



**HBC Environmental Health**

**Review of a licensed premises under  
the Licensing Act 2003.**

**Royal George 31-32 Station Road,  
Hastings, TN341NJ**



# MEMORANDUM



Date: 20<sup>th</sup> December 2017  
From: Stewart Bryant BSc (Hons)  
To: Bob Brown, HBC Licensing Manager  
My Ref:  
Your Ref:

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**Application for a review of a licence premises under the Licensing Act 2003**  
**Address: The Royal George PH, 31-32 Station Road, Hastings, TN34 1NJ**

Dear Mr Brown

Under the licensing regime the role of the Environmental Health is to avoid the creation of situations where new licenses, by virtue of their proposed activities, their locations, or times of operation, give rise to a justifiable nuisance to local residents. In this respect the provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the general public from the effects of noise nuisance, however, as the DCMS guidance recognises these may not, by themselves, be sufficient to protect local residents.

Following complaints regarding noise from the above premises action was taken to serve a formal noise abatement notice following the witnessing of a breach of the Licence conditions and a statutory noise nuisance. After discussion it was decided that a review of the premises licence was required due to the unsuitability of the premises to hold live music and 'disco' type events that were causing neighbouring premises to be unable to enjoy the material use of their homes.

The licence premise is comprised of three storeys and is part of a terrace that adjoins Oakfield properties building at the top end of Station Road and the corner of the junction with Devonshire Road. The front entrance of the Royal George opens onto Station Road. The windows and doors to the premises are single glazed. Haig House, Devonshire Road, referred to later in the review papers is located directly adjacent to the Royal George separated by a small walkway between Haig House and the Royal George. The main source of complaints received by the council relating to disturbance from noise arises from the residents of Haig House, Devonshire Road, Hastings each of which are approximately 5 meters from the rear of the Royal George.

There is one other Licenced premises located nearby known as 'FLAIRZ' at the top of Havelock Road, however our records show there have been no recent complaints of public nuisance about Flairz from the public.

In general the area is predominantly residential, with the Priory Meadow shopping centre located 10 Meters to the East of the Premises (which is closed at night).



Having served review notification on the Premises Licence holder Mr Andrew Palmer, I received an email dated 5<sup>th</sup> December 2017 (**Document 10 attached**) from Mr Palmer alleging that I and/or The council have a vendetta against him. Of course this will be rebutted in the hearing and it should be noted that officers have acted within the law and via a graduated scheme of enforcement. It is the view of Environmental Health that the fabric of the building is not sufficient in terms of noise protection to hold loud music events and as such must act to protect the residents of neighbouring properties.

Yours sincerely



**Stewart Bryant BSc (Hons) Env Health GradCIEH, FRSPH**  
**Senior EHO, Lead Officer Env Protection**

## Hastings Borough Council

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

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I **Stewart E Bryant, Senior EHO, Lead Officer- Environmental Protection**

*(Insert name of applicant)*

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

#### Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
The Royal George PH 31-32 Station Road	
Post town HASTINGS	Post code (if known) TN34 1NJ

Name of premises licence holder or club holding club premises certificate (if known)
Mr Andrew Palmer C/O Hollington Oak PH 210 Wishing Tree Rd St Leonards on sea East Sussex

Number of premises licence or club premises certificate (if known)
HOP50033

#### Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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

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

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

Please tick ✓ yes

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

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  STEWART BRYANT BSc (Hons) FRSPH HASTINGS BOROUGH COUNCIL ENVIRONMENTAL HEALTH 3 <sup>RD</sup> FLOOR MURIEL MATTERS HOUSE BREEDS PLACE HASTINGS EAST SUSSEX TN343UY
Telephone number (if any) <b>01424 451078</b>
E-mail address (optional) ENVIRONMENTALHEALTH@HASTINGS.GOV.UK

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

- |   |                                     |                                 |
|---|-------------------------------------|---------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/>            | Please tick one or more boxes ✓ |
| 2) public safety                        | <input type="checkbox"/>            |                                 |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |                                 |
| 4) the protection of children from harm | <input type="checkbox"/>            |                                 |

**Please state the ground(s) for review (please read guidance note 2)**

**That, Mr Andrew Palmer as The Premises Licence Holder and Mr Andrew Palmer, as the Designated Premises Supervisor are failing to promote the licensing objective," the prevention of public nuisance".**

The conditions attached to the licence have been persistently breached in that noise and noise from music and customers who attend the premises impact on the nearby residents. Specifically:

- A. Music played on the premises shall be at such a volume as to be no more than barely audible on the opposite side of Station Road up until 23:00 hrs and inaudible after that time each day as perceived by an authorised officer of Hastings borough Council;**
- B. External tables and chairs shall be taken out of use by 23:00 hrs each day;**
- C. Patrons shall not be permitted to take any drinks outside after 23:00 hrs each day.**
- D. To ensure signs are displayed and maintained requesting customers to "Please leave quietly when departing and respect our neighbourhood."**
- E. To monitor customers when outside to ensure that this achieved.**

Noise from music and customers has been reported to be audible within residential premises by residents who live nearby, at the façade of nearby residential premises and on opposite side of Station Road, down into Queens Square by authorised officers of the council responding to complaints made to the councils out of hours service.

On the basis of the information gathered it has become necessary to initiate a review of the premises licence HOP50033, due to the ongoing non-compliance by the licence holder and designated supervisor. The grounds to support the application are set out below.



**Please provide as much information as possible to support the application (please read guidance note 3)**

## **APPENDIX 1**

### **Application for the review of the premises licence HOP50033 – The Royal George 31-32 Station road, Hastings , TN34 1NJ**

#### **Supporting Information**

##### **The Royal George (Previously ‘Franks Front Room’)**

The premises are comprised of three storeys and are part of a terrace that adjoins Oakfield properties building at the top end of Station Road and the corner of the junction with Devonshire Road. The front entrance of the Royal George opens onto Station Road. The windows and doors to the premises are single glazed. Haig House, Devonshire Road, referred to later in the review is located directly adjacent to the Royal George separated by a small walkway between Haig House and the Royal George. The main source of complaints received by the council relating to disturbance from noise arises from the residents of Haig House, Devonshire Road, Hastings each of which are approximately 5 meters from the rear of the Royal George. There is one other Licenced premises located nearby known as ‘FLAIRZ’ at the top of Havelock Road our records show there have been no recent complaints of public nuisance about Flairz from the public.

In general the area is predominantly residential, with the Priory Meadow shopping centre located 10 Meters to the East of the Premises (which is closed at night).

#### **Regulated Activity**

Regulated activity in the form of live and recorded music takes place on the ground floor at the front of the premises. There are three windows at the front of the premises and two doors leading out onto Station Road, all of which are single glazed.

## **Complaints**

Since the premises reopened in July 2017 under the current Premises Licence Holder, Mr Andrew Palmer as 'The Royal George'. There have been complaints made about excessive noise emanating from the premises.

I attach a sample of complaints that have been received by the council that have been recorded against the premises. I attached a list of complaints **(document 1)** received since 2017. The incidents report noise from loud music being audible in Haig House and Devonshire Road.

## **Noise Diary**

Complainants 'A' who reside at Haig House have submitted a diary of the noise coming from The Royal George. I attach a noise diary, **(document 2)** for the period 05/08/2017 to 26/08/2017. The diary describes the noise and how it affected the complainants and where in their homes the noise can be heard. The diary lists 4 occasions when the complainants reported being able to hear noise from loud live music and some recorded music as well as accompanied singing by customers inside The Royal George. The complainants further describe that the music could be heard on the opposite side of Station Road.

The diary records that music and noise from patrons of The Royal George can be heard at Haig House between the hours of 21:00 and 01:00am. The diary indicates that noise is also generated by customers standing on the opposite side of Station Road and that the doors to the premises were open.

**The description of the noise as set in the diary accords with the most recent statement provided by the complainant, (Document 3).**

**A further incident of loud music at the premises on 10<sup>th</sup> November 2017 was recorded by complainant A on a subsequent diary (Document 4) and was corroborated by an officer from the Council's out of hours**

**service a Noise abatement notice was then served on Andrew Palmer on the 14<sup>th</sup> November 2017 (document 6)**

### **Correspondence**

Following the original complaint from the 5<sup>th</sup> August 2017 a meeting with the Premises Licence Holder Mr. Andrew Palmer was undertaken by an officer from Hastings Borough Council's Environmental Health department in conjunction with two officers from HBC's Licencing department, on the 9<sup>th</sup> August 2017. During the discussion Mr. Palmer agreed to keep the doors to Station Road closed when live bands were due to perform and he was advised to monitor the noise all around the premises and log all details either by hand or on computer and to train staff to do the same. Mr. Palmer was also asked to restore the signage asking people to leave quickly and quietly after re-decoration.

Following an incident of loud music on 12<sup>th</sup> August 2017 a letter was sent to Mr. Palmer (**Document 5**). A further telephone message was left for Mr. Palmer on 18<sup>th</sup> August 2017, after receiving a message to contact him about the letter and he was informed that the case had been added to the Council's out of hours referral list in order for officers to decide if a noise nuisance is being committed or not.

The incident of 10<sup>th</sup> November 2017 resulted in a Noise Abatement Notice (**Document 6**) being served on Mr. Palmer on 14<sup>th</sup> November 2017 and a letter accompanying the notice outlined the possibility of a review of the licence also being perused. A further telephone conversation with Mr. Palmer on 15<sup>th</sup> November 2017 followed during which it was explained to Mr. Palmer that he needs to be aware of the restrictions imposed by the notice and he declared that he would cease music at the venue for the time being.

The letters and associated correspondence show that the licence holder has been informed of complaints received and in addition he has been offered advice and guidance.

## **Witness Statements**

To support the claims made by the occupants I have a witness statement from the Senior Environmental Health Officer Stewart Bryant, (**Document 7**).

On the 10<sup>th</sup> November 2017 the councils Senior Environmental Health Officer Stewart Bryant was called by the councils out of hours coordinator at 23:02 hours in relation to a reports from two residents of Haig house of noise disturbance in the form of loud music from The Royal George .The complainants reported that the level of volume was such that they could not go to bed and that the noise was also distressing one of the residents young baby, prior to phoning the councils out of hours service. Between the hours of 23:30 hours and 23:55 hours Stewart Bryant made observations from the top of Station Road, directly opposite the premises, the top end of Middle Street and within Queens Square. During the period of observation the officer witnessed and heard noise generated from premises at a volume in breach of the licencing conditions with increased volume as individuals entered or left the premises. The statement describes in detail the volume level and the small amount of patrons within the premises during the period.

## **The Principal Complainants**

### **The Residents of Haig House**

Haig House is residential accommodation formed of separate flats. As part of the investigation residents of the Haig House have regularly complained of being disturbed by noise from music from The Royal George since August 2017.

Specifically there have been persistent complaints from the occupants (**Document 8**) of one particular flat over a period of 3 months 'COMPLAINANT 'A'. The complainant has suffered sleep deprivation, which

affects his work.

An email Dated 11<sup>th</sup> November 2017 from COMPLAINANT 'A' sets out the issues affecting him and requests a formal review of the premises license.

### **Devonshire road**

The statement (**Document 9**) dated the 5<sup>th</sup> December 2017 from COMPLAINANT 'B', at Devonshire Road sets out the circumstances surrounding events during the period August 2017 – December 2017. The complainant's home is directly opposite The Royal George and is approximately 25 meters from the premises. The complainant reports being disturbed by noise from music and anti-social behaviour identified as coming from The Royal George, it is also reported that the police have attended the premises regarding fights outside The Royal George on several occasions in the last 6 months.

### **The Licence Holder and Designated Premises Supervisor**

The Licence Holder is Mr Andrew Palmer of the Hollington Oak Public House, Wishing Tree Road; St Leonards on Sea. He is also the DPS. Our records show that Andrew Palmer has been the premises licence holder since June 2017.

A designated premises supervisor (DPS) is an individual who holds a valid personal licence and is named on the premises licence which authorises the sale of retail alcohol. The DPS is the key person who will usually be charged with the day to day management of the premises by the premises licence holder.

The Licence holder Mr Palmer has a duty under the Licensing Act 2003 to promote all the licensing objectives one of which is the Prevention of Public Nuisance.

**The council have routinely corresponded with Palmer inviting comment including a meeting with the premises license holder, but at no time has Palmer engaged with Licencing or Environmental Health with regard to a formal strategy to resolve the issues of noise from music and customers.**

### **Summary**

In summary from the information collected over the previous months provides evidence that noise is generated through the playing of music on the premises (The Royal George) and customers who stand outside the premises. Noise escapes from the premises through the single glazed windows and doors and the structure of the building. The music is described as being accompanied by a heavy bass beat and noise from patrons outside the premises.

The licence holder has been offered advice from council to assist them with compliance with the current licence conditions. The licence holder / designated premises supervisor has not fully engaged with the council to resolve the complaints of public nuisance. Complaints continue to be received about noise from music and customers from the premises and the premises remains on the council emergency out of hours register for duty EHO's to attend if required.

### **Conclusion**

On the basis of the supporting evidence it is my opinion that due to the lack of the sound proofing measures currently in place, the current fabric of the building cannot prevent the escape of noise from the premises. There is evidence that noise from music escapes from the front entrance doors and ground floor windows and the rear of the premises. The supporting evidence

shows that noise from customers who stand outside the front of the premise and the music levels continue to disturb nearby residents.

Due to the age of the building and the current building fabric it is noted that the premises is not suited to either live or loud recorded music as the singled glazed window provide no attenuation of low frequency noise, when the licence was granted to the former licensee's at 'FRANKS FRONT ROOM' the premises was never intended for use as a disco or events involving loud amplified live bands. The condition relating to audibility was a significant reason why the licence at that time was granted, so that it could be controlled in the event of acoustic type performances. The premises has advertised a variety of up and coming events (**Photograph 1&2**)

It is possible for staff to alleviate noise from customers and background music can be kept to a level so as not to disturb nearby residents, whereby live and disco music may not. The evidence indicates that the underlying cause of the problems arising from the licensable activities is as a result of the lack of proper management and the fabric of the building.

The review does not seek revocation or suspension of the premises licence but I ask that the committee considers the recommendations as set out below.

### **Recommendations**

**It is requested that the committee considers the following:**

- Removal from the Licence of live and recorded music after the hour of 23:00 hrs Monday to Sunday.
- The licence should be conditioned as such to remove the exemptions under the Live Music Act 2012 to allow recorded and Live music (including unamplified music) at the premises between 08:00hrs and 23:00hrs.

