

Pink Palace

11-13 Marine Parade East
Clacton On Sea
CO15 1PS

▶ **The Licensing Authority
Tendring District Council
88-90 Pier Avenue
Clacton On Sea
CO15 1TN**

To whom it may concern

I would like to make a representation to the Licensing Authority in regards to The Kassaba Restaurant, 7-9 Marine Parade East, Clacton On Sea, CO15 1PS. The Licensing Objectives in respect of The Prevention of Crime and Disorder and the Prevention of Public Nuisance, which has been affecting my business on a daily basis. Myself and my two children have suffered severely as have other members of my family. I would like to attend the review of the premises license so that I can air my views/distress in person.

I have kept a diary of all disturbances and incidents which have occurred at the above-mentioned address on a nightly/weekly basis which are as follows and dated from 15th July 2020.

- Wednesday 15th July, a vast amount of public nuisance out the front of the premises with overcrowding with a lot of under age drinkers. I had a complaint from a customer who was staying at the hotel in the ground floor room (right next door to the entry to The Kassaba) she reported that there was fighting and screaming outside her bedroom window who she has previously seen drinking in The Kassaba.
 - Friday 17th July from 12am onwards very busy again with people causing a public nuisance all over the pavement on the street, people shouting, around 30 to 40 people outside on the front still with no social distancing.
 - Saturday 18th July, around 70 people outside the venue with no social distancing at all, very noisy lots of screaming and shouting from 12 am, a fight broke out which you have been made aware of I believe this comes under crime and disorder. I had three complaints from hotel guests, one in which was a family placed here for temporary accommodation through Tendring District Council. Police were in attendance but no action was taken.
 - Sunday 19th July, about 20 to 25 people outside the front of the venue causing a public nuisance.
 - Monday 20th July, around 30 people outside the front of the venue causing a public nuisance with underage drinkers.
 - Tuesday 21st July, around 30 to 40 people outside the front of the venue making a lot of noise. Two fights broke out, one at 11pm then another fight at 11.50pm I believe this is an objective in respect of crime and disorder with chairs being thrown in the road, I had to call the police as was worried that somebody was going to get seriously hurt. The police
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- attended and drove around the chairs in the road and failed to even get out of their car, I have this on video cctv. The chef from next door went over to the police car and spoke to them and the police drove off, which is not acceptable.
- Wednesday 22nd and Thursday 23rd July, 20 to 30 people on both nights no social distancing, disturbances and public nuisance with empty cups being thrown on my drive as well as fag butts.
- Friday 24th July, Very busy with people out the front of the venue. Plenty of shouting from 12am onwards, people causing a public nuisance by blocking the pavements, no social distancing.
- Saturday 25th July, Started getting busy at 12am, very noisy with around 40 people out the front, no social distancing, had a complaint from a hotel guest who said she could not sleep because of the noise.
- Sunday 26th July was very busy and loud from 11pm. Lots of under age drinking, shouting and chanting football songs. Had one complaint from a guest in my hotel who said she will never stay again as the noise was too much for her and her children.
- Wednesday 29th July, a public nuisance with lots of people blocking the pavement, shouting from 12am onwards.
- Thursday 30th July, very busy and very loud causing disturbances towards my hotel guests.
- Friday 31st July, public nuisance from 12am very busy with around 30 to 40 people out the front a lot of noise at 12.30 there was a fight, no police were called but the bar continued to let the people fighting continue to drink in their premises. At 12.49 another fight broke out which ended up around the corner on Orwell Road, it was very loud for the customers at the back of the hotel which is a crime and disorder.
- Saturday 1st August, very busy and very noisy, there was a few fights that both myself and my customers were witnesses to. The police came to the premises three times, the first fight being at 23.40pm which ended up coming outside the front of my hotel. At 23.52pm the second fight started which was the same people that had the first fight again very loud a lot of shouting, police were in attendance and did take someone away but the others were let back into the premises. It continued to be busy out the front until 1.30am there were a lot of people blocking the road and the pavements again causing a public nuisance. There was another disagreement at 1.34am both licenses objectives are covered in respect of the prevention of crime and disorder and the prevention of public nuisance.
- Friday 7th August, busy a lot of noise and a large gathering of people on the pavement causing a public nuisance at 1.05 am all shouting very loud.
- Saturday 8th August, busy with a lot of noise, they had customers buying drinks from them then going and standing across the road opposite the hotel, they were shouting and singing and being rude to people walking at 12.50am. At 1.02am there were a lot of people on the pavement blocking people's access a man climbed over the fence and was standing in my car park and was not told to move on by their bouncers at any time which was severely affecting the family in the ground floor room. The noise continued then a black jeep pulled up outside at 1.40am where one of the passengers got out and opened all the doors and boot to play very loud bass music to which everybody from next door started to dance. At 1.51am another man climbed over the fence onto my premises outside the ground floor room while talking to the head chef Mustafa who woke two children up in the ground floor room, and guests on the second floor who complained saying the noise had woken her daughter up again. People were still hanging around after 2 am making a noise.
- Tuesday 11th August, two of the Clacton Hotel residents were shouting abuse out of the window at the back of the hotel at 11.30am into my garden asking me why I was making so much noise why they were trying to sleep. This was in fact the gardeners in Clearwater Reach Flats. The night did not start to get busy until 11.50pm a lot of shouting which was very loud, there was a fight between two lads in the middle of the road. Continued to get busy at 12.10am a very loud argument going on with a lot of people watching at 1.40am. A lot of people shouting and standing in the road again causing a public disturbance.
- Wednesday 12th August, at 12.30pm in the afternoon we had some music on in the back garden for the hotel customers, at 12.44 the same two people shouting from the day before started shouting abuse again but at a customer who was putting their rubbish in the bin. He told them he was on holiday and was just staying at the hotel in which they said they were going to smash him up, so which I went into the garden as the Manager and tried to calm the situation down they continued to shout abuse saying that we were going to pay for waking them up, that we should not have music on, then they started accusing my dad and uncle of being paedophiles and they were going to come for us all just wait and see. At 6.25pm I had a few customers sitting outside the front of the hotel a young boy came down the stairs from the Kassaba and started to linger around the front of my hotel. He was staring out my customers and my family trying to intimidate my brother, he squared up to him saying he was to kick off and smash him up, I got between them and told him to go away, he was on his phone to his friends trying to get them to come down and do us all over. I have a picture of the lad and I also have cctv. (I now know that the lad is Harry and who I believe was 17 years old at the time), why is he allowed to get drunk in the premises when he is only 17?

