

17 October 2019

**PLEASE NOTE START TIME OF MEETING**

Dear Councillor,

A meeting of **LIQUOR LICENSING COMMITTEE** will be held in the **COUNCIL CHAMBER** at these offices on **FRIDAY, 25TH OCTOBER, 2019 at 10.00 am** when your attendance is requested.

Yours sincerely,  
KATHRYN HALL  
Chief Executive

**A G E N D A**

1. To receive apologies for absence.
2. To receive Declaration of Interests from Members in respect of any matter on the Agenda.

**The procedure the Licensing Panel will follow in considering the application is set out in the Licensing Act 2003, its attendant Regulations and was agreed by the Licensing Committee on 2nd February 2005. The Licensing Panel, in accordance with rule 14 of the Licensing Act 2003 (Hearings) Regulations 2005 decide to exclude the public from all or part of the hearing where the Licensing Panel considers that it is in the public interest to do so.**

3. To confirm the Minutes of the meeting held on 22 August 2019. **(Pages 3 - 6)**
4. Application to vary a Premises Licence - Licensing Act 2003. **(Pages 7 - 42)**

## Human Rights Act Implications

### Licensing Act 2003

A licensing authority must carry out its function under the Licensing Act 2003 with a view of promoting the licensing objectives.

The Licensing objectives are:-

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

In carrying out its licensing functions a licensing authority must also have regard to:-

- (a) its licensing statement published under Section 5 of the Licensing Act 2003 (this may be viewed on the Mid Sussex District Council website);

and

- (b) any guidance issued by the Secretary of State under Section 182 of the Licensing Act (this may be viewed on the Department for Culture, Media and Sport website).

Members are asked to consider the human rights implications for both the licensee who has rights under Article 1 of the First Protocol, the Right to Property (which includes the licence):and the objectors who have rights under Article 8 to Respect for Private and Family Life, and Article 1 of the First Protocol, their right to enjoy peaceful use of their possessions.

To: **Members of Liquor Licensing Committee:** Councillors P Chapman, R Cromie and I Gibson

**Minutes of a meeting of Mid Sussex District Council Liquor Licensing  
Committee  
held on Thursday, 22nd August, 2019  
from 10.30 am - 12.12 pm**

**Present:** Councillors: P Chapman (Chairman)  
L Gibbs  
S Smith

**Officers in attendance:**

**Also in attendance:**

**LS.1 TO RECEIVE APOLOGIES FOR ABSENCE.**

None.

**LS.2 TO RECEIVE DECLARATION OF INTERESTS FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.**

None.

**LS.3 APPLICATION TO VARY A PREMISES LICENCE - LICENSING ACT 2003.**

**HAY AND STRAW, 16 HIGH STREET, EAST GRINSTEAD, RH19 3AW**

Introduction and outline of the report

Paul Thornton, Senior Licensing Officer introduced the application to vary the premises license of the Hay and Straw and advised that relevant representations have been made by Mid Sussex Environmental Health and members of the public.

The officer advised that the application seeks to extend the existing licensable area to enclose a small area outside the front and increase the permitted hours on Friday and Saturday. The current licenced premises previously operated as a haberdashers shop. A licence was granted to Côte Restaurant but it was surrendered without opening. The Hay and Straw has been trading since February 2019 as a bar/restaurant and they are licensed for live and recorded music until 23:00 hours under the current licencing arrangement. He noted that the report included the conditions for the existing premises licence, which include age verification with a minimum age of 25 years, staff training, the operation of a refusals and incidents log, after 9pm all children under 18 years must be accompanied and attending a meal or pre-booked event and digital CCTV and recording equipment.

The officer advised the Committee that the applicant has offered some conditions in the operating schedule and these should be added to the licence if it is granted. It included no admittance of new patrons after 11pm Sunday to Thursday and after 11.30pm Friday and Saturday. Re-admittance of existing patrons, who have gone outside to smoke, is permitted. He highlighted that the current premises licence does not permit the consumption of alcohol bought at the Hay and Straw outside the premises and this application would include a small seated dining area on the pavement for approximately 12 seats. The width of the shop front is 6.2 metres and

the pavement is 2.96 metres wide and is part of the public highway. There are steps directly opposite the entrance and a Grade II listed water fountain.

The officer confirmed that representations have been received from Sussex Police, Mid Sussex District Council Environmental Protection Team and three residents. He noted that Sussex Police had agreed conditions with the applicant police and the licenced area would be delineated with a windbreak, all furniture, including the tables and chairs, must be removed or stacked and secured when not in use.

The Environmental Protection Team has objected to the use of an outside area after 21.00 hours and the extension of hours to supply alcohol as it is likely to create a public nuisance. The Senior Licensing Officer advised the Committee that representations have been received from Mrs Cook, Mr Berry and Mr Beirne, all local residents. A further representation from Mrs Cook is noted in the supplementary report, which has already been supplied to the Members. He highlighted that the last paragraph in Mrs Cook's representation should be ignored as it has not been proven that the alcohol came from the Hay & Straw.