- A Reduction in night time hours of operation as follows,
- Monday to Thursday from **00:30** hrs to **23:00** hrs
- Friday and Saturday from **00:30** hrs to **23:30** hrs.
- Sunday from **23:30** hrs to **23:00** hrs

Noise, music and patrons shall not be audible in any residential premises at any time.

**With the following conditions being attached to the revised licence:**

That the first sentence of Annex 2-condition 15 is amended to the following to read, noise and music arising from the premises shall not be audible in any residential premises. (Document 9 -Annex 3).

- Supervision shall be exercised on patrons at all times outside the premises in Station road/ Devonshire road to ensure they refrain from shouting, singing or other rowdy behaviour at any time and anyone failing to comply with a request to be quiet or to comply with the restriction shall be refused entry or re-entry to the premises or further service of drinks. From Monday to Thursday a responsible member of staff shall be in attendance in the vicinity of the exits and to assist with the dispersal 30 minutes after the licensable activity has ceased.
- A tamper-proof noise limiting device shall be installed (and maintained). All amplified equipment used at the premises must be connected through the said noise limiter. The volume level to be set, following agreement by an authorised officer of Hastings Borough council, Environmental Health.
- Persons using the front of the building, at Station Road and Devonshire Road shall not be permitted to take drink out with them.
- Where the premises operate with background music all doors and windows at the front and rear of the premises are to remain closed, save for access and egress.



- The premises will make available to local residents a contact number for the designated premises supervisor or representative so that any complaints can be dealt with promptly.

tick ✓ yes

Have you made an application for review relating to the premises before

Please

If yes please state the date of that application

Day Month Year

┆	┆	┆	┆	┆	┆	┆	┆
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**If you have made representations before relating to the premises please state what they were and when you made them**

tick ✓ yes

Please

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

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date **5<sup>th</sup> December 2017**

Capacity **Snr EHO / Lead Officer Environmental Protection HBC**

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)**

**Post town**

**Post Code**

**Telephone number (if any)**

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

## **Notes for Guidance**

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

**Property**

Address **The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ**  
 Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Area **D1 - Castle Ward**

**Worksheet**

Source \_\_\_\_\_  
 Name **[REDACTED]**  
 Address **[REDACTED]**  
 Home Tel \_\_\_\_\_ Work Tel \_\_\_\_\_ Mobile \_\_\_\_\_  
 Fax \_\_\_\_\_ Email **[REDACTED]**

Department **EH - Environmental Health** Date Recd **07/08/2017** Time **09:57**  
 Application **CPEH - Complaints - EH** Method **I - E-Mail**  
 Task Group **CNOI - Noise** Recd By **AJH - Amanda Holmes**  
 Task **CN13 - Noise Music** Source Type **S001 - Public**

Details **at 00.51 on Sunday August 6th A very loud rock concert at this pub concluded today on the stroke of midnight with a rowdy crowd on the premises, supplemented by passers by who joined in the raucous singing on the street. The rowdiness in the pub has now**

Message **transferred to the outside street with shouting and screaming**

Officer **EP - Env Protection Case Hold** Target \_\_\_\_\_ Actual \_\_\_\_\_  
 Time Taken \_\_\_\_\_ First Response **14/08/2017** **07/08/2017 10:02**  
 Next Task **214A - Diary Returned** Completed **05/09/2017**  
 Due **31/08/2017** Allocated **15/08/2017** Outcome \_\_\_\_\_

**References**  
 No references set up.

**Complaints**

Subject Details

Title	Initials	Telephone
First Name		Fax
Family Name		Email

Section \_\_\_\_\_  
 Offence \_\_\_\_\_ Statute \_\_\_\_\_  
 Purchase Date \_\_\_\_\_ Purchase Time \_\_\_\_\_  
 OFT (Product) \_\_\_\_\_ FSA Type \_\_\_\_\_  
 OFT (Condition) \_\_\_\_\_

**Previous Complaints** (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201708621	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708622	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708380	02/11/2017	See Remarks For Notes	Resp		EP
WK/201705906	03/09/2017	Royal George, Station road. Loud music still playing	Resp		EP
WK/201705421	18/08/2017	complaining of loud music from the Royal George Pub	Comp	061	JBA
WK/201705109	12/08/2017	complaining of a loud live band in 'The Royal George' !	Resp		JBA
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	JBA	07/08/2017				
9004 - Attachment	AJH	07/08/2017 10:02				
Comment e mail received						
9004 - Attachment	AJH	07/08/2017 10:05				
Comment Nuisance Diary With Guidance (NEW)						
9003 - WP Document	AJH	07/08/2017 10:06				
Comment Nuisance Pack Letter						
9004 - Attachment	JBA	07/08/2017 17:34				
Comment Email from BB in Licensing and reply from comp.						
9003 - WP Document	JBA	08/08/2017 11:13				
Comment Letter to Licence Properties						
9004 - Attachment	JBA	09/08/2017				
Comment Further reply from BB to comp.						
9004 - Attachment	JBA	09/08/2017				
Comment Timeline of licence changes at premises.						
NGX - File Note	JBA	09/08/2017 15:20				
Comment Visit to Royal George with BB and TS and spoke to Andrew Palmer the dps about the issues with last weekend he said that the noise was caused by people he had ejected gathering outside. He will keep the doors to Station Rd closed when there are groups on and advised him to monitor the noise al;l around the premises and log all details either by hand or on computer and to train staff to do the same. Signa asking people to leave quietly also need to be put back up after decorating.						
9004 - Attachment	JBA	10/08/2017				
Comment Further update to comp. from BB.						
9004 - Attachment	JBA	10/08/2017				
Comment Reply from comp.						
9004 - Attachment	AJH	30/08/2017 12:00				
Comment diary returned and attached						
214A - Diary Returned	JBA					31/08/2017

**User Defined Codes**

Energy Efficiency	Energy Efficiency 2
Skin Piercing Activity	Sex
Gender Identity	Age Group
Disability?	Sexual orientation
Ethnic Group	Citizenship
Gypsies/Travellers	Religious belief
Work Status	Dependants?
Marital Status	Made Decent?
Hazards Removed?	HMO Conditions
Dwellings improved	

**Remarks**

No remarks found.

**Related Addresses**

Address	Telephone	Type
No related addresses found.		

**User Defined Addresses**

No User Defined Addresses found.

**User Defined Text**

No User Defined Text found.

# Nuisance Diary Sheets



Hastings  
Borough Council

Please ensure **CLEAR AND LEGIBLE HANDWRITING AT ALL TIMES** Worksheet Reference: WK/201704810

Name(s) & address of person(s) affected:

Address of source of nuisance: THE ROYAL GEORGE, 31-32 STATION ROAD, HASTINGS TN34 1NT

Person Responsible (if known): THE LICENSEE BELIEVED TO BE MR. ANDREW PALMER

Day	Date	Time Started	Time Finished	Description of nuisance and how it affected you	Nuisance Level Distressing/ Bearable	Areas of property affected	Who else was affected by it on your property?
Mon	03/11/00	8.23pm	11.38pm	EXAMPLE	Bearable	Lounge	Visiting Relative
SAT To Sun	05/08/17	9.00AM	12.00AM	LIVE ROCK CONCERT BY THE KAVEMEN 9PM TILL MIDNIGHT	DISTRESSING	LOUNGE	
SAT To Sun	06/08/17			VERY LOUD MUSIC AUDIBLE ABOVE THE TV SOUND	NOISE ON THE STREET ON THE PUB GARDEN LEFT AT 01.00AM	bedroom	
SAT To Sun	12/08/17	9.00AM	12.04AM	VERY LOUD MUSIC AUDIBLE ABOVE THE TV SOUND	DISTRESSING	Lounge	
SAT To Sun	13/08/17			LIVE ROCK CONCERT BY DIARY HALLAY 9PM TILL 12.04		Lounge	
				VERY LOUD MUSIC AUDIBLE ABOVE THE TV SOUND		bedroom	
				PUB DOORS OPEN. EXCESSIVE NOISE ON OPPOSITE SIDE OF STATION ROAD IN DIRECTION OF PUB'S LICENSE.		Hallway	
Fri. To SAT.	18/08/17	9.00AM	12.21AM	LIVE CONCERT BY TWISTED DIVA 9AM TILL 12.21AM	DISTRESSING	Lounge	
Fri. To SAT.	19/08/17			LOUD, AUDIBLE ABOVE TV, AND ON OPPOSITE SIDE OF STATION ROAD, IN DIRECTION OF PUB'S LICENSE.		bedroom	
Fri To Sat.	25/08/17	9.00AM	12.15AM	LIVE CONCERT BY CUSHTY 9.00AM TILL 12.15AM	DISTRESSING	Lounge	
Fri To Sat.	26/08/17			ALLOWED BY RECORDS MUSIC UNTIL 01.00AM		bedroom	
				AUDIBLE ON OPPOSITE SIDE OF STATION ROAD IN DIRECTION OF PUB'S LICENSE.		Hallway	

# Nuisance Diary Sheets

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/ /									
/ /									
/ /									
/ /									

I/We Mrs Green certify that the records represent an accurate account of nuisance incidents.

I/ We understand that these records might be used as evidence and agree to provide a witness statement in support of any legal proceedings which Hastings Borough Council may take.

Signed [Signature] Date 26/8/17

Name(s) AIN GREEN



**From:** [REDACTED]  
**Sent:** 10 August 2017 14:08  
**To:** Bob Brown  
**Cc:** Trevor Scrase; John Ballam; Cllr Judy Rogers; Cllr Lee Clark; Cllr Colin Fitzgerald; Mike Hepworth; 'dawn.poole@hastings.gov.uk'; Mike Hepworth  
**Subject:** RE: Royal George PH . Breach of Licence.  
**Attachments:** Royal George Promotion.JPG

Mr Brown,

Thank you for your update.

I trust that following your visit to the Royal George the licensee now fully understands the conditions of his license and his obligations to show a responsible attitude to the concerns of the local community. It's just a pity that he wasn't fully versed in these conditions when he took over the pub, which may have averted the need for me to make a complaint and for HBC officials to visit his pub within a week of its re-opening.

His plans for a more food-led approach to the pub that he enlightened you with can't come quick enough. The food will help soak up all the cheap booze he is promoting in bulk quantity deals. I attach a photo of his latest promotion on posters filling the pub's street facing windows and chalked on blackboards on the outside of the pub.

In case you are unable to open the image, the poster says:

Dirty Thursdays  
 Just got dirtier at The Royal George  
 4 x Sambucas £5  
 Any spirit with post mix only £2  
 Fancy a Threesome???  
 Any 3 bottles of Bud, Stella or Corona  
 Only £6  
 Longman Best Bitter £2 a pint  
 Wadworth IPA 2.50 a pint

I wonder if the Mayor and the HBC department responsible for promoting Hastings are comfortable with the image presented by these promotions, visibly situated at the entrance to the Priory Meadow Shopping Mall, the main thoroughfare from the train and bus stations for visitors to Hastings, and the route for young foreign schoolkids from Sussex Coast College.

**From:** Bob Brown [<mailto:BBrown@hastings.gov.uk>]

**Sent:** 10 August 2017 10:11

**To:** [REDACTED]

**Cc:** Trevor Scrase <[TScrase@hastings.gov.uk](mailto:TScrase@hastings.gov.uk)>; John Ballam <[JBallam@hastings.gov.uk](mailto:JBallam@hastings.gov.uk)>; Cllr Judy Rogers <[cjr.judy.rogers@hastings.gov.uk](mailto:cjr.judy.rogers@hastings.gov.uk)>; Cllr Lee Clark <[cjr.lee.clark@hastings.gov.uk](mailto:cjr.lee.clark@hastings.gov.uk)>; Cllr Colin Fitzgerald <[cjr.colin.fitzgerald@hastings.gov.uk](mailto:cjr.colin.fitzgerald@hastings.gov.uk)>; Mike Hepworth <[MHepworth@hastings.gov.uk](mailto:MHepworth@hastings.gov.uk)>; 'dawn.poole@hastings.gov.uk' <[dawn.poole@hastings.gov.uk](mailto:dawn.poole@hastings.gov.uk)>; Mike Hepworth <[MHepworth@hastings.gov.uk](mailto:MHepworth@hastings.gov.uk)>

**Subject:** RE: Royal George PH . Breach of Licence.

As promised, colleagues from both licensing and environmental protection have met with the current

licence holder and DPS of the Royal George PH in response to your complaint. The full implications of the premises licence were discussed with the operator and clear guidance/instruction passed as how we would expect the premises to operate and not cause a disturbance to local residents. We all felt reassured by the Responses given by the operator and hopefully the matter will not surface again. It was also pleasing to note that improvements to the premises internally are progressing and ongoing and it was clearly explained that future plans will be more food led.

I must reiterate my earlier comments to you, should noise problems resurface they must be reported to our Environmental Protection team, using the "Out of hours" service if it is beyond normal working hours. Such reports build up an evidence case should it be needed for prosecution and give authorised officers the opportunity to witness the events that are being complained about.

Hopefully this early intervention by officers demonstrates our desire to resolve problems to the satisfaction of residents when they are identified.

Regards

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042

Note. My normal rota is Monday, Wednesday and Thursday.

[licensing@hastings.gov.uk](mailto:licensing@hastings.gov.uk)

[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

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**From:** Bob Brown  
**Sent:** 09 August 2017 09:18  
**To:** [REDACTED]  
**Cc:** Trevor Scrase; John Ballam; Cllr Judy Rogers; Cllr Lee Clark; Cllr Colin Fitzgerald; Mike Hepworth; [dawn.poole@hastings.gov.uk](mailto:dawn.poole@hastings.gov.uk)  
**Subject:** RE: Royal George PH . Breach of Licence.

[REDACTED]

I am sorry if that is how my reply came across that was not the intention, it was an attempt to give you a factual reply to your questions, as you, by your own words, admitted to being confused. You had clearly done some research into the legislation but that had not resolved your queries and had in fact caused more confusion.

The situation with premises licence transfers is usually a simple and seamless process, in this case it was not and has followed the (long) legal process properly.

When a transfer is notified to the Licensing authority it happens simultaneously and the premises can open immediately, provided a DPS is in place. The period of 14 days representation then starts, if the police object on crime grounds in that time scale a hearing has to be held within the next 20 working days. During this time the licence can remain in the new hands (and trade) until the committee is held and a decision made. If the decision is made to refuse the transfer, the premises licence refers back to the original licence holder and the premises closes and the process can start again.