- Friday 14th August, very busy a lot of noise out the front. There was a big fight further down the road at 2.10am which I believe were people from both venues open that night. I believe the police were in attendance.
- Saturday 15th August, busy and very noisy from 11.30pm. It was very reassuring to see police officers standing across the road from the venue observing everything. Not long after the police left it then became very noisy until 2am.
- Monday 17th August, very noisy, there was a fight at 12.57am. Then another fight at 1.05am which then continued around the corner in Orwell Road causing both a public nuisance and crime and disorder.
- Tuesday 18th August, busy very loud with what seems to be full of underage drinkers, there was a fight at 12.40am this went on for ten minutes.
- Thursday 20th August, noisy, people outside, very young customers, music playing.
- Friday 21st August, a busy night, lot of noise and music playing very loud. Mustafa watched one of the customers climb over the fence and piss up the wall outside my ground floor room, then he climbed back over to next door. I have not recorded this due to the nature. There were very loud arguments from 1.18am which developed into a fight again to around the corner into Orwell Road, police attended. Then more loud shouting started again at 1.39am which then turned into a fight again directed to Orwell Road again this falls under the licensing objectives.
- Saturday 22nd August There was a lot of noise again a lot of people in and out and music playing very loud. There was another loud argument, a big crowd outside until 2.30am and I believe drinks were still being served as people were coming outside with fresh drinks.
- Tuesday 25th August, busy, the basement downstairs is being used as well as the restaurant, very noisy as the evening went on. At 12.57am the same group that are there every evening left and vandalising the bus stop outside TRUTH. Music was playing very loud. At 1.12am a group of six people left the premises with drinks and came and sat outside my premises on the steps pulling down the table and chairs being noisy. I had to ask them to leave as my son had been woken up yet again.
- Thursday 27th August, noisy, argument between a boy in a red jumper and others, the boy in the red jumper was asked to leave but hung around opposite outside the crazy golf.
- Friday 28th August, very busy, a lot of noise, at 12.38 there were groups of people dancing outside, there was a fight at 2.20am until 2.40am which ended up outside TRUTH, which we know is not currently open where an ambulance attended.
- Saturday 29th August, busy and loud. We had another issue with the same young lad from next door, he is definitely gunning for a fight (Harry). He left the Kassaba very drunk sat outside the wall of my front room window which is not covered by CCTV at 1.06am. I asked him politely to move on but he was getting very loud and refused. At this point my brother came out of his caravan to see what the commotion was and told Harry to leave. I went to the bouncer and asked him to remove Harry from my property to which I was totally ignored by the bouncer and one of the owners. They exchanged words then Harry went and got a group of his friends from Kassaba to come and help him do Wayne over. At this point the bouncer had seen Harry go back to Kassaba to get his group of friends, there was a further commotion to which my aunt had to call the police as the situation was becoming worse. The police arrived at 1.16am they spoke to myself, the officer said he will not be arresting Harry because it is too much paperwork. They put Harry in the car and drove him up the road. In the meantime a group of lads which Harry had gone to get to join the fight was let back in to the Kassaba. It was one of Harry's friends that confirmed to me that Harry was only 17 and a minor and not to touch him. He came back with his friend at 2.00am but saw the police on the corner so left. At 1.50am there was another fight which was very loud and a lot of screaming but yet again was directed towards Orwell Road, the police arrived at 2.00am and was there until 2.30am which woke up everyone in the hotel who had a seaview room. (found out the next day that two of his customers and broken into my garden shed and slept in there until the early hours of the morning, the reason I know this is because the next day the girl came to my hotel to say she had left her back in my shed). (yet again my son was woken up crying).
- Sunday 30th August busy and loud, regular group of people outside, arguments/fight at 1.08am, the boy was moved on but lingered across the road outside Clearwater Reach making a noise.
- Tuesday 1st September, busy and very loud, there was a commotion involving Harry again with some other man this was kicking off at 10.30pm, it was very loud there were no bouncers, this carried on for ten minutes. The other man left but Harry was allowed to stay in the premises, the police did attend. I do not understand why a licensed premises would continue to let a well known troublemaker back in the premises especially after they had told us he had been barred.
- Friday 4th September, busy and noisy, everyone sitting on tables being loud with no social distancing.
- Saturday 5th September, very busy from 12am onwards, a lot of drunk people going in and out, there was a fight at 1.40am which started on the corner of Orwell Road/Marine Parade East, these people had been drinking in the premises to which I have CCTV