The Committee were informed that Mr Berry representation had noted noise from people leaving the premises late at night, and any mention of planning matters should be disregarded. The officer advised that Mr Beirne has provided a detailed representation and sections 4, 10, 11, and 12 are relevant. Mr Beirne states that free movement on the pavement will be compromised, he questions the validity of information supplied in the operating schedule to address the licensing objectives and thinks insufficient information has been supplied in the application. Other matters in the representation were not relevant as they have been dealt with by the response of Sussex Polices.

The officer confirmed that the Planning Authority is a statutory consultee and has supplied information which may be useful to the Committee, and the applicant would need to submit a planning application to use the outside area and any extended licensing hours. He confirmed that the Planning Authority had received an application but had not made a decision and West Sussex Highway Authority will not issue a table and chairs licence unless planning permission is granted. He noted that the consultation had been completed and was advertised at the site and in the East Grinstead Courier on 5 July.

The Committee were advised that under Section 34 LA03 the application is lawful and relevant representations have been made. The Members should take steps to promote the four licensing objectives of the: Prevention of Crime and Disorder; Promotion of Public Safety; Prevention of Public Nuisance and Prevention of Harm to Children and Young People. The Committee can modify conditions or reject the whole or part of the application. They can modify by altering any of the current conditions, omitting existing conditions or add new ones. He concluded that either party can appeal in the Magistrates Court to these proceedings.

#### Submission by the Environmental Protection Officer

Jane Cooper, Environmental Protection Officer noted that they object on the grounds that use of the outside area is likely to create a public nuisance. The bar / restaurant is in the town centre and residential properties are close by, one with living accommodation adjacent to the pavement. The officer stated that noise from the customers will impact on the nearby residents in the evening, and noise from the outside seating area will be more intrusive as the background noise drops. She commented that there have been a noticeable increase of intoxicated people in the evening and noisy customers outside bar / restaurant in the evening. The Committee



were advised that a Licensing Officer has seen people drinking outside the bar on the pavement. She concluded that local residents are upset as they expect increased noise for a longer period if the longer licensable hours are agreed.

#### Questions to the Applicant

The Chairman asked Mr Pilbrow how they would meet the licensing objects. Mr Pilbrow advised that he is a junior partner in the business and was speaking on behalf of the other partners as English was their second language. He confirmed that he agreed with the conditions put forward by the officer: 1) to use the seating outside to up to until 9pm, 2) to remove or securely stack away the furniture and barriers by 9.30 pm, and 3) to close the windows and doors at 9.30pm. He noted that it is hard to supervise people who buy a drink and then go outside to smoke, as some smokers lean through the open windows to access their drinks. He confirmed that staff do work until midnight so he doesn't want to turn customers away; he acknowledged that it is difficult to handle intoxicated customers. Mr Pilbrow stated that only the lounge of 18 High Street overlooks the front. He asked the Committee to take into account that 14 High Street has opened as a wine bar and is licensed until 11pm. He commented on the recent incident noted in the supplementary report and advised that the staff need more training as on that occasion both the other partners were away from the premises.

He advised the Committee that the other local traders were happy as their trade has increased. He provided a map for the Committee with the restaurant and the residential flats highlighted. He noted that he had not received any complaints from the immediate neighbours to the left or opposite the restaurant; the properties on the right were offices. He noted that he needed planning permission before he could submit an application to West Sussex County Council to have table and chairs on the pavement.

The Committee discussed the latest time customers were admitted into the restaurant. It was noted that the premises are licensed until midnight and the Divisional Leader noted that they had made a mistake on the times stated on the planning permission but they would not take any action.

Mr Pilbrow then stated that even though they had applied to serve alcohol up to 1.00am and to have table and chairs on the pavement until 11pm, they had no intention of using the new licence to the extended hours, if granted. The Senior Licensing Officer asked Mr Pilbrow to clarify the proposed changes to the application. Mr Pilbrow said they were happy with the comments made by the Environmental Protection Officer and would use the outside area until 9pm, cleared the outside furniture up by 9.30pm and the doors/windows would be shut by 9.30pm. He also wanted to withdraw a part of the operating schedule regarding the times for non-admittance.

The Senior Licensing Officer advised the Chairman that they must consider the application as submitted. They cannot ignore that part of the operating schedule as it supports the application and is a fundamental part of the application to vary an existing premises licence. He advised Mr Pilbrow that if he wanted to withdraw parts of the operating schedule he must make a new application.

Mr Pilbrow advised that the Committee could choose to ignore the "no entry after 11pm", but would prefer the committee to reject the application as a whole so they could reapply at a later date. He disputed the times on the planning permission and that the recommendation was for 11.30pm and not 11.00pm. The Divisional Leader noted that she had conferred with Tom Clark, Solicitor to the Council and that the

Council would not take enforcement action as another planning application had been submitted. Mr Pilbrow noted that they had sold alcohol after 11.00pm since they had opened and there was only one person on the refusal register.

Franca Currall, Solicitor to the Licensing Committee asked Mr Pilbrow if they wanted to reduce the hours on this application. Mr Pilbrow replied that they wanted to reduce the hours on the application, and they were happy with the current licence.