A precis of the timeline is below for the Royal George PH, names have been removed to comply with data

protection.

9<sup>th</sup> January 2014. Premises closed but licence still live and held by a local Ltd Company.

10<sup>th</sup> March 2017. Existing Ltd company lease the premises to a new operator.

16<sup>th</sup> March 2017. Premises licence transferred to a new Ltd company, a director of which was the person you have referred to, Mr Lewis.

16<sup>th</sup> March 2017. New DPS, a lady, is put in place. She is known to this authority having worked at another property.

28<sup>th</sup> March 2017. Police lodge objection to transfer of premises licence.

24<sup>th</sup> April 2017. Transfer refused at committee and handed back to existing licence holder (Ltd company) Premises ceases trading.

28<sup>th</sup> April 2017. Existing Ltd company transfer the licence again, this time to the lady who was the DPS and is also going to be the new DPS as well.

16<sup>th</sup> May 2017. Lady withdraws her consent to be DPS on the premises, she also now notifies a transfer to new male operator who also applies to be the new DPS.(again someone who has been in the trade locally)

26<sup>th</sup> May 2017. Police object to the transfer.

27<sup>th</sup> June 2017. Hearing held and transfer refused and now reverted back to the lady existing holder.

27<sup>th</sup> June 2017. Lady transfers licence to the old existing Ltd company.

27<sup>th</sup> June 2017. Ltd company now transfers the licence to the current operator who is also the DPS.

Current position we are now working with Environmental protection to resolve your noise complaint with the current licence holder/DPS. I can assure you that at no time has this premises been trading without a licence or the appropriate DPS in position.

You will note that this one premises has given this department a lot of work in a very short time scale, somewhat to the detriment of the other 400 such licences we cover in the Borough.

Regards

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042

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[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

**From:** Colin Gurnshaw (mailto:Colin.Gurnshaw@hastings.gov.uk)

**Sent:** 07 August 2017 17:34

**To:** Bob Brown

**Cc:** Trevor Scrase; John Ballam; Cllr Judy Rogers; Cllr Lee Clark; Cllr Colin Fitzgerald; Mike Hepworth; [dawn.poole@hastings.gov.uk](mailto:dawn.poole@hastings.gov.uk)

**Subject:** RE: Royal George PH . Breach of Licence.

Mr Brown,

Thank you for your patronising and somewhat hostile response to a perfectly legitimate request for clarification on the process for approving license applications at HBC.

It is still unclear to me who was the DPS of the Royal George when it re-opened on 16<sup>th</sup> March, 2017, and who held the premises licence. The objection from Sussex Police to Mr. Lewis wasn't posted until 28<sup>th</sup> March, 2017. Which suggests that someone was operating the pub with a personal license during the intervening period. Or maybe it was operated without a license? In which case there seems to me to be a huge hole in the law, which perhaps should be referred to the Home Secretary.

Your 'well drilled' out of hours noise nuisance alert process is not really that comforting, if it means being regularly disturbed in the early hours of the morning and having to then make phone calls to your office. It took three years for the Zar Zar bar to have its licence revoked after repeated complaints about nuisance.

I don't detect any understanding of our concerns as neighbouring residents of this pub with a late night entertainment allowance that allows the playing of music until 1.30am. Only recognition (and support) of the rights of licensees and their businesses. So, in future, perhaps I need to take up my complaints with the police who may be more sympathetic, and whose visits to the premises may have more effect in getting the licensee to rethink his late night music policy.

**From:** Bob Brown [mailto:BBrown@hastings.gov.uk]

**Sent:** 07 August 2017 15:22

**To:** Colin Grimshaw [mailto:Colin.Grimshaw@war.com]

**Cc:** Trevor Scrase <TScrase@hastings.gov.uk>; John Ballam <JBallam@hastings.gov.uk>; Cllr Judy Rogers <cllr.judy.rogers@hastings.gov.uk>; Cllr Lee Clark <cllr.lee.clark@hastings.gov.uk>

**Subject:** RE: Royal George PH . Breach of Licence.

Mr Grimshaw,

I will try and answer your comments one at a time as you are clearly confused.

Under the Licensing act 2003 there are two different licences, one is a personal licence (This is required by persons who wish to serve alcohol and Act as Premises Designated premises Supervisor (DPS)) (all licensed premises selling Alcohol need one such person before alcohol can be sold). The second is a premises licence, this for a premises that can sell alcohol and have certain types of Regulated entertainment. It is what it says, a premises licence and is issued to the place, not the person.

The person you refer to was never granted a personal licence by HBC ( the information you refer to from the government site is about applying for a personal licence), Mr Lewis applied many years ago for such a licence and was refused due to our objections and those of the police because of his convictions. He did hold the premises licence for Zar Zar Bar, but was not the DPS, he employed someone else to fulfil that role.

The licence for that premises was reviewed by the police following several crime incidents, major changes to its conditions were added and Mr Lewis could not fulfil those requirements and he was eventually ejected from the premises by the freeholder. ( The premises never opened after the review) It is now under new management and a wine bar.

In the case of the Royal George PH, the licence for the premises has been held continually since its transfer from the court, it was the Court that granted it initially. The premises has closed several times since and changed hands but the licence has never been surrendered and therefore has remained in force, albeit with

a new operator. In these circumstances, it is all resolved by the transfer process and as I explained previously you as local resident (or us) have no say in that process, it is only the police.

As to the noise issues, we have a well drilled "out of hours" process managed by the environmental protection department, it needs persons to ring in, in order that authorised officers can witness the problems and take enforcement action. No such calls have been made to my knowledge.

**I did not say** that HBC cannot decline or challenge applications, only the transfer process for existing licences. All new application and variations go through a full representation period and we can challenge them along with other agencies or local residents.

The issue of irresponsible sales is again an area addressed by both the police and trading standards, however when I consider it alongside other such promotions around the Borough, I doubt it fits the criteria.

I am unable to convince you about the current owner, however we are aware of his previous history and have no reason to believe that he is in any way connected to Mr Lewis, who we know has now left the area.

I hope this assist you in your understanding of a large and complicated area of law. Should the problems sadly continue, hopefully you now understand the process of making complaints, this will assist officers to consider further action/prosecution.

Regards

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042  
Note. My normal rota is Monday, Wednesday and Thursday.  
[licensing@hastings.gov.uk](mailto:licensing@hastings.gov.uk)  
[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

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**From:** Colin Grimsshaw [mailto:Colin.Grimsshaw@warc.com]  
**Sent:** 07 August 2017 14:32  
**To:** Bob Brown  
**Cc:** Trevor Scrase; Cllr Judy Rogers; Cllr Lee Clark  
**Subject:** RE: Royal George PH . Breach of Licence.

Mr Brown,

Thank you for your email. I am confused as to the process for approving licence applications at HBC. Maybe you can provide some further clarification on the following.

The Gov.UK website on Alcohol Licencing Guidance says that:

*Your local council will want to know of any relevant criminal convictions, and these may impact on whether or not you're found to be suitable as a licensee. You will also need to provide a basic criminal conviction disclosure form.*

So, it surprises me that a license was granted by HBC to a convicted arsonist, who had quite recently had a

license taken away from him for another bar in the borough (I believe Zar Zar bar on Queen's Road) after several years' of multiple complaints from the police and public. In one incident a customer suffered a fractured skull I believe. And the licensee himself was arrested outside his bar in possession of a gun in another incident. This information is all publicly available in the police opposition to the granting of the license. If these aren't sufficient reasons to decline a new application to run a licensed premises, then I don't know what you have to do to be considered 'unsuitable'. Are you saying that HBC has no powers to decline a license application? That only the police can oppose an application after the license has been granted?

The Gov.UK guidance also states that:

*You can make representations or comments to the council about applications for new licenses, variations or reviews. Comments may be positive or negative, but will only be considered relevant by the council if they relate clearly to the licensing objectives: the prevention of crime and disorder; public safety; prevention of public nuisance; or the protection of children from harm.*

We neighbouring residents were never alerted to the application of a license for this pub which had been shut for three years. Had we been aware, we would have opposed the granting of a late night entertainment license that enables the playing of live music until 1am and recorded music until 1.30am, which, surely, constitutes 'public nuisance' to those living next door to this pub. What is the process at HBC for involving neighbours in such license applications?

As you point out in your email, the licensee was operating under his licensed hours with the playing of live rock music until midnight, and could have continued until 1am. So we have to suffer the inevitable noise disturbance. As I pointed out in my earlier email there are young children living in this block of apartments and someone who works early morning shifts.

The Gov.UK site also quotes the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014, which bans the sale of alcohol in irresponsible promotions. I am curious as to whether you think the posters that now fill the pub's windows promoting '4 shots of tequila for £5' are evidence of a responsible attitude to responsible drinking?

I look forward to receiving your clarification on the above.

Finally, you say that this licensee has no connection to the previous operator who was eventually refused a license after police objections. You may be right. I have no evidence to the contrary. I will merely point out a number of coincidences.

The pub, formerly known as Frank's Front Room, was shut for three years. The property was extensively marketed by local estate agents, but for three years they were unable to find anyone interested to buy it or rent it. Then along comes a person who has recently lost a license on a bar he owned and takes out a license on Frank's Front Room, renaming it The Royal George. There was no refurbishment of the pub, which is rather shabby to say the least. His marketing ploy was to advertise cheap lager and cider in hand written posters stuck to the pub windows. Then he has his license rescinded, and the license is transferred to a second person with no connection to the pub trade who after only a few weeks transfers it to a third person. The police then object to this third person's license and the pub closes down for a couple of months. Then the original applicant who has had his license rescinded, returns to the pub and sticks scrawled hand written posters on the pub windows advertising 'Business Opportunity: Call Nigel' with a mobile phone number. Within a week a fourth applicant turns up to your offices and takes out a license. The pub re-opens without any refurbishment with the same name, the same marketing ploy – hand written, scrawled posters promoting cheap booze - and what looks to me like the same clientele. I do wonder why the current licensee, who you say is already in the pub trade, didn't find this pub an interesting proposition before, during the three years it was shut.

**John Grimshaw**

**From:** Bob Brown [mailto:BBrown@hastings.gov.uk]

**Sent:** 07 August 2017 12:32

**To:** [REDACTED]

**Cc:** Trevor Scrase <TScrase@hastings.gov.uk>; Cllr Judy Rogers <cllr.judy.rogers@hastings.gov.uk>; Cllr Lee Clark <cllr.lee.clark@hastings.gov.uk>

**Subject:** Royal George PH . Breach of Licence.

[REDACTED]

Your e mail to one of my team (Mr Scrase) concerning the Royal George PH has been forwarded to me for investigation and reply.

I am sorry to hear of your problems with noise from the premises and as such intend to deal with this in three ways, 1. I have forwarded your complaint to the Council Environmental Protection team who deal with noise nuisance for their information and recording, they may make separate contact with you. 2. I will be visiting the premises with colleagues and discussing the complaint with the designated premises supervisor and Licence holder. 3. We will also take the opportunity to view the CCTV from the premises and our own town CCTV system to view, if possible, the street disturbance that you comment upon.

The licence breach that you refer to is in connection with noise escape, the premise does appear to have been operating within its licence hours.

In response to your comments about HBC's role in issuing licences, I think it important to clarify the way the Licensing Act 2003 works as you clearly have some misunderstandings.

This premises transferred its existing licence from the Magistrates court to HBC in 2005. It was then called the Priory PH.

In 2012 the premises became Franks Front Room, subsequently the premises closed for several years and earlier this year the licence holder has transferred it into new occupiers.(Now called The Royal George)

These licence transfers are normally administrative matters attracting no adverse comments. However in exceptional circumstances, only the Police have a period of 14 days in which to apply for the transfer to be challenged in a licensing committee on crime grounds. In this case they have done this on two occasions and on both the licence transfer has been stopped and the licence reverted back to the old holder.

The recent third transfer to the latest occupier was not challenged and the premises licence is correctly held. This person has no connection with the previous operator (the Mr Lewis you refer to). They are in fact a person who is already operating at another venue in the Borough and is fully licensed already. As to the persons frequenting the bar, he has limited ability to vet them and provided they do not cause the current licence holder a problem I am sure he will welcome trade.

The Borough has limited powers in respect of such transfers and cannot reject applications as you suggest, the law is very specific on our role and that of the police and yes in such circumstances we have to rely on them challenging applications, which to date they have done successfully.

Hopefully this explains the matter to you, I can assure you that we will Act upon supported evidence of licence breaches.

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.

TN34 3UY

01424 451042

Note. My normal rota is Monday, Wednesday and Thursday.

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**31 – 32 Station Road, Hastings.**

November 2005 - The Priory Pub. Punch Taverns granted premises licence in transition to the LA2003 - commenced 24<sup>th</sup> November 2005.

May 2007 - Transferred by Admiral Taverns.

June 2009 - Transferred by Priory (Sussex) Ltd. No DPS. Not trading. Under redevelopment.

Wk201127487 – 19<sup>th</sup> March 2012 – Transfer to Frank's Front Room Ltd.

Wk201127489 – 2<sup>nd</sup> April 2012 – Change of DPS to Mrs Geraldine Brooks.

Wk201127505 – 3<sup>rd</sup> April 2012 - Minor variation granted. Responded by Police and EH requesting additional conditions which were agreed. Premises commenced trading.

Wk201307778 – 9<sup>th</sup> January 2014 - Transfer back to Priory (Sussex) Ltd. Ceased trading and closed. Remained empty until next entry. Premises licence not surrendered. Premises licence suspended as annual fees not paid.

10<sup>th</sup> March 2017 – Annual fees of 3 x £180.00 = £540.00, paid in full by Priory (Sussex) Ltd.

Wk201616499 -16<sup>th</sup> March 2017. Priory (Sussex) Ltd transfer by Bar Hastings Ltd (Nigel Lewis).

Wk201616503 – 16<sup>th</sup> March 2017. Change of DPS by Bar Hastings Ltd (Nigel Lewis) with Hayley Heritage as DPS.

28<sup>th</sup> March 2017 - Police objection to transfer to Bar Hastings Ltd (Nigel Lewis).

24<sup>th</sup> April 2017 - Licensing sub-committee refused transfer to Bar Hastings Ltd (Nigel Lewis). Licence returned to Priory (Sussex) Ltd. This entry refers under Wk201616499.

Wk201701081 - 28<sup>th</sup> April 2017. Priory Sussex Ltd transfer to Hayley Heritage.

Wk201701085 – 28<sup>th</sup> April 2017. Change of DPS by Hayley Heritage as DPS.

