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Licensing & Public Safety

Licensing Manager
Environment and Safety Directorate
Cavendish House
Breeds Place
Hastings
TN34 3AA

31st July 2015.

RE: TEMPORARY EVENT NOTICES FOR THE PREMISES AT FUNKY BUDDHA 20 ROBERTSON STREET, HASTINGS EAST SUSSEX. TN34 1HL. FOR SUNDAY 9th AUGUST 2015, SUNDAY 16th AUGUST 2015, SUNDAY 23rd AUGUST 2015, SATURDAY 30th AUGUST 2015 and SUNDAY 6th SEPTEMBER 2015.

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

Dear Mr. Brown,

Notice of objection is hereby given on behalf of the Chief Officer of Police for Sussex for the above Temporary Event Notices on the grounds of prevention of crime and disorder and prevention of public nuisance.

On the 12th August 2013 the premises licence was transferred from Fluid Leisure Ltd. to Parkers Brasserie Ltd., registered company number 8392726, of 21 SugarLoaf Walk London E2 0JQ, the directors of the company being Mr. Edwin Jeffery and Mrs. Louise Jeffery. At the same time Mr. Edwin Jeffery became the Designated Premises Supervisor. Mr. Jeffery remained a director until 8th December 2014 when his appointment was terminated leaving Mrs. Jeffery as the sole director.

The premises licence permitted the licensable activities of recorded music, provision of facilities for dancing and the supply of alcohol, to take place:-

Wednesday – Saturday 20.00hrs – 03.30hrs.
In addition the provision of late night refreshment:-
Wednesday – Saturday 23.00hrs – 03.30hrs.

The opening hours for the premises being:-
Wednesday – Saturday 23.00hrs – 04.00hrs.

As well as the mandatory conditions there were a number of additional conditions consistent with the operating schedule which were designed to promote the four licensing objectives.

On the 27th July 2015 Sussex Police were informed by Hastings Licensing Authority that Parker Brasserie Ltd. had been dissolved on the 19th May 2015. No application had been made for an Interim Authority Notice in accordance with Section 47(1) of the Licensing Act 2003 and therefore on or around 27th May 2015 the premises licence, number HOP 50002, lapsed.

Mrs. Jeffery failed to notify the Licensing Authority that the company had been dissolved and continued to trade without benefit of a premises licence thus committing S.136 breaches each time the premises was open and trading; this action demonstrating her disregard for licensing legislation.

When the premises licence was in force Mrs. Jeffery submitted several Temporary Event Notices and Sussex Police were able to ask that the conditions attached to the premises licence be imposed on the Temporary Event Notices when issued. As the premises licence no longer exists Sussex Police are not now in a position to make this request.

The current Temporary Event Notices submitted by Mrs. Jeffery seek to permit the premises to supply alcohol and provide both regulated entertainment and late night refreshment on Sunday 9th August 2015 (LateTEN), Sunday 16th August 2015, Sunday 23rd August 2015 and Sunday 6th September 2015 between the hours of midnight and 04:00 hrs on all days and on Saturday 30th August between 22:00 hrs and 06:00 hrs. None of these applications are for a particular event but rather merely to permit the premises to trade in the absence of a premises licence.

The area surrounding Funky Buddha is densely populated with licensed premises and suffers from significant crime and disorder and public nuisance. These issues became so significant that in 2008 Hastings Borough Council implemented a Saturation (Cumulative Impact) Policy to encompass the area.

Sussex Police note that although there is no legal obligation for a TEN applicant to include measures to promote the four licensing objectives, given the location of the premises and the fact that conditions have been attached to her TENS previously we would have expected Mrs. Jeffery to have made some appropriate proposals.

Sussex Police contend that as the applicant has neither considered nor proposed any measures to promote the four licensing objectives we therefore object to these Temporary Event Notices on the grounds that permitting the events will undermine the licensing objectives of prevention of crime and disorder and prevention of public nuisance.

I confirm that a copy of this objection letter has been sent by first class post to the premises user.

Yours sincerely.



Jean Irving
Head of Licensing & Public Safety
Sussex Police Headquarters
Lewes.