The Committee adjourned at 11.14am so the Senior Licensing Officer and the applicants could discuss changes to the current application.

The Committee reconvened at 12.09pm and the Chairman asked Mr Pilbrow if he wished to address the Committee. Mr Pilbrow advised the Committee that after a discussion they would like to want to either withdraw part of the application or the entire application.

The Solicitor highlighted that it was part of the way the applicants would mitigate the licensing objectives. As the consultees have reviewed the application on that basis, it is a fundamental part of the application and could not be removed.

After a final consultation with the other partners Mr Pilbrow advised the Liquor Licensing Committee that they wished to withdraw their application and they would resubmit at a later date. He thanked the members of the Committee and the officers for their time.

The meeting finished at 12.12 pm

Chairman

## Application to vary a Premises Licence – Licensing Act 2003

REPORT OF: Tom Clark, Head of Regulatory Services  
Contact Officer: Paul Thornton, Senior Licensing Officer  
Email: [paul.thornton@midsussex.gov.uk](mailto:paul.thornton@midsussex.gov.uk) Tel: 01444 4774278  
Wards Affected: East Grinstead Town  
Key Decision No  
Report To: Liquor Licensing Panel 25<sup>th</sup> October 2019.

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### Purpose Of Report

1. To provide information in order that the Committee can determine an application to vary a Premises Licence.

### Summary

2. An application, pursuant to Section 34 Licensing Act 2003, has been made on behalf of Hay and Straw Limited to vary a Premises Licence at 16 High Street, East Grinstead, RH19 3AW. Representations against the application have been made by a Responsible Authority and members of the public.

### Recommendations

3. The Committee is asked to determine the application in accordance with the Licensing Act 2003, MSDC Licensing Policy and the Home Office Guidance issued under Section 182 Licensing Act 2003, whilst having due regard to the applicant's submissions and relevant representations.
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### Background

4. 16 High Street, East Grinstead was for many years a haberdashers shop called Threadneedles trading Monday to Saturday - 9am to 5pm. It closed in 2017 and planning permission was granted for a change of use to a restaurant. A premises licence was granted to Cote Restaurant, but they surrendered the licence without ever opening.
  - 4.1 Hay and Straw is a bar/restaurant at the site. It has been trading since November 2018 when it was issued with a Premises licence by this council.
  - 4.2 It is currently licensed for the following licensable activities;

	Everyday
Live Music	0900-2300
Recorded Music	0900-2330
Late Night Refreshment	2300-0000
Sale of Alcohol	0900-0000
Xmas and New Years Eve	0900-0130

- 4.3 I have appended the full conditions attached to this licence at the rear of the report.  
In brief they include;
  - a. Provision of CCTV at the site.
  - b. Staff Training

- c. Maintain a refusals register
- d. Age verification for 25 years old.
- e. No unaccompanied children u18 yrs. post 21:00 hours.

4.4 The application seeks to vary the licence as follows;

- a. Change to licensed area to include outside area at front of premises for consumption of alcohol until 2100 hours every night for 12 covers.

4.5 The current licence does not authorise sale of alcohol for consumption off the premises. The new application seeks to change the licensable area of the premises to include a small outside area on the pavement immediately outside the restaurant. The application indicates a figure of 12 seats for this area.

4.6 This area is part of the public highway and is constructed in red block paving across to steps leading down to a Grade II listed Water Fountain. The steps are bounded by terrace and raised flowerbeds. I have appended pictures of this area, including the pavement, in the appendices. These pictures show views outside the restaurant and front views that include the steps, flower beds and water fountain.

4.7 The width of the shop front is 6m 20cm. The width of the pavement from the boundary wall of the restaurant to the pavement edge is 2m 96cm. The depth of the top step leading from the pavement is .62cm.

#### 4.8 Representations

Representations have been received from Sussex Police, Mid Sussex District Council's Environmental Protection Team (EP), West Sussex Fire and Rescue Service and two local residents.

##### a. Sussex Police.

Sussex Police have agreed three conditions with the applicants as follows:

- I. If tables and chairs are positioned outside, then windbreaker/partitions will be installed to enclose that area.
- II. When the outside area is no longer in use for licensable activity all unsecured tables, chairs and associated furniture, shall be removed from the outside area and /or stacked and secured.
- III. There shall be no vertical drinking outside of the premises.

If the Committee grants the licence, I respectfully request that these conditions are appended to it.

##### b. Mid Sussex District Council's Environmental Protection Team (EP)

A representation has been submitted against the application.

Given complaints received by Mid Sussex District Council relating to noise created by customers standing outside Hay and Straw, Environmental Protection has concerns that the supply of alcohol for consumption outside the premises up until 21:00 hours could cause noise disturbance to the occupants of nearby residential properties if the licensed area is

used by customers consuming alcohol whilst standing. With this in mind, in order to mitigate the likelihood that a public nuisance will be created, Environmental Protection has no objection to the application provided that the following condition is added to the premises licence.

- The outside area will only be used by customers who are seated at tables. For the avoidance of doubt, there will be no consumption of alcohol by customers who are standing in the outside area.