16<sup>th</sup> May 2017 – Hayley Heritage withdrew her consent as the DPS. She signed a Consent to transfer to an associate of Nigel Lewis - Ian Tribe. She as the premises licence holder could have surrendered the premises licence but decided not to.

Wk201701771 – 16<sup>th</sup> May 2017 – Transfer to Ian Fredrick Tribe.

Wk201701772 – 16<sup>th</sup> May 2017 – Change of DPS by Ian Tribe as DPS.

26<sup>th</sup> May 2017 – Police objections to transfer to Ian Tribe.

27<sup>th</sup> June 2017. Licensing sub-committee hearing - following police objections, licensing sub-committee refused transfer to Ian Fredrick Tribe and returned premises licence to Hayley Heritage as previous licence holder.

Wk201704399 – 27<sup>th</sup> June 2017 - Transfer to Priory (Sussex) Ltd.

Wk201704400 – 27<sup>th</sup> June 2017 – Transfer to Andrew Palmer.

Wk201704403 – 27<sup>th</sup> June 2017 – Change of DPS by Andrew Palmer as DPS.

Please quote: WK/201704810  
Your reference:  
Date: 8th August 2017  
Please ask for: John Ballam  
Telephone direct: 01424 451079  
E-mail: [environmentalhealth@hastings.gov.uk](mailto:environmentalhealth@hastings.gov.uk)  
Web: [www.hastings.gov.uk](http://www.hastings.gov.uk)



**Environmental Health Team**  
Muriel Matters House  
Breeds Place, Hastings  
East Sussex, TN34 3UY

Ian Tribe  
The Royal George  
31-32 Station Road  
Hastings  
East Sussex  
TN34 1NJ

Dear Mr. Tribe

**ENVIRONMENTAL PROTECTION ACT 1990 – NOISE COMPLAINT**  
**ADDRESS: The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ,**

I regret that I have to draw your attention to a complaint received by this section about noise from the above premises.

The complaint relates to: Noise from loud music, as well as shouting and singing from patrons both inside and outside the premises. The incident was alleged to have taken place over Saturday night-Sunday morning, 5<sup>th</sup> – 6<sup>th</sup> August 2017.

If this is indeed the case, and I have no reason, presently, to doubt the information provided, I must advise you that any repetition is likely to constitute a statutory nuisance and result in a noise abatement notice being served on you. The effect of such a notice would be to make any further incident of nuisance an offence punishable, on conviction in the Magistrates Court, by a fine of up to £20,000.

Incidents of this nature could also result in a review of your licence being requested by those affected or this section under the provisions of the Licensing Act 2003.

I hope that, with your co-operation, neither course of action will become necessary.

If you wish to discuss this matter further please do not hesitate to contact me.

Yours sincerely

John Ballam  
Environmental Protection Officer





**From:** [REDACTED]  
**Sent:** 07 August 2017 17:34  
**To:** Bob Brown  
**Cc:** Trevor Scrase; John Ballam; Cllr Judy Rogers; Cllr Lee Clark; Cllr Colin Fitzgerald; Mike Hepworth; dawn.poole@hastings.gov.uk  
**Subject:** RE: Royal George PH . Breach of Licence.

Mr Brown,

Thank you for your patronising and somewhat hostile response to a perfectly legitimate request for clarification on the process for approving license applications at HBC.

It is still unclear to me who was the DPS of the Royal George when it re-opened on 16<sup>th</sup> March, 2017, and who held the premises licence. The objection from Sussex Police to Mr. Lewis wasn't posted until 28<sup>th</sup> March, 2017. Which suggests that someone was operating the pub with a personal license during the intervening period. Or maybe it was operated without a license? In which case there seems to me to be a huge hole in the law, which perhaps should be referred to the Home Secretary.

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I don't detect any understanding of our concerns as neighbouring residents of this pub with a late night entertainment allowance that allows the playing of music until 1.30am. Only recognition (and support) of the rights of licensees and their businesses. So, in future, perhaps I need to take up my complaints with the police who may be more sympathetic, and whose visits to the premises may have more effect in getting the licensee to rethink his late night music policy.

**From:** Bob Brown [mailto:BBrown@hastings.gov.uk]

**Sent:** 07 August 2017 15:22

**To:** [REDACTED]

**Cc:** Trevor Scrase <TScrase@hastings.gov.uk>; John Ballam <JBallam@hastings.gov.uk>; Cllr Judy Rogers <cllr.judy.rogers@hastings.gov.uk>; Cllr Lee Clark <cllr.lee.clark@hastings.gov.uk>

**Subject:** RE: Royal George PH . Breach of Licence.

I will try and answer your comments one at a time as you are clearly confused.

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from the premises by the freeholder. (The premises never opened after the review) It is now under new management and a wine bar.

In the case of the Royal George PH, the licence for the premises has been held continually since its transfer from the court, it was the Court that granted it initially. The premises has closed several times since and changed hands but the licence has never been surrendered and therefore has remained in force, albeit with a new operator. In these circumstances, it is all resolved by the transfer process and as I explained previously you as local resident (or us) have no say in that process, it is only the police.

As to the noise issues, we have a well drilled "out of hours" process managed by the environmental protection department, it needs persons to ring in, in order that authorised officers can witness the problems and take enforcement action. No such calls have been made to my knowledge.

**I did not say** that HBC cannot decline or challenge applications, only the transfer process for existing licences. All new application and variations go through a full representation period and we can challenge them along with other agencies or local residents.

The issue of irresponsible sales is again an area addressed by both the police and trading standards, however when I consider it alongside other such promotions around the Borough, I doubt it fits the criteria.

I am unable to convince you about the current owner, however we are aware of his previous history and have no reason to believe that he is in any way connected to Mr Lewis, who we know has now left the area.

I hope this assist you in your understanding of a large and complicated area of law. Should the problems sadly continue, hopefully you now understand the process of making complaints, this will assist officers to consider further action/prosecution.

Regards

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042

Note. My normal rota is Monday, Wednesday and Thursday.

[licensing@hastings.gov.uk](mailto:licensing@hastings.gov.uk)

[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

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**From:** Colin Grimshaw [mailto:Colin.Grimshaw@warC.com]

**Sent:** 07 August 2017 14:32

**To:** Bob Brown

**Cc:** Trevor Scrase; Cllr Judy Rogers; Cllr Lee Clark

**Subject:** RE: Royal George PH . Breach of Licence.

Mr Brown,

Thank you for your email. I am confused as to the process for approving licence applications at HBC. Maybe you can provide some further clarification on the following.



The Gov.UK website on Alcohol Licencing Guidance says that:

*Your local council will want to know of any relevant criminal convictions, and these may impact on whether or not you're found to be suitable as a licensee. You will also need to provide a basic criminal conviction disclosure form.*

So, it surprises me that a license was granted by HBC to a convicted arsonist, who had quite recently had a license taken away from him for another bar in the borough (I believe Zar Zar bar on Queen's Road) after several years' of multiple complaints from the police and public. In one incident a customer suffered a fractured skull I believe. And the licensee himself was arrested outside his bar in possession of a gun in another incident. This information is all publicly available in the police opposition to the granting of the license. If these aren't sufficient reasons to decline a new application to run a licensed premises, then I don't know what you have to do to be considered 'unsuitable'. Are you saying that HBC has no powers to decline a license application? That only the police can oppose an application after the license has been granted?

The Gov.UK guidance also states that:

*You can make representations or comments to the council about applications for new licenses, variations or reviews. Comments may be positive or negative, but will only be considered relevant by the council if they relate clearly to the licensing objectives: the prevention of crime and disorder; public safety; prevention of public nuisance; or the protection of children from harm.*

We neighbouring residents were never alerted to the application of a license for this pub which had been shut for three years. Had we been aware, we would have opposed the granting of a late night entertainment license that enables the playing of live music until 1am and recorded music until 1.30am, which, surely, constitutes 'public nuisance' to those living next door to this pub. What is the process at HBC for involving neighbours in such license applications?

As you point out in your email, the licensee was operating under his licensed hours with the playing of live rock music until midnight, and could have continued until 1am. So we have to suffer the inevitable noise disturbance. As I pointed out in my earlier email there are young children living in this block of apartments and someone who works early morning shifts.

The Gov.UK site also quotes the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014, which bans the sale of alcohol in irresponsible promotions. I am curious as to whether you think the posters that now fill the pub's windows promoting '4 shots of tequila for £5' are evidence of a responsible attitude to responsible drinking?

I look forward to receiving your clarification on the above.

Finally, you say that this licensee has no connection to the previous operator who was eventually refused a license after police objections. You may be right. I have no evidence to the contrary. I will merely point out a number of coincidences.

The pub, formerly known as Frank's Front Room, was shut for three years. The property was extensively marketed by local estate agents, but for three years they were unable to find anyone interested to buy it or rent it. Then along comes a person who has recently lost a license on a bar he owned and takes out a license on Frank's Front Room, renaming it The Royal George. There was no refurbishment of the pub, which is rather shabby to say the least. His marketing ploy was to advertise cheap lager and cider in hand written posters stuck to the pub windows. Then he has his license rescinded, and the license is transferred to a second person with no connection to the pub trade who after only a few weeks transfers it to a third person. The police then object to this third person's license and the pub closes down for a couple of months. Then the original applicant who has had his license rescinded, returns to the pub and sticks scrawled hand written posters on the pub windows advertising 'Business Opportunity: Call Nigel' with a mobile phone number. Within a week a fourth applicant turns up to your offices and takes out a license. The pub re-opens without any refurbishment with the same name, the same marketing ploy – hand written, scrawled posters promoting cheap booze - and what looks to me like the same clientele. I do wonder why the current

licensee, who you say is already in the pub trade, didn't find this pub an interesting proposition before, during the three years it was shut.

[REDACTED]

**From:** Bob Brown [mailto:BBrown@hastings.gov.uk]

**Sent:** 07 August 2017 12:32

**To:** [REDACTED]

**Cc:** Trevor Scrase <TScrase@hastings.gov.uk>; Cllr Judy Rogers <cldr.judy.rogers@hastings.gov.uk>; Cllr Lee Clark <cldr.lee.clark@hastings.gov.uk>

**Subject:** Royal George PH . Breach of Licence.

[REDACTED]

Your e mail to one of my team (Mr Scrase) concerning the Royal George PH has been forwarded to me for investigation and reply.

I am sorry to hear of your problems with noise from the premises and as such intend to deal with this in three ways, 1. I have forwarded your complaint to the Council Environmental Protection team who deal with noise nuisance for their information and recording, they may make separate contact with you. 2. I will be visiting the premises with colleagues and discussing the complaint with the designated premises supervisor and Licence holder. 3. We will also take the opportunity to view the CCTV from the premises and our own town CCTV system to view, if possible, the street disturbance that you comment upon.

The licence breach that you refer to is in connection with noise escape, the premise does appear to have been operating within its licence hours.

In response to your comments about HBC's role in issuing licences, I think it important to clarify the way the Licensing Act 2003 works as you clearly have some misunderstandings.

This premises transferred its existing licence from the Magistrates court to HBC in 2005. It was then called the Priory PH.

In 2012 the premises became Franks Front Room, subsequently the premises closed for several years and earlier this year the licence holder has transferred it into new occupiers.(Now called The Royal George)

These licence transfers are normally administrative matters attracting no adverse comments. However in exceptional circumstances, only the Police have a period of 14 days in which to apply for the transfer to be challenged in a licensing committee on crime grounds. In this case they have done this on two occasions and on both the licence transfer has been stopped and the licence reverted back to the old holder.

The recent third transfer to the latest occupier was not challenged and the premises licence is correctly held. This person has no connection with the previous operator (the Mr Lewis you refer to). They are in fact a person who is already operating at another venue in the Borough and is fully licensed already. As to the persons frequenting the bar, he has limited ability to vet them and provided they do not cause the current licence holder a problem I am sure he will welcome trade.

The Borough has limited powers in respect of such transfers and cannot reject applications as you suggest, the law is very specific on our role and that of the police and yes in such circumstances we have to rely on them challenging applications, which to date they have done successfully.

Hopefully this explains the matter to you, I can assure you that we will Act upon supported evidence of licence breaches.

Bob Brown

Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042

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[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

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**Property**

Address **The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ**  
 Telephone Fax Area **D1 - Castle Ward**

**Worksheet**

Source

Name **Mr Colin Grimshaw**  
 Address **Flat 3, Haig House, Devonshire Road, Hastings, East Sussex, TN34 1NH**  
 Home Tel Work Tel Mobile **07799694029**  
 Fax Email

Department **EH - Environmental Health** Date Recd **12/08/2017** Time **22:39**  
 Application **CPEH - Complaints - EH** Method **T - Telephone**  
 Task Group **CNOI - Noise** Recd By **AJH - Amanda Holmes**  
 Task **CN03 - Noise Commercial** Source Type **S011 - Out of Hours Co-ordinator**

Details **complaining of a loud live band in 'The Royal George' Station Road. Caller states this is a breach of their licence and that he complained about the pub last weekend.**

Message **2nd call in Actions. Case added to referral list.**

Officer	<b>JBA - John Ballam</b>	Target	Actual
Time Taken		First Response	<b>18/08/2017 12/08/2017 23:06</b>
Next Task	<b>9002 - Completion</b>	Completed	<b>11/09/2017</b>
Due	<b>11/09/2017</b>	Allocated	<b>14/08/2017</b>
		Outcome	

**References**

No references set up.

**Complaints**

Subject Details

Title	Initials	Telephone
First Name		Fax
Family Name		Email

Section	Statute
Offence	Purchase Time
Purchase Date	
OFT (Product)	FSA Type
OFT (Condition)	

**Previous Complaints** (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201708621	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708622	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708380	02/11/2017	See Remarks For Notes	Resp		EP
WK/201705906	03/09/2017	Royal George, Station road. Loud music still playing	Resp		EP
WK/201705421	18/08/2017	complaining of loud music from the Royal George Pub	Comp	061	JBA
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA
WK/201704810	07/08/2017	at 00.51 on Sunday August 6th A very loud rock conce	Resp		EP
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	JBA	12/08/2017				
216 - Telephone Call Recvd	OOH	12/08/2017 23:06				
Comment Caller states now it has gone 11pm they are now breaching their licence again as music is still audible from the other side of Station Rd coming from The Royal George						
9004 - Attachment	JBA	14/08/2017				
Comment Further correspondence on the matter between BB and Cllr Rogers.						
9003 - WP Document	JBA	15/08/2017 10:25				
Comment Letter to Licence Properties						
9003 - WP Document	JBA	15/08/2017 10:27				
Comment Referral List						
215 - Telephone Call Made	JBA	18/08/2017				
Comment Message left for Andrew Palmer after receiving a message to call him saying that as we had received a further complaint we had no choice but to send the letter and informed him that the case had been added to the Council's out of hours list in order for officers to decide if there is a noise nuisance or not.						
9004 - Attachment	JBA	13/11/2017				
Comment Email from comp. to Licencing and discussion between them and Env. Health.						
9004 - Attachment	JBA	13/11/2017				
Comment Email trail between comp. Licencing and Env. Health.						

