(1) of the Act was issued by the licensing authority.

In addition to these recent matters, further research by Sussex Police shows that both Dr. Woo Seung Shin and Mrs. Sun Ok Shin were both declared bankrupt in Croydon County Court at 11:45hrs on 21st June 2011. No Interim Authority was applied for within the 28 days specified by the Licensing Act 2003 and therefore it seems that the premises licence numbered HOP 50296 lapsed on, or around 20th June 2011. Effectively then, Dr. Shin and Mrs. Shin have been carrying out unlicensed licensable activities for over six years.

Sussex Police contend that serious licensing offences have been committed by Dr. Shin, the applicant for the temporary event notice, and his wife Mrs. Shin, and therefore we invite the licensing committee to refuse the Notice.

I confirm that a copy of this letter has been sent to the applicant and yourself by first class post.

Yours sincerely,



Inspector Diane Lewis – Licensing Inspector Local Policing Support Team