If the Committee grants the licence, I respectfully request that these conditions are appended to it.

c. Business Fire Safety, West Sussex Fire and Rescue Service

A representation has been submitted against the application on condition that the occupancy is reduced to a maximum of 60 until such time the secondary means of escape is rectified (escape currently exists via the commercial kitchen).

d. Two local residents have submitted representations ;

- 1) Mr Berry – cites noise from people using the outside space of causing a public nuisance. Concerns that customers will extend the outside area onto the pavement and stepped area. Concerns of public nuisance and litter to the close proximity of the Grade 2 Fountain and flower beds.
- 2) Mr Beirne – cites concerns management of the conditions of the licence. The reference to planning matters should be disregarded as they are not relevant to the Licensing Act 2003. Public Nuisance with noise concerns to local residents.

4.9 Other information - Mid Sussex District Council Planning Authority.

The Planning Authority has submitted information concerning planning restrictions at the site;

- a. The premises shall only be open to customers between the hours of 08:00 and 23:00 on any day. This means that currently, the premises must not be open beyond 23:00.
- b. An application has been submitted to use the outside area for seating. This is being considered and at time of writing this report no decision has been made. It is a fact that West Sussex Highways Department has indicated it will not issue a tables and chairs licence unless planning permission is granted.

4.10 The consultation period took place between 3<sup>rd</sup> September 2019 and 30<sup>th</sup> September 2019. It was correctly advertised at the site during this period and in the East Grinstead Courier on 13<sup>th</sup> September 2019.

## **Policy Context**

5. Determination of Application for a Premises Licence

The Committee must determine the application in accordance with the Licensing Act 2003 (LA03) , MSDC Licensing Policy and the Home Office

Guidance issued under Section 182 Licensing Act 2003, whilst having due regard to the applicant's submissions and relevant representations.

5.1 Section 34 LA03 deals with the determination of the application:

Grant of premises licence

**34** Determination of application for premises licence

- (1) This section applies where the relevant licensing authority—
  - (a) receives an application, made in accordance with section 34, to vary a premises licence, and
  - (b) is satisfied that the applicant has complied with any requirement imposed on him under subsection (5) of that section.
- (2) Subject to subsection (3) and section 36(6) the authority must grant the application.
- (3) Where relevant representations are made, the authority must—
  - (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
  - (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.
- (4) The steps are—
  - (a) to modify the conditions of the licence;
  - (b) to reject the whole or part of the application;and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
- (5) In this section, “relevant representations” means representations which—
  - (a) are about the likely effect of the grant of the application on the promotion of the licensing objectives and
  - (b) meet the requirements of subsection (6),
- (6) The requirements of are—
  - (a) that the representations were made by [a responsible authority or other person] within the period prescribed under section 17(5)(c) by virtue of Section 34(5)
  - (b) that they have not been withdrawn, and

- (c) in the case of representations made by a person who is not a responsible authority] , that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

5.2. Relevant Representations –

The Licensing Act 2003 requires representations to address the four licensing Objectives which are

1. Prevention of Crime and Disorder
2. Promotion of Public Safety
3. Prevention of Public Nuisance
4. Prevention of Harm to children and young persons

- 5.3 A representation is a ‘relevant representation’ if it is about the likely effect of the grant of the licence on the promotion of the licensing objectives. The objector must establish that such a consequence is a *likely* effect of a grant - (ie more probable than not)

**Other Options Considered**

6. In order to lawfully provide licensable activities as applied for, they must be conducted under the authority of a Premises Licence.

**Financial Implications**

7. The final decision made by the Committee in this matter is subject to appeal in the Magistrates Court by any party to the proceedings.

**Other Material Implications**

8. Section 136 Licensing Act 2003 – A person commits an offence if he carries on or attempts to carry a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or he knowingly allows a licensable activity to be so carried on.
- 9 A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine or both.

**Background Papers**

**Document**

Application form and plan of premises

## **Representations**

Mr Frank Berry  
Mr Leo Beirne

## **Representations – Responsible Authorities**

Sussex Police  
Mid Sussex District Council Environmental Protection  
West Sussex Fire – Business Safety

## **Other Documents**

Conditions attached to current licence  
Mid Sussex District Council Planning Authority  
Photographs of exterior of site



**Part 1**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

Serial Number:

745277

I/We being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Name(s) of applicant(s):

Hay &amp; Straw Limited

Premises licence number

PWA0576

**The Premises**

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

16 High Street  
East Grinstead  
West Sussex

Postcode:

RH19 1TZ

Tel: (at premises)

01342 322669

Email:

stuartpilbrow@aol.com

Non-domestic rateable value  
of club premises.

£4301 - £33000

**The Current Premises Licence**

Please describe briefly, the  
nature of the proposed  
variation

Change to licensed area to include the area to the front of the premises  
for 12 seats until 2100 hours every night

I have attached the premises  
licence  
(or relevant part of it)

Yes

**Part 2****Applicant Details**

Current postal address if  
different from premises  
address:

Green Oaks  
Imberhorne Lane  
East Grinstead  
West Sussex

Postcode:

RH19 1TZ

Tel:

07795 670709

Email:

stuartpilbrow@aol.com

**Part 3****Operating Schedule**

Do you want the proposed  
variation to have effect as  
soon as possible?