**User Defined Codes**

Energy Efficiency	Energy Efficiency 2
Skin Piercing Activity	Sex
Gender Identity	Age Group
Disability?	Sexual orientation
Ethnic Group	Citizenship
Gypsies/Travellers	Religious belief
Work Status	Dependants?
Marital Status	Made Decent?
Hazards Removed?	HMO Conditions
Dwellings improved	

**Remarks**

Andre Palmer 07868 517 333 or andrewjpalmer@btinternet.com

**Related Addresses**

Address	Telephone	Type
No related addresses found.		

**User Defined Addresses**

No User Defined Addresses found.

**User Defined Text**

No User Defined Text found.

**From:** Stewart Bryant  
**Sent:** 13 November 2017 13:17  
**To:** Ian Wheeler; John Ballam  
**Cc:** Mike Hepworth; Cllr Judy Rogers; Cllr Dawn Poole; Cllr Lee Clark; Cllr Colin Fitzgerald; Bob Brown; Trevor Scrase  
**Subject:** RE: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Ian

Thank you for the update, I am meeting with the John in the morning to discuss the way forward, serve of the notice is arranged.

John and myself will sit down tomorrow and start looking at the relevant paperwork to instigate the review of the licence based upon the ongoing state of affairs at the premises.

We will then arrange to take statements from the aggrieved.

Best wishes

Stewart

Stewart Bryant BSc (Hons) Env Health, FRSPH  
Senior EHO, Lead Officer Env Protection  
Environmental Health  
Hastings Borough Council  
Muriel Matters House, Breeds Place  
Hastings, E.Sx  
TN34 3UY  
Tel. 01424 783282

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**From:** Ian Wheeler  
**Sent:** 13 November 2017 13:13  
**To:** Stewart Bryant; John Ballam  
**Cc:** Mike Hepworth; Cllr Judy Rogers; Cllr Dawn Poole; Cllr Lee Clark; Cllr Colin Fitzgerald; Ian Wheeler; Bob Brown; Trevor Scrase  
**Subject:** FW: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Hi Stew,

I refer to our telephone conversations this morning concerning your visit on Friday night, as part of the Environmental Health Out of Hours Service, to the Royal George Pub following complaints of loud amplified music.

As you are aware I have also received a number of emails from Bob in Licencing. I have discussed these with Bob, and update him on the proposed Environmental Health enforcement action we will be instigating under the Environmental Protection Act, but also further discussed the proposal for submitting a review of this premises licence.

Therefore can you now serve the Section 80 Statutory Noise Abatement Notice, as discussed, following your

visit to the Royal George last Friday evening. Can you and John also speak with Trevor in Licencing tomorrow with the view of making an application for the review of the premises licence.

Can you also contact (or John as the Case Officer) Mr Grimshaw and any other complainants to inform them of these issues so that they are clear about our proposed actions and fully informed of this. Also that we will be shortly contact them again to take statements and which would form part of the necessary evidence of any subsequent licence review hearing.

Kind Regards

Ian

Ian Wheeler  
Environmental Health Manager  
Hastings Borough Council  
Murial Matters House  
Breeds Place  
Hastings  
East Sussex. TN34 3UY  
01424 783230

---

**From:** Bob Brown  
**Sent:** 13 November 2017 11:42  
**To:** [REDACTED]  
**Cc:** Mike Hepworth; Cllr Judy Rogers; Cllr Dawn Poole; Cllr Lee Clark; Cllr Colin Fitzgerald; Ian Wheeler; Trevor Scrase  
**Subject:** RE: Request for Licence Review of the Royal George Pub, Station Road, Hastings

[REDACTED]  
Thank you for your e mail, I am sorry to hear of your ongoing problems with the premises. As you know I and colleagues spoke to the licence holder in August of this year and hoped that would result in the problems being resolved.

In the first instant I will discuss the weekend events with Mr Bryant when he comes into the office together with his manager. Depending on the evidence gained they can take several courses of action, one of which is to review the licence.

As you are aware you can yourself request a review of the licence, but the process is both time consuming and prescriptive. You must complete the attached form and seek a review against one or more of the 4 licensing objectives, giving as much supporting evidence as possible. The form must then be served by you on the premises licence holder, all other responsible authorities (details of which we can supply) and this department. We then place a public notice on the premises and we wait 28 days for other parties to join in if they so require.

A licensing review hearing is then held here and you together with any other complainants would be invited to attend.

Any decision reached at the hearing can then be subject to an appeal at court.

In the meantime I will discuss with colleagues as stated and I or colleagues get back to you with an update



on our position as soon as possible.

Regards

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042

Note. My normal rota is Monday, Wednesday and Thursday.

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**From:** [REDACTED]  
**Sent:** 11 November 2017 13:59  
**To:** Bob Brown  
**Cc:** Mike Hepworth; Cllr Judy Rogers; Cllr Dawn Poole; Cllr Lee Clark; Cllr Colin Fitzgerald  
**Subject:** Request for Licence Review of the Royal George Pub, Station Road, Hastings

Dear Mr. Brown,

I wish to request a licence review of the Royal George pub on Station Road, Hastings, which is adjacent to my residential property.

There are two fundamental reasons for this request.

- 1) The pub's licence allows the playing of music until 00.30 on weekdays and until 01.30 on Fridays and Saturdays. This licence is entirely unsuited to this pub which lies in a residential zone with an adjacent block of flats that houses young children. And is unsuited to the pub itself which has no double glazing or sound proofing, doors that go straight from the pub's lounge onto the street, and lots of windows in the music entertainment area that face the street.

There is a condition that music played on the premises should be barely audible on the opposite side of Station Road up until 23.00 and inaudible after 23.00. This condition is routinely ignored by the pub. Indeed, given its lack of soundproofing, as described above, it would be virtually impossible to meet this condition.

- 2) The pub is inadequately supervised. The Designated Premises Supervisor is unaware of the conditions of the pub's licence, there is no copy of the pub's licence on the premises, and no awareness that there is a residential block adjacent to the pub.

Last night I visited the pub to complain about the intolerable noise and found that the DPS was also the DJ. He was clad in headphones, oblivious to the deafening din he was creating (louder than any nightclub), oblivious to the noise disturbance he was making, and belligerently unreceptive to my complaint.

I have made numerous telephone complaints to HBC about noise disturbance from this pub for over three months now, and completed and returned a paper diary for 21 days as requested by HBC Environmental Health department. None of this has led to any change in behaviour by the Royal George.

Over the last 48 hours we have had to suffer loud live music played on Thursday evening until midnight with further noise disturbance from people leaving the pub and loitering outside for a further half hour. This on a weekday when my downstairs neighbour in Flat 2 was trying to sleep with her two-year old child, and while I was trying to sleep ahead of getting up early to go to work for a living. Then on Friday, the music began at 5pm and went on until midnight. It was so loud that I couldn't hear my TV set even when it is turned up to a very high volume....and I live on the top floor of the building. Both my neighbour in Flat 2, Jemma Eghart, and I put in telephone complaints to HBC. We were told that an inspector would visit, but it was taking so long, and the noise was so intolerable, we decided to visit the premises ourselves in an effort to get the volume turned down.

What I found when we entered the bar was unbelievable. I am not exaggerating when I say that the DJ recorded music volume was louder than any nightclub, totally unsuited to the size of the premises, the location, and the lack of soundproofing, and very possibly dangerous to the ears. I tried to speak to the solitary barman to ask for the whereabouts of the DPS. He couldn't hear what I was saying. I had to scream into his face to get myself heard. His response was inaudible. But his gesticulating to the DJ suggested that the DPS was in fact the DJ. He was initially unreceptive to my complaint but when I advised him that I had complained to HBC he turned the volume down a bit. After we had left the pub an inspector from HBC arrived at the pub (Mr Bryan I believe). He subsequently told me that he found the noise unacceptable and would be filing an official complaint. But he hadn't heard how ear-splitting was the noise before his arrival.

I could go on and on....but I think there is already enough evidence from me with HBC about the continuous unacceptable disturbances from this pub, and my feelings about its dubious management.

I look forward to hearing from you.

Yours,

Colin Grimshaw  
Flat 3, Haig House Apartments  
Devonshire Road  
Hastings  
TN34 1NH

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**From:** John Ballam  
**Sent:** 13 November 2017 11:19  
**To:** Stewart Bryant  
**Cc:** Bob Brown; Trevor Scrase  
**Subject:** RE: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Hi Gentlemen

There is certainly no question about the service of a notice, from what was witnessed, however the transferred conditions are already pretty tight and not sure we can go further by curtailing music at the venue, although the notice should help in this respect.

Stew and I are in the office tomorrow, if we could all get together to talk about options?

Kind regards  
John

John Ballam BSc (Hons); MSc  
Environmental Protection Officer  
Environmental Protection Team  
Hastings Borough Council  
Muriel Matters House, Breeds Place  
Hastings, East Sussex  
TN34 3UY  
Tel: 01424 783283  
[www.hastings.gov.uk/environmental\\_protection](http://www.hastings.gov.uk/environmental_protection)

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**From:** Stewart Bryant  
**Sent:** 13 November 2017 11:03  
**To:** Bob Brown; John Ballam  
**Subject:** RE: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Hi Chaps

Sorry I wasn't aware of the history of this one, if that is the case and there are ongoing issues with Mr Lewis? We probably should look at a review of the licence alongside of the service of the notice.

I know that when Franks place was in operation it was never intended that the premises would be used as such but clearly the new licence holder has other ideas, to the detriment of the residents of Haig House.

From what I can remember the licencing conditions are already pretty tight if they were transferred over from Franks place.

John as the case officer and with a lot more knowledge of the case and complainants , your thoughts?

BW

Stew

Stewart Bryant BSc (Hons) Env Health, FRSPH  
Senior EHO, Lead Officer Env Protection

Environmental Health  
Hastings Borough Council  
Muriel Matters House, Breeds Place  
Hastings, E.Sx  
TN34 3UY  
Tel. 01424 783282

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**From:** Bob Brown  
**Sent:** 13 November 2017 10:55  
**To:** Stewart Bryant; John Ballam; Trevor Scrase  
**Cc:** Ian Wheeler  
**Subject:** RE: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Stewart,

Thanks for this, but in view of your comments and the request from the complainant ,do you not think a review is necessary in this case?

You seem to be agreeing that this premise is not suitable for live or disco type events, if so, I think that the licence needs reviewing, this can be done alongside a noise abatement notice, the issue of such a notice would reinforce your position.

Especially as Trevor, John and I spoke personally to the licence holder several months ago about this very problem.

Let me know your view.

Bob

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
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**From:** Stewart Bryant  
**Sent:** 13 November 2017 10:44  
**To:** Bob Brown; John Ballam; Trevor Scrase  
**Subject:** RE: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Hi Bob, John

I visited the area on Friday night following two separate calls about the level of volume. The music from the premises was in clearly in breach of the licence (I remember setting the condition for franks front room with David Bell) and was clearly audible at the top of station

road down into queens square and round into Devonshire road.

I was told that the music was even louder before [REDACTED] went down and spoke to the licensee and was apparently given a load of verbal.

Inside the premises there was a disco set up by the windows and about 5 patrons inside!! I am going to recommend to John Ballam that in the first instance an abatement notice is served and see what happens from there. There premises is clearly not suited to live or Disco type events...

Kind regards

Stewart

Stewart Bryant BSc (Hons) Env Health, FRSPH  
Senior EHO, Lead Officer Env Protection  
Environmental Health  
Hastings Borough Council  
Muriel Matters House, Breeds Place  
Hastings, E.Sx  
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**From:** Bob Brown  
**Sent:** 13 November 2017 08:55  
**To:** Stewart Bryant  
**Subject:** FW: Request for Licence Review of the Royal George Pub, Station Road, Hastings

Morning Stewart,

Below is the e mail I have received from [REDACTED] about the Royal George PH over the weekend.

I see you attended and witnessed, if that's correct what is your view? Is it a Stat nuisance? Are you likely to review?

I need to get your view before I reply to the e mail. I will need to explain the review process to him in order for him to properly start the process, but he is clearly indicating that he wants us to review (in effect you).

Let me know your thoughts asap.

Thanks

Bob

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings

East Sussex.

TN34 3UY

01424 451042

Note. My normal rota is Monday, Wednesday and Thursday.

[licensing@hastings.gov.uk](mailto:licensing@hastings.gov.uk)

[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

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**From:** [REDACTED]

**Sent:** 11 November 2017 13:59

**To:** Bob Brown

**Cc:** Mike Hepworth; Cllr Judy Rogers; Cllr Dawn Poole; Cllr Lee Clark; Cllr Colin Fitzgerald

**Subject:** Request for Licence Review of the Royal George Pub, Station Road, Hastings

Dear Mr. Brown,

I wish to request a licence review of the Royal George pub on Station Road, Hastings, which is adjacent to my residential property.

There are two fundamental reasons for this request.

- 1) The pub's licence allows the playing of music until 00.30 on weekdays and until 01.30 on Fridays and Saturdays. This licence is entirely unsuited to this pub which lies in a residential zone with an adjacent block of flats that houses young children. And is unsuited to the pub itself which has no double glazing or sound proofing, doors that go straight from the pub's lounge onto the street, and lots of windows in the music entertainment area that face the street.

There is a condition that music played on the premises should be barely audible on the opposite side of Station Road up until 23.00 and inaudible after 23.00. This condition is routinely ignored by the pub. Indeed, given its lack of soundproofing, as described above, it would be virtually impossible to meet this condition.

- 2) The pub is inadequately supervised. The Designated Premises Supervisor is unaware of the conditions of the pub's licence, there is no copy of the pub's licence on the premises, and no awareness that there is a residential block adjacent to the pub.

Last night I visited the pub to complain about the intolerable noise and found that the DPS was also the DJ. He was clad in headphones, oblivious to the deafening din he was creating (louder than any nightclub), oblivious to the noise disturbance he was making, and belligerently unresponsive to my complaint.