footage, It ended up across the road. There was another very loud disagreement a lot of shouting involving a man, Harry and the bouncers which continued to shout abuse at the bouncers as he walked past our hotel.

- Monday 7th September. A loud disturbance at 1.00am with a lot of shouting between people hanging around on the pavement outside the premises.
- Tuesday 8th September, busy and very noisy a lot of groups outside, groups of girls messing around until 1.20am and a lot of people hanging around until 2.00am outside the premises.
- Wednesday 9th September, very noisy again a lot of young people, music was being played very loud with a lot of shouting. There were people dancing outside the front the music continued for one and a half hours. At 12.50am there was a disagreement which carried on until 1.08am. Someone who we believe to have been drinking in the premises got in their car and drove mad out of Orwell Road across Marine Parade East onto the pavement and through inbetween the crazy gold to the beach promenade and then reversed back out and drove off. I believe this was reported to the police.
- Thursday 10th September, very loud during the day with what looked like under age drinkers playing loud music. Very busy one man got out of a cab very drunk making a lot of noise and they let him in then they kicked him out at 12.00am, then the staff and bouncers were pushing the man down the road.
- Friday 11th September, busy and noisy right through until 2.00am.
- Saturday 12th September, busy and noisy, large group of people outside on the pavement from 1.30pm, a lot of shouting, people are still sitting out the front past 2.00am making noise.
- Sunday 14th September, argument at 9.15pm the same man as the other day.
- Monday 15th September, quiet think the premises was shut then from 11.30pm a crowd gathered outside making a noise then the owners turned up and let them in.
- Tuesday 16th until 18th September, I believe it was closed.
- Saturday 19th September, incident with Harry with 22.12pm, Harry left next door's premises and approached myself, my brother and a customer outside the front of my premises getting loud and looking for a disagreement. I tried to calm the situation down which ended up with him walking straight back into next door looking angry. Another incident happened where a boy was having a disagreement with two girls then he walks inside comes out with an empty bottle then smashes it on the wrought iron fence at the property and headed in the direction to Wetherspoons, then the said boy walked back into the premises about ten minutes after and was let back in.

When the premises was used as the Geisha Nightclub from previous owners we never encountered any of these problems. The bouncers, the owners had the place run efficiently and had respect for their surrounding neighbours.

This is really affecting my life and my two children who are aged 14 and 8 it is giving my 8 year old nightmares and anxiety and is very scared when he hears loud voices, it is also affecting my mum who is 67 and feels very intimidated by the customers who are daily regulars and staff next door when walking past to do her daily shop. It is causing stress for my brother who is being intimidated by Harry because he knows my brother will not touch him because he is a minor. My daughter who is very vulnerable and is 14 years of age does not like going past the venue as everyone looks and stares at her, this should not be allowed. I have had regular customers coming here from the day we opened the hotel and have said they will no longer be coming here due to this. My business has taken a big hit this summer not just because of Covid but also because of the noise and disturbances of next door. Regulars that come each year have now cancelled for following dates due to this. I feel the managers and staff are all aware of this situation but are overlooking it and I have tried to be the better person by being professional and work with them to sort out the issues that are ongoing.

Overall this is affecting my personal life, having to live on the maximum of 4 hours sleep a night, as well as my business, which was already struggling due to Covid-19, where I am adhering to all legislations and guidance like most premises in Clacton. I have had to refund money back to customers and I have received numerous letters of complaint not about my hotel but about the establishment next door.

I feel that I have covered all the licensing objectives in respect of the prevention of crime and disorder and the prevention of public nuisance. I have cctv and images if required. Please find attached my customers complaints. Also is it at all possible for myself and a work colleague to attend the review of the premises licence. Please could you contact me to let me know if this is possible.

Kind Regards

Charmaine Gibson,

Manager and Owner of The Pink Palace Hotel.

Follow up email from the Pink Palace

From: Pink Palace <pinkpalaceltd@gmail.com>

Sent: 25 September 2020 13:35

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: review of licence (kassaba restaurant)

Good afternoon,

i have written a representation to the licensing authority (tendring district council) with regards to the application for review of a premises licence for the kassaba restaurant

7-9 marine parade east

clacton on sea

essex

CO15 1ps

i have sent a letter through the post and i will be attaching a copy with this email

kind regards

charmaine

manager of pink palace hotel