Yes

If 5,000 or more people are  
expected to attend the  
premises at any one time,  
please state the number  
expected to attend.

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Description:

Restaurant and cocktail bar to include pavement area to the front of the  
premise for approximately 12 seats

**Activities**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

- a) plays ☐
- b) films ☐
- c) indoor sporting events ☐
- d) boxing or wrestling entertainments ☐
- e) live music ☐
- f) recorded music ☐
- g) performances of dance ☐
- h) anything of a similar description to that falling within (e), (f) or (g) ☐

**Provision of late night refreshment** ☐

**Supply of alcohol** ☐

## Licensing Objectives

### Describe the steps you intend to take to promote the four licensing objectives

General - all four licensing objectives (b,c,d,e):

Please list here steps you will take to promote all four licensing objectives together.

Italian Style Bar/Restaurant open all day

The prevention of crime and disorder:

Italian style Bar/Restaurant run by partners established in the town at both Paglia E Fieno 102a London Road, East Grinstead & Hay & Straw 16 High Street, East Grinstead

Not solely for drinking  
Primarily restaurant  
CCTV

Public safety:

CCTV  
FRA  
Fully insured

The prevention of public nuisance:

Noise, Few if any residential properties locally, residential properties to the rear are some distance away  
All doors and windows to be closed during live music evenings

The protection of children from harm:

Challenge 25  
Refusal register  
Staff trained by DPS every 6 months

**Submit & Pay**

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

Address for correspondence  
associated with this application

Postcode:

Tel:

**The email address provided below will receive a copy of this completed application form.**

Email:

**Payment amount:**



**From:** Frank Berry  
**Sent:** 30 September 2019 23:36  
**To:** licensing  
**Subject:** L1/19/1438 Premises Licence Application: Hay and Straw 16 High Street East Grinstead West Sussex RH19 3AW

Dear Sirs

I wish to object to the above Licensing Application, for the following reasons under the Licensing Act 2003.

## **2. Prevention of Public Safety**

a) The Applicant says there is sufficient space for the public to pass - by the unsecured tables, chairs and barriers. However, this Application assumes they will remain all neatly arranged as per the drawing submitted. What provision has been specified by the Applicant for the disabled/public about wheelchair and mobility scooter users and pedestrians with double pushchairs to go unhindered? The tables, chairs and barriers will be there all day and evening: how will he ensure that his customers, once seated, do not move the barrier, chairs and tables towards the edge of the pavement to make more room for themselves? Apart from narrowing the width for free access to members of the public, any sudden movement by customers as indicated above could cause problems. The edge of the pavement is next to a flight of steps, so the arrangement is potentially dangerous. There is nothing in the application form to show how this will be managed, and it is unlikely that whatever measures are taken, will be effective. Will Hay and Straw accept liability in the event that an injury is incurred by a member of the public?

b) The tables, chairs and barriers will have to be set up and removed each morning and evening, with the same potential hazard as above. In addition, all of these items will have to be carried through the main door presumably, causing further tripping or other hazards for customers, especially if the premises is full of people, many carrying drinks.

## **3. Prevention of Public Nuisance**

a) There will be noise nuisance created for those living in the flats opposite in the High Street, to the flat occupiers above the premises, and other properties within the surrounding area if customers are allowed to eat and drink outside all day and into the evening. Noise levels increase in the evening as background noise declines, thus making it more noticeable and adversely affecting people in the surrounding area. I note in the application that it says all doors and windows will be closed during live music evenings: by implication, this means that doors and windows could/will be open for the majority of opening times, particularly in the Summer months.

b) There will also be nuisance created for the public **every day**, mornings and evenings, whilst the tables, chairs and barriers are set up and taken down, and bottles, glasses, cutlery and rubbish are removed. This will create a noise nuisance which will intrude on and adversely affect neighbouring residents whilst this activity takes place, particularly in Summer weather when nearby properties are likely to have windows open.

c) The Applicant says there is sufficient space for the public to pass - by the unsecured tables, chairs and barriers. However, this assumes they are all neatly arranged as per the drawing submitted. What about wheelchair and mobility scooter users and pedestrians with double pushchairs? The tables, chairs and barriers will be there all day and evening: how will he ensure that his customers, once seated, do not move the barrier, chairs and tables towards the edge of the pavement to make more room for themselves? This would narrow the width for free access to members of the public. Apart from safety issues (see above), it would inconvenience members of the public, and would, therefore, constitute a Public Nuisance. There could also be an issue affecting the disabled under the Equality Act 2010.