I have made numerous telephone complaints to HBC about noise disturbance from this pub for over three months now, and completed and returned a paper diary for 21 days as requested by HBC Environmental Health department. None of this has led to any change in behaviour by the Royal George. Over the last 48 hours we have had to suffer loud live music played on Thursday evening until midnight with further noise disturbance from people leaving the pub and loitering outside for a further half hour. This on a weekday when my downstairs neighbour in Flat 2 was trying to sleep with her two-year old child, and while I was trying to sleep ahead of getting up early to go to work for a living. Then on Friday, the music began at 5pm and went on until midnight. It was so loud that I couldn't hear my TV set even when it is turned up to a very high volume....and I live on the top floor of the building. Both my neighbour in Flat 2, Jemma Eghart, and I put in telephone complaints to HBC. We were told that an inspector would visit, but it was taking so long, and the noise was so intolerable, we decided to visit the premises ourselves in an effort to get the volume turned down.

What I found when we entered the bar was unbelievable. I am not exaggerating when I say that the DJ

recorded music volume was louder than any nightclub, totally unsuited to the size of the premises, the location, and the lack of soundproofing, and very possibly dangerous to the ears. I tried to speak to the solitary barman to ask for the whereabouts of the DPS. He couldn't hear what I was saying. I had to scream into his face to get myself heard. His response was inaudible. But his gesticulating to the DJ suggested that the DPS was in fact the DJ. He was initially unreceptive to my complaint but when I advised him that I had complained to HBC he turned the volume down a bit. After we had left the pub an inspector from HBC arrived at the pub (Mr Bryan I believe). He subsequently told me that he found the noise unacceptable and would be filing an official complaint. But he hadn't heard how ear-splitting was the noise before his arrival.

I could go on and on....but I think there is already enough evidence from me with HBC about the continuous unacceptable disturbances from this pub, and my feelings about its dubious management.

I look forward to hearing from you.

Yours,

Colin Grimshaw  
Flat 3, Haig House Apartments  
Devonshire Road  
Hastings  
TN34 1NH

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This e-mail has been scanned for all viruses by Star. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: <http://www.star.net.uk>

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Please quote: WK/201705109  
Your reference:  
Date: 15th August 2017  
Please ask for: John Ballam  
Telephone direct: 01424 451079  
E-mail: [environmentalhealth@hastings.gov.uk](mailto:environmentalhealth@hastings.gov.uk)  
Web: [www.hastings.gov.uk](http://www.hastings.gov.uk)



**Environmental Health Team**  
Muriel Matters House  
Breeds Place, Hastings  
East Sussex, TN34 3UY

Andrew Palmer  
The Royal George  
31-32 Station Road  
Hastings  
East Sussex  
TN34 1NJ

Dear Mr. Palmer

**ENVIRONMENTAL PROTECTION ACT 1990 – NOISE COMPLAINT**  
**ADDRESS: The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ,**

I regret that I have to draw your attention to a complaint received by this section about noise from the above premises.

The complaint relates to: Noise from loud music and people inside and outside the premises. The complaint relates to last Saturday night 12<sup>th</sup> August 2017.

It is disappointing that we have received this complaint, after our conversation last week.

If the complaint is justified and I have no reason, presently, to doubt the information provided, I must advise you that any repetition is likely to constitute a statutory nuisance and result in a noise abatement notice being served on you. The effect of such a notice would be to make any further incident of nuisance an offence punishable, on conviction in the Magistrates Court, by a fine of up to £20,000.

Incidents of this nature could also result in a review of your licence being requested by those affected or this section under the provisions of the Licensing Act 2003.

I hope that, with your co-operation, neither course of action will become necessary.

If you wish to discuss this matter further please do not hesitate to contact me.

Yours sincerely

John Ballam  
Environmental Protection Officer





**From:** Bob Brown  
**Sent:** 14 August 2017 09:10  
**To:** Cllr Judy Rogers; Cllr Colin Fitzgerald  
**Cc:** John Ballam; Mike Hepworth  
**Subject:** RE: issues

Cllr,

Thanks, I am aware that further problems were reported over the weekend, I will be discussing with Environmental Protection today and let you know the outcome.

The premises has recently started trading again after a long period of non-activity, it has an alcohol / Music licence through to 1.30 am on Fri/Sat nights and does not have a history of noise complaints prior to the arrival of [REDACTED] I expect noise diaries will be required and the premises will be placed on the referral list.

We did meet with the new licence holder last week and discussed the previous complaint (Mr Grimshaw on Sat 5<sup>th</sup>) and gave him advice on how to mitigate problems moving forward.

The premises has a lot of occupied property around it, [REDACTED] was the sole complainant on both weekends.

Regards

Bob

Bob Brown  
Licensing Manager, Licensing Team  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY  
01424 451042  
Note. My normal rota is Monday, Wednesday and Thursday.  
[licensing@hastings.gov.uk](mailto:licensing@hastings.gov.uk)  
[http://www.hastings.gov.uk/environment\\_planning/licensing](http://www.hastings.gov.uk/environment_planning/licensing)

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**From:** Cllr Judy Rogers  
**Sent:** 13 August 2017 09:01  
**To:** Bob Brown  
**Cc:** Cllr Colin Fitzgerald; Cllr Dawn Poole; Mike Hepworth  
**Subject:** issues

Hi Bob,

Thank you so much for your help and support this week with the 3 issues that I have referred on to you! I see that [REDACTED] has come back again overnight so it looks as if that one is not going to go away and he is not going to be easy to deal with. I am sorry to have to land all of this on you.

The Royal George licence I assume is to finish at midnight in which case the issue last night in terms of them finishing past their licence doesn't arise - the 00.04am would be by his time and it is very easy for watches and clocks to be a couple of minutes out ( I have clocks around my flat and they are all different by a minute or so). To some degree it is similar to the noise issues we had with Holmebury House and the Union Bar in that if you buy/rent a flat in the town centre then there has to be an expectation that there will be noise.

I will send him a 'holding' email and await a further update.

Thank you for all your work,

Judy

Cllr Judy Rogers

Mayor of Hastings

Borough Councillor for Castle

Email: [cllr.judy.rogers@hastings.gov.uk](mailto:cllr.judy.rogers@hastings.gov.uk)

Tel: 01424 451066

Tel: 07507860034

<b>Property</b>		
Address	The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ	
Telephone	Fax	Area D1 - Castle Ward

<b>Worksheet</b>		
Source		
Name	[Redacted]	
Address	[Redacted]	
Home Tel	Work Tel	Mobile [Redacted]
Fax	Email	

Department	EH - Environmental Health	Date Recd	18/08/2017	Time	23:29
Application	CPEH - Complaints - EH	Method	T - Telephone		
Task Group	CNOI - Noise	Recd By	AJH - Amanda Holmes		
Task	CN13 - Noise Music	Source Type	S011 - Out of Hours Co-ordinator		

Details **complaining of loud music from the Royal George Pub which he shouldn't be able to hear in Station Rd**

Message			
Officer	JBA - John Ballam	Target	Actual
Time Taken		First Response	25/08/2017 18/08/2017
Next Task		Completed	18/09/2017 29/08/2017
Due	Allocated 22/08/2017	Outcome	061 - EH - Advice Given NFA

**References**  
No references set up.

<b>Complaints</b>		
Subject Details		
Title	Initials	Telephone
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

<b>Previous Complaints</b> (Last 10 not including this one)						
Reference	Received	Details	Status	Outcome	Officer	
WK/201708621	10/11/2017	complaining of loud music from the Royal George	Recd		SB	
WK/201708622	10/11/2017	complaining of loud music from the Royal George	Recd		SB	
WK/201708380	02/11/2017	See Remarks For Notes	Resp		EP	
WK/201705906	03/09/2017	Royal George, Station road. Loud music still playing	Resp		EP	
WK/201705109	12/08/2017	complaining of a loud live band in 'The Royal George'	Resp		JBA	
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA	
WK/201704810	07/08/2017	at 00.51 on Sunday August 6th A very loud rock conce	Resp		EP	
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA	

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	IJW	18/08/2017				
216 - Telephone Call Recvd	IJW	18/08/2017				
Comment IJW - Call was not put through to me on OOH by Carlisle base. Therefore I was unable to respond to the request from Mr Grimshaw.						

**User Defined Codes**

Energy Efficiency	Energy Efficiency 2
Skin Piercing Activity	Sex
Gender Identity	Age Group
Disability?	Sexual orientation
Ethnic Group	Citizenship
Gypsies/Travellers	Religious belief
Work Status	Dependants?
Marital Status	Made Decent?
Hazards Removed?	HMO Conditions
Dwellings improved	

**Remarks**

No remarks found.

**Related Addresses**

Address	Telephone	Type
No related addresses found.		

**User Defined Addresses**

No User Defined Addresses found.

**User Defined Text**

No User Defined Text found.

**Property**

Address **The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ**  
 Telephone Fax Area **D1 - Castle Ward**

**Worksheet**

Source

Name **[Redacted]**  
 Address **[Redacted]**  
 Home Tel Work Tel Mobile **[Redacted]**  
 Fax Email

Department **EH - Environmental Health** Date Recd **03/09/2017** Time **00:42**  
 Application **CPEH - Complaints - EH** Method **T - Telephone**  
 Task Group **CNOI - Noise** Recd By **AJH - Amanda Holmes**  
 Task **CN13 - Noise Music** Source Type **S011 - Out of Hours Co-ordinator**

Details **Royal George, Station road. Loud music still playing**

Message

Officer	<b>EP - Env Protection Case Hold</b>	Target	Actual
Time Taken		First Response <b>08/09/2017</b>	<b>03/09/2017 00:42</b>
Next Task	<b>9002 - Completion</b>	Completed <b>29/09/2017</b>	
Due	<b>29/09/2017</b>	Allocated <b>04/09/2017</b>	Outcome

**References**

No references set up.

**Complaints**

Subject Details

Title	Initials	Telephone
First Name		Fax
Family Name		Email

Section

Offence	Statute
Purchase Date	Purchase Time
OFT (Product)	FSA Type
OFT (Condition)	

**Previous Complaints** (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201708621	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708622	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708380	02/11/2017	See Remarks For Notes	Resp		EP
WK/201705421	18/08/2017	complaining of loud music from the Royal George Pub	Comp	061	JBA
WK/201705109	12/08/2017	complaining of a loud live band in 'The Royal George'	Resp		JBA
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA
WK/201704810	07/08/2017	at 00.51 on Sunday August 6th A very loud rock conce	Resp		EP
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	EP	03/09/2017				
NGX - File Note	OOH	03/09/2017 00:42				
Comment Duty officer SB - mobile not connecting. Calls made: 00.44, 00.46, 00.48, 00.50. Call to back up officer Jill who advised unable to attend alone and to carry on trying SB. Further calls made 1.14, 1.35						

**User Defined Codes**

Energy Efficiency	Energy Efficiency 2
Skin Piercing Activity	Sex
Gender Identity	Age Group
Disability?	Sexual orientation
Ethnic Group	Citizenship
Gypsies/Travellers	Religious belief
Work Status	Dependants?
Marital Status	Made Decent?
Hazards Removed?	HMO Conditions
Dwellings improved	

**Remarks**

No remarks found.

**Related Addresses**

Address	Telephone	Type
No related addresses found.		

**User Defined Addresses**

No User Defined Addresses found.

**User Defined Text**

No User Defined Text found.



<b>Property</b>		
Address	The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ	
Telephone	Fax	Area D1 - Castle Ward

<b>Worksheet</b>		
Source		
Name	[Redacted]	
Address	[Redacted]	
Home Tel	Work Tel	Mobile [Redacted]
Fax	Email	

Department	EH - Environmental Health	Date Recd	10/11/2017	Time	23:15
Application	CPEH - Complaints - EH	Method	T - Telephone		
Task Group	CNOI - Noise	Recd By	AJH - Amanda Holmes		
Task	CN13 - Noise Music	Source Type	S001 - Public		

Details **complaining of loud music from the Royal George**

Message			
Officer	SB - Stewart Bryant	Target	Actual
Time Taken		First Response	17/11/2017
Next Task	9001 - First Response	Completed	08/12/2017
Due	17/11/2017	Allocated	Outcome

<b>References</b>
No references set up.

<b>Complaints</b>		
Subject Details		
Title	Initials	Telephone
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

<b>Previous Complaints</b> (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201708621	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708380	02/11/2017	See Remarks For Notes	Resp		EP
WK/201705906	03/09/2017	Royal George, Station road. Loud music still playing	Resp		EP
WK/201705421	18/08/2017	complaining of loud music from the Royal George Pub	Comp	061	JBA
WK/201705109	12/08/2017	complaining of a loud live band in 'The Royal George'	Resp		JBA
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA
WK/201704810	07/08/2017	at 00.51 on Sunday August 6th A very loud rock conce	Resp		EP
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
<b>No Actions found.</b>						

**User Defined Codes**

Energy Efficiency			Energy Efficiency 2
Skin Piercing Activity			Sex
Gender Identity			Age Group
Disability?			Sexual orientation
Ethnic Group			Citizenship
Gypsies/Travellers			Religious belief
Work Status			Dependants?
Marital Status			Made Decent?
Hazards Removed?			HMO Conditions
Dwellings improved			

**Remarks**

**No remarks found.**

**Related Addresses**

Address	Telephone	Type
<b>No related addresses found.</b>		

**User Defined Addresses**

**No User Defined Addresses found.**

**User Defined Text**

**No User Defined Text found.**

<b>Property</b>		
Address	The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ	
Telephone	Fax	Area D1 - Castle Ward

<b>Worksheet</b>		
Source		
Name	[Redacted]	
Address	[Redacted]	
Home Tel	Work Tel	Mobile [Redacted]
Fax	Email	

Department	EH - Environmental Health	Date Recd	10/11/2017	Time	23:00
Application	CPEH - Complaints - EH	Method	T - Telephone		
Task Group	CNOI - Noise	Recd By	AJH - Amanda Holmes		
Task	CN13 - Noise Music	Source Type	S011 - Out of Hours Co-ordinator		

Details **complaining of loud music from the Royal George**

Message			
Officer	SB - Stewart Bryant	Target	Actual
Time Taken		First Response	17/11/2017
Next Task	9001 - First Response	Completed	08/12/2017
Due	17/11/2017	Allocated	13/11/2017
		Outcome	

<b>References</b>
No references set up.

<b>Complaints</b>		
Subject Details		
Title	Initials	Telephone
First Name		Fax
Family Name		Email
Section		
Offence	Statute	
Purchase Date	Purchase Time	
OFT (Product)	FSA Type	
OFT (Condition)		

<b>Previous Complaints</b> (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/201708622	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708380	02/11/2017	See Remarks For Notes	Resp		EP
WK/201705906	03/09/2017	Royal George, Station road. Loud music still playing	Resp		EP
WK/201705421	18/08/2017	complaining of loud music from the Royal George Pub	Comp	061	JBA
WK/201705109	12/08/2017	complaining of a loud live band in 'The Royal George' !	Resp		JBA
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA
WK/201704810	07/08/2017	at 00.51 on Sunday August 6th A very loud rock conce	Resp		EP
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	SB	10/11/2017				

**User Defined Codes**

Energy Efficiency	Energy Efficiency 2
Skin Piercing Activity	Sex
Gender Identity	Age Group
Disability?	Sexual orientation
Ethnic Group	Citizenship
Gypsies/Travellers	Religious belief
Work Status	Dependants?
Marital Status	Made Decent?
Hazards Removed?	HMO Conditions
Dwellings improved	

**Remarks**

No remarks found.

**Related Addresses**

Address	Telephone	Type
No related addresses found.		

**User Defined Addresses**

No User Defined Addresses found.

**User Defined Text**

No User Defined Text found.

**Property**

Address **The Royal George, The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ**  
 Telephone Fax Area **D1 - Castle Ward**

**Worksheet**

Source  
 Name **[REDACTED]**  
 Address **[REDACTED]**  
 Home Tel **[REDACTED]** Work Tel Mobile  
 Fax Email  
 Department **EH - Environmental Health** Date Recd **02/11/2017** Time **16:35**  
 Application **CPEH - Complaints - EH** Method **T - Telephone**  
 Task Group **CNOI - Noise** Recd By **CC - Hastings Contact Centre**  
 Task **CN03 - Noise Commercial** Source Type **S001 - Public**

Details **See Remarks For Notes**

**Message**

Officer	EP - Env Protection Case Hold	Target	Actual
Time Taken		First Response <b>09/11/2017</b>	<b>03/11/2017 08:49</b>
Next Task	<b>214A - Diary Returned</b>	Completed <b>30/11/2017</b>	
Due	<b>23/11/2017</b>	Allocated <b>03/11/2017</b>	Outcome

**References**

No references set up.

**Complaints****Subject Details**

Title	Initials	Telephone
First Name		Fax
Family Name		Email

**Section**

Offence	Statute
Purchase Date	Purchase Time
OFT (Product)	FSA Type
OFT (Condition)	

**Previous Complaints** (Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/201708621	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201708622	10/11/2017	complaining of loud music from the Royal George	Recd		SB
WK/201705906	03/09/2017	Royal George, Station road. Loud music still playing	Resp		EP
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WK/201705109	12/08/2017	complaining of a loud live band in 'The Royal George'	Resp		JBA
WK/201704905	09/08/2017	birds to nest and the amount of waste they produce sn	Comp	062	JBA
WK/201704810	07/08/2017	at 00.51 on Sunday August 6th A very loud rock conce	Resp		EP
WK/201700864	23/04/2017	See Remarks For Notes	Comp	065	JBA

**Actions**

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	CC	02/11/2017 16:35				
9004 - Attachment	AJH	03/11/2017 08:49				
Comment Nuisance Diary With Guidance (NEW)						
9003 - WP Document	AJH	03/11/2017 08:49				
Comment Nuisance Pack Letter						
214A - Diary Returned	AJH		23/11/2017			

**User Defined Codes**

Energy Efficiency	Energy Efficiency 2
Skin Piercing Activity	Sex
Gender Identity	Age Group
Disability?	Sexual orientation
Ethnic Group	Citizenship
Gypsies/Travellers	Religious belief
Work Status	Dependants?
Marital Status	Made Decent?
Hazards Removed?	HMO Conditions
Dwellings improved	

**Remarks**

Firmstep ref:EN227367  
 Type of noise: Licensed Premises. Is it happening now? No. Details: Loud music until 1AM most nights and sometimes later than that, noise seems to be getting worse and going on later, anti social behaviour. . Diary needs to be posted.

**Related Addresses**

Address	Telephone	Type
No related addresses found.		

**User Defined Addresses**

No User Defined Addresses found.

**User Defined Text**

No User Defined Text found.

# Nuisance Diary Sheets



Please ensure **CLEAR AND LEGIBLE HANDWRITING AT ALL TIMES** Worksheet Reference: WK/201704810

Name(s) & address of person(s) affected:

Address of source of nuisance: THE ROYAL GEORGE, 31-32 STATION ROAD, HASTINGS TN34 1NJ

Person Responsible (if known): THE LICENSEE BELIEVED TO BE MR ANDREW PALMER

Day	Date	Time Started	Time Finished	Description of nuisance and how it affected you	Nuisance Level Distressing/Bearable	Areas of property affected	Who else was affected by it on your property?
Mon	03/1/00	8.23pm	11.38pm	EXAMPLE	Bearable	Lounge	Visiting Relative
SAT To SUN	05/08/17	9.00am	12.00am	LIVE ROCK CONCERT BY THE KREWEN 9PM TILL MIDNIGHT	DISTRESSING	LOUNGE	
SAT To SUN	06/08/17			VERY LOUD MUSIC AUDIBLE ABOVE THE TV SOUND GENERALLY AUDIBLE ON OPPOSITE SIDE OF STATION ROAD, IN BRANCH OF THE PUB'S LICENSE CONDITIONS	DISTRESSING NOISE ON THE STREET AS PUB GOERS LEFT AT 01.00 AM	bedroom hallway	
SAT To SUN	12/08/17	9.00am	12.00am	LIVE ROCK CONCERT BY DIRT HUNKY 9PM TILL 12.04	DISTRESSING	Lounge	
SAT To SUN	13/08/17			VERY LOUD MUSIC AUDIBLE ABOVE THE TV SOUND PUB GOERS LEFT. GENERALLY AUDIBLE ON OPPOSITE SIDE OF STATION ROAD IN BRANCH OF PUB'S LICENSE.	DISTRESSING	bedroom hallway	
Fri. To SAT.	18/08/17	9.00am	12.21 AM	LIVE CONCERT BY TWISTED DIVA 9AM TILL 12.21AM	DISTRESSING	Lounge	
Fri. To SAT.	19/08/17			LOUD, AUDIBLE ABOVE TV, AND ON OPPOSITE SIDE OF STATION ROAD, IN BRANCH OF PUB'S LICENSE. PUB GOERS ENCOURAGED TO SING ALONG WITH THE BAND	DISTRESSING	bedroom hallway	
Fri To SAT.	25/08/17	9.00am	12.15 AM	LIVE CONCERT BY GUSKTY 9.00am TILL 12.15AM	DISTRESSING	Lounge	
Fri To SAT.	26/08/17			followed by recorded music until 01.00am Audible on opposite side of station road in branch of Pub's license.	DISTRESSING	bedroom hallway	





**RESTRICTED (when complete)**

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN 

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Statement of: **Colin Grimshaw**

Age if under 18: 0/18 (if over 18 insert 'over 18')

Occupation: **Magazine Editor**

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.

Signature:

Date 23<sup>rd</sup> November 2017

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am the above named person and have lived at **13 High House, Devonshire Road, Hastings**, since May 2016. The problems with loud music and shouting from patrons at the premises known as The Royal George, started as soon as the premises re-opened under the present licence holder in July 2017. The problems persisted into August 2017 with the major issues of loud music occurring at the weekends when live music was being performed by various groups at the Royal George. The incident of the 5<sup>th</sup> August 2017 went on until Midnight and the music was so loud that I could not hear my television above the noise and this was in my sitting room which is not adjacent to the Royal George. In my bedroom which is adjacent to the Royal George the music was so loud that it was impossible to sleep. There were further problems that night and on subsequent nights caused by patrons of the Royal George gathering on the corner of Station Road and Devonshire Road, immediately under my bedroom where the shouting and raised voices occurred both during and after the live music. The problems of loud music, raised voices and singing along to the music, from patrons of the Royal George continued in a similar vein over the ensuing diary entries for August 2017, which I exhibit as CG/01. The music continued to be a problem over the next two months. There were times when the music was tolerable although I could still hear the music in my flat. In November 2017 the music became extremely loud again and on 10<sup>th</sup> November 2017 I was forced to call the Hastings Borough Council out of hours service due to the volume of the music and the base beat reverberating in my sitting room. The noise from music in my hallway and bedroom was like being at a concert. Whilst waiting for the officer to arrive I went down to the Royal George to try and speak to someone about the noise. When I entered the Royal George the music was so loud that I had to shout to be heard at all. After asking the barman where the Designated Premises Supervisor was he pointed to the man acting as the DJ and the person responsible for the incredibly loud music. I approached this person and tried to explain the situation with the loud music in my flat. It was clear to me that he did not like being approached and I received no response until I pointed



Continuation of statement of  
out that he was in breach of his licence and he then told me to get out. At this time I also received verbal threats from patrons in the Royal George. When I returned to my flat the officer from the Council arrived and spoke to me about the noise and that he thought it was unacceptable. I pointed out to him that the person identified as the Designated Premises Supervisor had actually turned the music down a little whilst we talked and it had been louder than it was now. Just after the officer left the person identified as the Designated Premises Supervisor knocked on my door and said 'can we start again' I replied that I had spoken to the Council and there was nothing more to say at which point I closed the door. I am aware that a Noise Abatement Notice has been served on the premises as a result of this witnessing visit. The music which is a mixture of Rock, Soul and Dance music can happen from Thursday to Saturday The whole situation has been very stressful and does not help my heart condition due to the stress it causes. The lack of sleep also effects my concentration at work. I believe that the premises are unsuitable for music due to a combination of the numerous single glazed windows and poor management. I need the noise to stop so I can once again enjoy living in my own flat.

Signature .....

Signature witnessed by: .....

PTO



Please quote: WK/201705109  
Your reference:  
Date: 15th August 2017  
Please ask for: John Ballam  
Telephone direct: 01424 451079  
E-mail: [environmentalhealth@hastings.gov.uk](mailto:environmentalhealth@hastings.gov.uk)  
Web: [www.hastings.gov.uk](http://www.hastings.gov.uk)



**Environmental Health Team**  
Muriel Matters House  
Breeds Place, Hastings  
East Sussex, TN34 3UY

Andrew Palmer  
The Royal George  
31-32 Station Road  
Hastings  
East Sussex  
TN34 1NJ

Copy

Dear Mr. Palmer

**ENVIRONMENTAL PROTECTION ACT 1990 – NOISE COMPLAINT**  
**ADDRESS: The Royal George, 31-32 Station Road, Hastings, East Sussex, TN34 1NJ,**

I regret that I have to draw your attention to a complaint received by this section about noise from the above premises.

The complaint relates to: Noise from loud music and people inside and outside the premises. The complaint relates to last Saturday night 12<sup>th</sup> August 2017.

It is disappointing that we have received this complaint, after our conversation last week.

If the complaint is justified and I have no reason, presently, to doubt the information provided, I must advise you that any repetition is likely to constitute a statutory nuisance and result in a noise abatement notice being served on you. The effect of such a notice would be to make any further incident of nuisance an offence punishable, on conviction in the Magistrates Court, by a fine of up to £20,000.

Incidents of this nature could also result in a review of your licence being requested by those affected or this section under the provisions of the Licensing Act 2003.

I hope that, with your co-operation, neither course of action will become necessary.

If you wish to discuss this matter further please do not hesitate to contact me.

Yours sincerely

John Ballam  
Environmental Protection Officer





Please quote: WK201705109  
Your reference:  
Date: 14<sup>th</sup> November 2017  
Please ask for: John Ballam  
Telephone direct: 01424 783 283  
E-mail:  
Web: [www.hastings.gov.uk/environmental\\_protection](http://www.hastings.gov.uk/environmental_protection)



**Environmental Protection Team**  
Aquila House, Breeds Place  
Hastings, East Sussex TN34 3UY

Mr. Andrew Palmer  
The Royal George  
32 Station Road  
Hastings  
East Sussex  
TN34 1NJ

Dear Mr. Palmer

**Environmental Protection Act 1990 – Noise Nuisance**  
**Address: The Royal George, 32 Station Road, Hastings, East Sussex, TN34 1NJ**

Following the witnessing of a noise nuisance, emanating from your property on 10<sup>th</sup> November 2017, I have no alternative but to serve the enclosed notice on you.

Please take careful note of the requirements. If evidence is obtained that you fail to comply you can expect to be prosecuted. In addition any equipment used to cause a noise nuisance will be seized and detained until any prosecution is completed. If the magistrates find you guilty they could issue a forfeiture order for equipment as well as any other penalty imposed. That would mean the equipment would not be returned to you. We are also considering a review of the premises licence.

I trust you will take all necessary steps to ensure that the notice is complied with and that any further action by this department will not be required.

If there is anything that you wish to have explained about this notice, Please do not hesitate to contact me on the above number.

Yours Sincerely

John Ballam  
Environmental Protection Officer







ENVIRONMENTAL PROTECTION ACT 1990, SECTION 80

NOTICE TO ABATE A STATUTORY NUISANCE



To: Mr. Andrew Palmer

Of: The Royal George, 32 Station Road, Hastings, East Sussex, TN34 1NJ

TAKE NOTICE that HASTINGS BOROUGH COUNCIL ("the Council") is satisfied that a statutory nuisance is likely to recur from the premises known as **The Royal George, 32 Station Road, Hastings, East Sussex, TN34 1NJ** ("the premises"). The premises are located in the Council's area.

The statutory nuisance comprises the **playing of amplified and acoustic music and noise from patrons inside and outside** the premises so as to be a nuisance to occupiers of other premises in the vicinity ("the nuisance"). The nuisance is a statutory nuisance under Section 79(1)(g) of the Environmental Protection Act 1990.

This notice is served on you as **a person responsible for the nuisance and an occupier of the premises.**

THE COUNCIL HEREBY **PROHIBITS** the recurrence of the nuisance.

**This notice takes effect immediately.**

**IF** you fail to comply with any requirement of this notice, without reasonable excuse, you will be guilty of an offence punishable, on summary conviction, by a fine not exceeding £20,000.

**FURTHER**, if you fail to comply with any requirement of this notice, the Council may, whether or not proceedings are taken for an offence, abate the nuisance and do whatever may be necessary in execution of this notice and recover the expenses reasonably incurred from you. *\*(Note: this could include the seizure and detention of equipment used to play music.)*

The Council may also take proceedings in the High Court, to obtain an injunction, for the purpose of securing the abatement, prohibition or restriction of the nuisance.