d) Irrespective of whether barriers are in place, it is likely that friends of those seated will stand on the pavement next to the barriers to talk and drink, especially if all seats are occupied. As the windows can be opened, it is likely that drinks will be passed out of the premises to those standing outside. Likewise, drinkers could occupy the two bench seats outside the premises at the bottom of the steps. There is nothing in the application to say what measures will be taken to prevent this happening. I note that there is evidence that customers have been seen consuming alcohol on the pavement already. What measures will be taken to prevent any of the above occurring? This Application is only for the consumption of alcohol within the barrier area, so any of the above activities taking place will be an infringement of the alcohol licence. Will it also be an infringement if customers stand inside the barrier area and are not seated? If so, how will this be enforced?

e) There is a potential Public Nuisance if the bench seats referred to above are occupied by drinkers from the premises: these seats were provided for use of members of the public prior to Hay and Straw opening, and not for customers as an extension of the premises.

f) The furniture and barriers will mean that smokers will congregate not only the door to the premises, but also to the door leading to the flats. Smoke will drift across not only to passers - by, but to those seated at the tables, which many will find unpleasant. Likewise, if the door and windows of the premises are open, smoke will drift inside the building, particularly if smoking is permitted at the tables outside on the pavement.

g) The proximity of the Grade 2 Listed Fountain and flowerbeds to any external facilities of the premise raises the likelihood of a Public Nuisance being caused from the throwing/leaving of litter and bottles.

h) There are premises within East Grinstead where the provision of external tables, chairs and barriers may be suitable. However, this premise is designated as a Grade 2 Listed Building within the Historic Area of the Town and within the Conservation Area, which attracts visitors to the High Street, particularly in the evenings during the Summer months. Any limits to free access along the public right of way and/or issues listed above will be a Public Nuisance, apart from any negative views left with visitors.

Frank Berry

58 Hurst Farm Road  
East Grinstead  
West Sussex  
RH19 4DH

Please note that I am sending this to you via email because the portal was not working once my objection was sent. An error message appeared i.e. "Error while submitting your comments. Your comments could not be submitted due to an error in the system"

I would, therefore, be grateful if you could acknowledge receipt of this email.

Thank you.



**From:** Leo Beirne  
**Sent:** 30 September 2019 21:25  
**To:** Paul Thornton  
**Cc:** Frank Berry  
**Subject:** LI/19/1438 | Premises Licence | Pending Decision | Hay And Straw 16 High Street East Grinstead West Sussex RH19 3AW.

Dear Mr. Thornton,

I have made 5 un-successful attempts to submit my Representation re. the above Application via, the MSDC Website Page, each time I received the following responses – i.e.:

**‘Error while submitting your comments**

- Your comments could not be submitted due to an error in the system.’

Therefore, I am submitting my Representation directly to you as the Cass Officer – i.e.:

*The following Representation is to be added to my previous Representation, which also relates to the prevention of Crime & Disorder, Prevention to Public Nuisance, Protection of Children from Harm and Public Safety; which arise from the Conditions that appear in the Details of this Application, that appear to focus/concentrate on customers' age, the restricted sales of alcohol and management of the premises via. the use of CCTV, than the wider issues resulting from the first submission - i.e.:*

Q1:

- a) Without some form of verified issuing process how will an unverified Photograph substantiate and/or indicate the presenter's age?*
- b) What would or should be the maximum efforts underpinning the proposed Challenge Policy – including, ‘No Prox No Entry’, as a third party could provide alcohol to persons under the specified 25yrs;*
- c) What process will be used to record persons failed attempts to purchase alcohol that would benefit the safety of wider Community through the local ‘PubWatch’ Scheme.*

Q2:

- a) It is presumed that the Licensing Act referred to is the Licensing Act 2003;*
- b) What information will be displayed re. conditions for permissible access – i.e., persons younger than 25yrs permitted to enter the premises?*
- c) What arrangements will be used to manage Staff safety caused by the refusal to sell alcohol to persons deemed be ‘unreasonably’ suffering the excess of alcohol and/or substance abuse – how will the effect of each be identified and if this is to be reported to the police.*

Q3:

- a) What pro-active measures can be put-in-place to minimise the risk of ‘crime and/or disorder’ local to the Premise*
- b) Can Log Entries be shared with third parties under the General Data Protection Regulations 2018 – e.g., within the local ‘PubWatch’ scheme, to ensure full effect of Logging individuals will benefit the Community.*

Q4:

- a) What is the legality of permitting/allowing ‘children’ excluding 16yr to 18yr old teenagers on to these premises after 21.00 hrs re. Local Safeguarding Children Board (LSCB).*

Q5(a):

- i. The above reference is presented as ‘PSDB 09/05HOSDB/ACPO UK Police Requirements for Digital CCTV Systems’, in the British Security Industry Association (BSIA), as revised on 11/07/2014, contains 24 Normative Standards referring to PSDB Publication Number 09/05 as one of six ‘Other References’*
- ii. Therefore, ‘What is the minimum equipment specification’?*
- iii. It is presumed that cameras will be correctly positioned/directed for recording.*

Yours sincerely,  
Leo Beirne.