Paragraph (2) of regulation 3 of the Statutory Nuisances (Appeals) Regulation 1995 applies to this notice so, it shall NOT be suspended until any appeal has been abandoned or decided by the Court, as it is the Council's opinion that **the nuisance to which this notice relates is such that the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.**

DATED this 14<sup>th</sup> day of **November 2017**

(Signed).....  
Authorised Officer

*(Address for all communications: Head of Environmental Health, 3rd Floor, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY – Tel 01424 451079)*

**NB** You may appeal against this notice to Hastings Magistrates Court, Bohemia Road, St Leonards-on-Sea (telephone [01424] 437644) within 21 days beginning with the date of service - please see attached notes.



**RESTRICTED (when complete)**

**WITNESS STATEMENT**

(Criminal Procedure rules, r27.1(1); CJ Act 1967, s.9; MC Act 1980, s.5B)

Statement of: Stewart Edward Bryant

Age if under 18: 0/18 (if over 18 insert 'over 18') Occupation: Snr Environmental Health Officer


This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.

Signature: 

Date 21<sup>st</sup> November 17

I am employed as a Snr Environmental Health Officer attached to the Environmental Protection Team of the Hastings Borough Council, Environmental Health Department. I have been in the employ of the council for over 15 years and hold a 1<sup>st</sup> class BSc (Hons) in Environmental Health from Middlesex University, A Membership of the Chartered Institute of Environmental Health and a Fellowship of the Royal Society of Public Health.

As such I am an authorised officer in respect of the Environmental Protection Act 1990. In addition to my day to day duties, I am also attached to the Council's Emergency 'Out of hours' team as a Duty Environmental Health officer. The Environmental health team operates a 24 hour service to respond to calls outside of normal office hours.


Just after 11 pm on Friday the 10<sup>th</sup> November 2017, I was contacted by the councils out of hours coordinator, to attend  Devonshire Road, Hastings regarding a report of excessively loud music coming from the adjacent licensed premises known as the Royal George. The Royal George is located at the top of Station Road.

I arrived at 11:30 pm and parked my unmarked vehicle at the top end of Middle Street directly behind the Prior Meadow shopping centre. As I walked up the road towards the junction with Devonshire Road, Middle Street and Station Road I became aware of loud music emanating from somewhere in close proximity. I telephoned the complainant and informed them that I would conduct some observations from street level are there were specific licensing conditions regarding volume levels. She informed me that just before my arrival another neighbour had gone into the Royal George and asked them to turn it down. On

SIGNATURE.....  ..... WITNESSED BY.....

Continuation of statement of Stewart Edward Bryant reaching the junction the music became louder and it was obvious that the noise was coming from the Royal George public house in Station Road. The Premises has several single glazed windows and two single glazed doors to the front and side of the premises. The music which was emanating from a DJ Type set up was clearly audible in the street. The premises is licenced to a Mr Andrew Palmer, who has been written and spoken too by the Environmental Health and Licensing Team regarding levels of noise from the premises. The current licence also states the following conditions: **"Music played on the premises shall be at such a volume as to be no more than barely audible on the opposite side of Station Road up until 23:00 hrs and inaudible after that time each day as perceived by an authorised officer of Hastings borough Council"**. I walked around the corner into the top of station road to the point mentioned in the above and the music was clearly audible, being both a breach of the notice and a Statutory Noise Nuisance. The premises was almost empty and the Barman was observed leaning over the bar looking out onto Station Road. On the right hand side of the pub was male standing by the windows with a DJ set up and loud bass driven music was clearly audible in the street about 12 meters from the premises at the monitoring point. I walked down into Queens Square and the loud music was still audible by the Hot Potato outlet within Queens Sq at 11:39 pm. The music became louder still when the door was open to let a female customer out. I continued down through Queens Square towards the town centre and then past the Clarence public house and back up Middle Street to the top end of Middle Street/Devonshire road. The music continued to be audible at the junction as before. I then contacted the second complainant also from [redacted] and he explained that the noise had been even louder which had prompted him to go into the Royal George and ask the DJ who he stated was also the person in charge of the premises and ask them to turn the Disco music down. I explained to him that I had heard sufficient evidence that a statutory noise nuisance was taking place and that an abatement notice would be served on the premises. At 11:51 pm I returned to my vehicle and drove into the entry for the car park at Priory meadow shopping ctr which is located opposite the Royal George, the music still audible with the car

Signature



Signature witnessed by:

PTO

Continuation of statement of Stewart Edward Bryant  
windows open and turned my vehicle around before leaving the scene.

On the 14<sup>th</sup> November a noise abatement notice was served by Senior  
Environmental Protection officer John Ballam (exhibit JBA01) on Mr Andrew Palmer  
the Premises Licence holder.

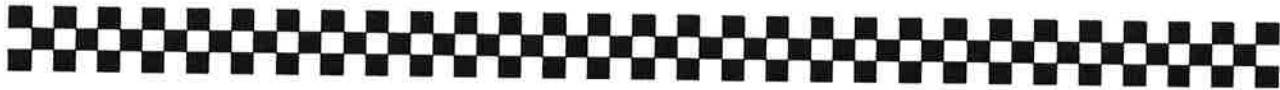


Signature



Signature witnessed by:

PTO



**RESTRICTED - FOR HBC AND PROSECUTION ONLY**  
(when complete)

Witness contact details

Home address:

Postcode:

Home telephone no:

Work telephone no: 01424 783282

Mobile/Pager no:

E-mail address:

Preferred means of contact:

Male / ~~Female~~ (delete as applicable)

Date and place of birth:

Former name:

Witness care

- ~~a) Is the witness willing and likely to attend court? Yes / No. What can be done to ensure attendance?~~
- ~~b) Does the witness require 'special measures' as a vulnerable or intimidated witness Yes / No.~~
- ~~c) Does the witness have any specific care needs/ Yes / No. If 'Yes' what are they? (Health care, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns.~~

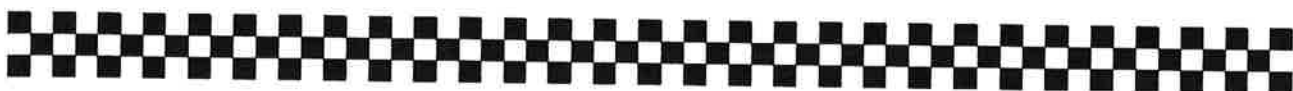
DATES WITNESS NON-AVAILABILITY: (DAY, MONTH AND YEAR)

Month of: December 17							Month of: Jan 18							Month of:						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
<del>22</del>	<del>23</del>	<del>24</del>	<del>25</del>	<del>26</del>	<del>27</del>	<del>28</del>	22	23	24	25	26	27	28	22	23	24	25	26	27	28
<del>29</del>	<del>30</del>	<del>31</del>					29	30	31					29	30	31				
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8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				

Statement taken by: (print name) Bryant

Section: Env Health

Time and place statement taken: 21<sup>st</sup> November 2017 Env Health



**Stewart Bryant**

---

**From:** Andrew Palmer <andrewcjp@btinternet.com>  
**Sent:** 05 December 2017 17:13  
**To:** Stewart Bryant  
**Subject:** Re: Emailing: Review of premises licence - ROYAL GEORGE PH FULL

Thank you for the information obviously I totally disagree with most of the allegations on here and we have stopped all live music from 10th of November.

Please send me details of dates etc so I can defend myself and the pub.

To be honest I have no idea why, you are doing this and with the rest of the music venues having louder music than myself, it just seems you have a vendetta against the pub.

As we have stopped all music at the pub if you have had any since the 10th then these are false, all bands and music including open mic have been cancelled. If you have had complaints since the 10 th of November can you please also include These in any paper work sent to me.

I will fight this as to be honest we are the innocent party here Yours Andrew Palmer

Sent from my iPhone

> On 5 Dec 2017, at 15:43, Stewart Bryant <[SBryant@hastings.gov.uk](mailto:SBryant@hastings.gov.uk)> wrote:

>

> Dear Mr Palmer

>

> Please see the attached file relating to an application by this department to review the Premises licence at The Royal George 31-32 Station Road Hastings. A printed copy of the document has been sent to you C/O the Hollington Oak.

>

> Yours sincerely

>

>

>

> Stewart Bryant BSc (Hons) Env Health, FRSPH Senior EHO, Lead Officer

> Env Protection Environmental Health Hastings Borough Council Muriel

> Matters House, Breeds Place Hastings, E.Sx

> TN34 3UY

> Tel. 01424 783282

>

> [www.hastings.gov.uk](http://www.hastings.gov.uk)

> Please check if your home (and business) are connected to the correct sewer..

> [www.connectright.org.uk](http://www.connectright.org.uk)

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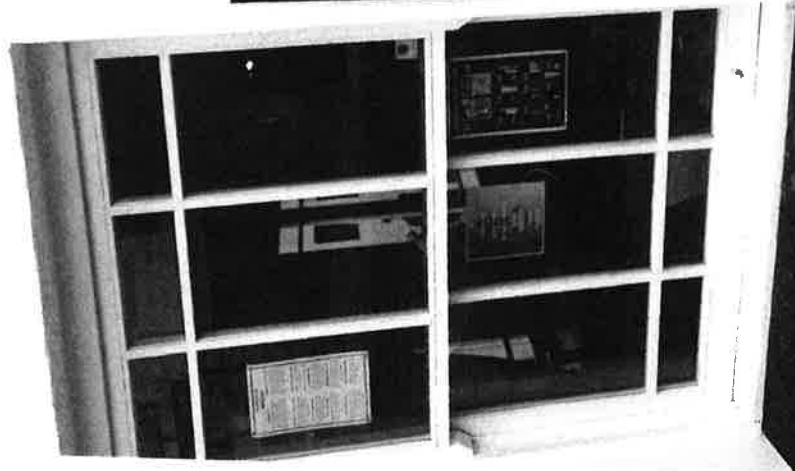
# ROYAL GEORGE

**LIVE MUSIC**

**BLACK RIVER**  
Sat 25th Nov

**KILDA STREET**  
Sat 2nd Dec

**Tom Fitzpatrick**  
FRIDAY 8th DECEMBER



**LIVE MUSIC**

**BLACK RIVER**  
Sat 25th Nov

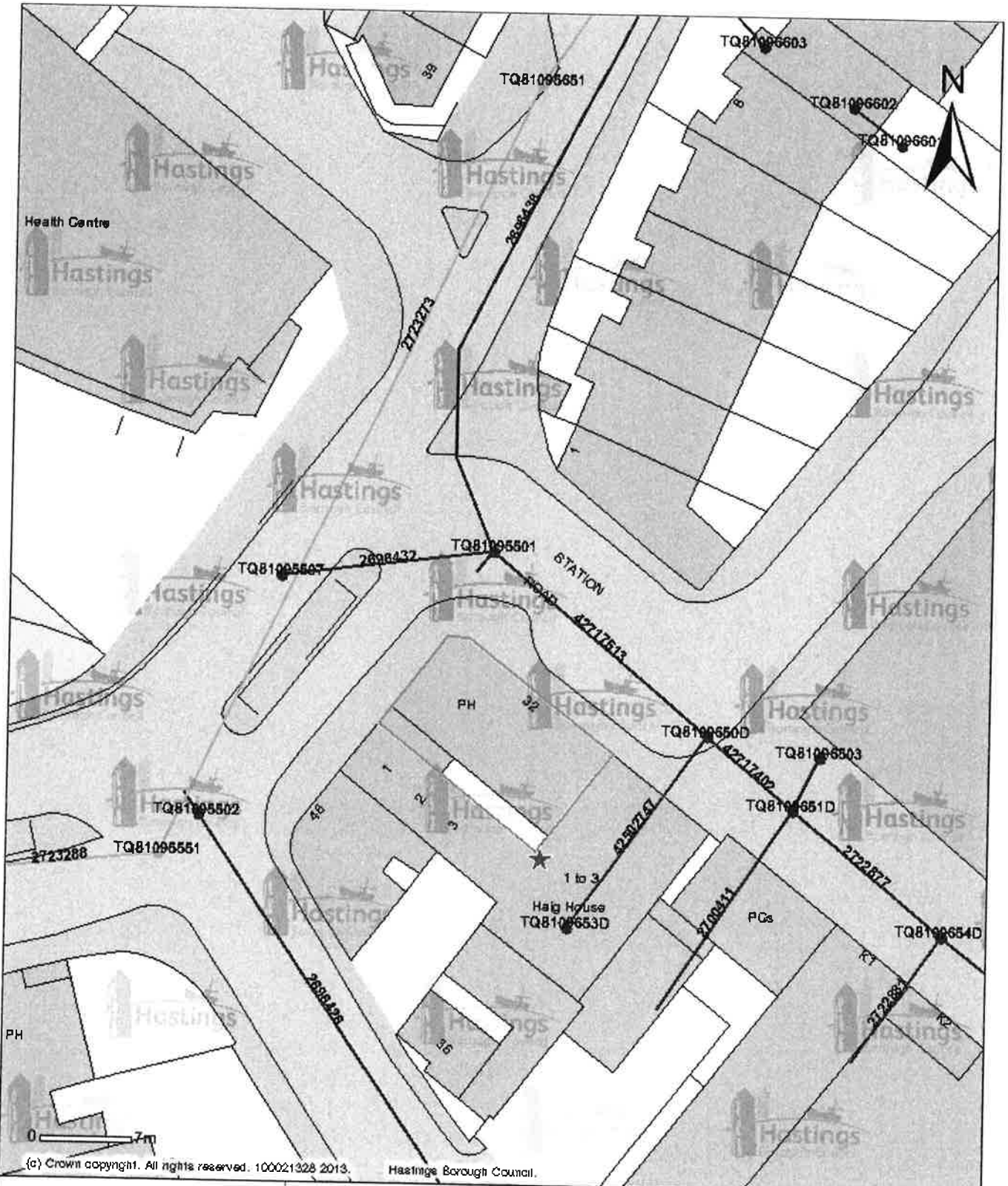
**KILDA STREET**  
Sat 2nd Dec

**Tom Fitzpatrick**  
FRIDAY 8th DECEMBER

**Lee Weller**  
Saturday 17th Nov  
9pm till late  
Free Entry







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**Title:**  
royal george review

**Scale:** 1:387

**Date:** 14 / 11 / 2017

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