**From:** Leo Beirne  
**Sent:** 01 August 2019 19:00  
**To:** licensing  
**Subject:** HAY AND STRAW - EAST GRINSTEAD HIGH STREET - Ref: LI/19/0823.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sir,  
My objections to changes in the Licensing Application for the above premises are as follows – i.e.:  
**Part 1.**

- **Variation to alcohol licensing hours on Friday and Saturday evenings by extending the time by one hour from 12.00 midnight to 0100 hours:**
  - why should the local neighbourhood be subject to such an extension with the potential for this to extend beyond closing hours?
- **Variation of license to allow the serving of alcohol to the from of the premises outside on the pavement until 22.00 hours every night, for approximately 12 seats :**
  - I understand the original outdoor seating plan was for 8 seats not 12 persons?;
  - previously, the Neighbourhood Police Panel were informed at great lengths, that the police had stopped alcohol being taken-off the premises – i.e., glasses and bottles, for consumption given their potential to be used as weapons also public injury from broken glass, should be maintained - Guidance by a consortium of Police Crime Commissioners (PCCs) have also referred to problems that can arise re. group behaviours from alcohol consumption, that does not appear to be considered;
  - there is a strong possibility of such group behaviours (neglected in the Application) causing a 'Breach of the Peace', blocking the pavement in addition to the un-secured tables and chairs – especially, for blind people who wholly rely on the trained judgement of their dogs to guide them which can be influenced by a large group of people obstructing their path – hesitation, leading the blind person closer to the edge and falling – a Blind Person and their Dog are/can be wider than 1.2m;
  - there appears to be no reference to the Equality Act 2010 – in particular to unlawful treatment on or after 1 October 2010, which can include 'wilful obstruction' including ' . . . harmonising the thresholds for the duty to make reasonable adjustments for disabled people';
  - the drinking area is likely to be extended to include the adjacent steps as additional facility to promulgate drinkers to congregate thus increasing the numbers of drinkers with the likelihood of creating anti-social behaviour;
  - there appears to be no reference to the means of regulating/policing any conditions that should form part of the Licence – e.g., the maintaining unhindered access by tables and chairs required by pedestrians needing safe use of the pavement;
- **Part Reasons why you have failed to attach the premises licence or relevant part of it: 'I do not have it with me at this time':**
- In my opinion, this is an unacceptable response to this formal and serious application that will impact on the local community – possibly, indicative of a management's attitude towards managing free and unobstructed pavement access.

**Part 3. Night Refreshment / Supply of Alcohol / licensing Objectives:**

- It is presumed that if changes to the existing Licence occur, the outside area will become part of the premises where alcohol will be served – again contrary to the previous police controls referred to previously;
  - **'Italian Style Bar/Restaurant open all day, no admittance after 11 pm except for re admittance Sunday to Thursday no admittance except for re admittance after 11.30 pm Friday & Saturday';**
    - How will this be policed as a Licence requirement (*also not my misspelling above*)?
  - **Utalien style Bar/Restaurant run by partners established in the town at both Paglia E Fieno, 102a London Road, East Grinstead & Hay & Straw 16 High Street, East Grinstead - Not solely for drinking, Primarily restaurant, CCTV:**
    - How does the above statement in the application address the question, 'The prevention of crime and disorder'?
- Liquor Licensing Committee - 25 October 2019

- **CCTV, FRA, Fully insured;**
  - How do the above 'acronyms' to passive questions explain to the public that the following question relating to Public Safety have and WILL be addressed?
- **Noise, few if any residential properties locally, residential properties to the rear are some distance away All doors and windows to be closed during live music evenings;**
  - There are historical occasions on record, where unmanaged noise have caused great upset and frustration to residents that were resident further away from some places of entertainment in East Grinstead, than the neighbouring residents in extremely close proximity to these premises in this (former longest) row of Tudor buildings. Therefore, what **objective criteria** in terms of measured noise w.r.t. the use of BS 4142:2014+A1:2019 (Methods for rating and assessing industrial and commercial sound) that will be set in the Licence and how monitored for **'The prevention of public nuisance'**?:

I object to this Licensing Application. The questions are 'passive' in form without and demand for an appropriate level of rigour explaining in adequate detail the effectiveness of what are said to be 'control measures', that will benefit the Community in terms of preventing Crime and Disorder, ensuring and maintaining Public Safety and, preventing Public Nuisance in a Conservation Area.

It is also not helpful to the public to have such a fragmented Planning and Licensing system in order to preserve what's left of the High Street.

Yours sincerely,

Leo Beirne.

*(Confidential as per GDPRs: 'Rosehill', Dunning's Road, East Grinstead, RH19 4AD.)*



Licensing Officer,  
Mid Sussex District Council,  
Oaklands Road,  
Haywards Heath,  
RH16 1SS

## Neighbourhood Licensing Team West Sussex Division

13<sup>th</sup> September 2019

**RE: APPLICATION FOR A VARIATION OF PREMISES LICENCE UNDER THE LICENSING ACT 2003  
FOR HAY AND STRAW, 16 HIGH STREET, EAST GRINSTEAD, RH19 1TZ**

Dear Mr Thornton,

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of the licensing objective of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

Hay & Straw currently operate under a premises licence which allows for sale of alcohol and late night refreshments until 00:00 every day. This variation application seeks to extend the licensable area to include the front of the premises to allow for tables and 12 seats until 21:00 every night.

The operators recently submitted a full variation to extend licensable activities for sale of alcohol from 00:00 to 01:00 and to allow for tables and chairs outside the premises until 22:00. A number of residents in the area objected to this application on the grounds of noise nuisance from patrons leaving the premises, the applicants then withdrew the application.

Sussex Police have no objection to the principal of this application, but consider that the following additional conditions be added to the current premises licence in order to reassure the public that their concerns have been addressed.

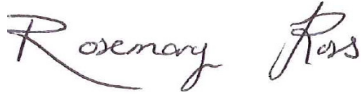
- If tables and chairs are positioned outside, then windbreaker/partitions will be installed to enclose that area and to clearly delineate the licensed area.
- When the outside area is no longer in use for licensable activity all unsecured tables, chairs and associated furniture, shall be removed from the outside area and /or stacked and secured.
- Alcohol supplied for consumption at tables and chairs outside the premises may only be consumed as an ancillary to a substantial meal.

Sussex Police, Neighbourhood Licensing Team  
Centenary House, Durrington Lane, Worthing,  
West Sussex. BN13 2PQ  
Telephone: 01273 404030

If the applicant is agreeable to the proposed conditions, Sussex Police can resolve this representation subject to these conditions being attached to the premises licence.

Please contact this office on the number below or via email to [ws\\_licensing\\_wor@sussex.pnn.police.uk](mailto:ws_licensing_wor@sussex.pnn.police.uk) should you wish to discuss this representation.

Yours sincerely

A handwritten signature in black ink that reads "Rosemary Ross". The signature is written in a cursive style, with the first name "Rosemary" and the surname "Ross" clearly legible.

Rosemary Ross

Chief Inspector  
District Commander

Sussex Police, Neighbourhood Licensing Team  
Centenary House, Durrington Lane, Worthing,  
West Sussex. BN13 2PQ  
Telephone: 01273 404030

**Andrea Bailey**

---

**From:** Melanie.Humphreys@sussex.pnn.police.uk  
**Sent:** 04 October 2019 08:10  
**To:** stuartpilbrow@aol.com; licensing  
**Subject:** RE: Hay & Straw rep Sept 2019

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning,

Subject to the agreed conditions being attached to the licence, Sussex Police are able to resolve this representation.

Regards

**Mel Humphreys**  
**Divisional Licensing Officer**  
Prevention Licensing Team, W. Sussex

**Tel: 101 Ext. 581179**  
**Direct Dial: 01273 404030**

(My working days are Monday, Wednesday and Friday. Please send any urgent enquiries outside of those days to [ws\\_licensing\\_wor@sussex.pnn.police.uk](mailto:ws_licensing_wor@sussex.pnn.police.uk))

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**From:** Stuart Pilbrow [mailto:[stuartpilbrow@aol.com](mailto:stuartpilbrow@aol.com)]  
**Sent:** 26 September 2019 11:47  
**To:** Humphreys Melanie 33211 <[Melanie.Humphreys@sussex.pnn.police.uk](mailto:Melanie.Humphreys@sussex.pnn.police.uk)>  
**Subject:** Re: Hay & Straw rep Sept 2019

Hi Mel

Reading this with a certain amount of hilarity lol.

But yes I think this is workable

Thanks

Stuart Pilbrow  
07795670709

Sent from my iPhone

On 26 Sep 2019, at 10:54, <[Melanie.Humphreys@sussex.pnn.police.uk](mailto:Melanie.Humphreys@sussex.pnn.police.uk)>  
<[Melanie.Humphreys@sussex.pnn.police.uk](mailto:Melanie.Humphreys@sussex.pnn.police.uk)> wrote:

Good morning Stuart,

Thank you for your e-mail.

My intention with condition 3 is to avoid a situation where groups of people were standing and just drinking alcohol outside of the premises, which would no doubt cause a concern for the local residents

Liquor Licensing Committee - 25 October 2019

26

with regard to noise levels, however I appreciate your concerns raised and therefore I suggest the condition below instead:

- | ☐ • There shall be no vertical drinking outside of the premises.

Please let me know you would be agreeable to this.

Regards

**Mel Humphreys**  
**Divisional Licensing Officer**  
**Prevention Licensing Team, W. Sussex**

**Tel: 101 Ext. 581179**  
**Direct Dial: 01273 404030**

(My working days are Monday, Wednesday and Friday. Please send any urgent enquiries outside of those days to [ws\\_licensing\\_wor@sussex.pnn.police.uk](mailto:ws_licensing_wor@sussex.pnn.police.uk))

**From:** Stuart Pilbrow [<mailto:stuartpilbrow@aol.com>]  
**Sent:** 18 September 2019 09:56  
**To:** Humphreys Melanie 33211 <[Melanie.Humphreys@sussex.pnn.police.uk](mailto:Melanie.Humphreys@sussex.pnn.police.uk)>  
**Subject:** Re: Hay & Straw rep Sept 2019

Dear Mrs Humphries,

No, we could not accept condition 3, of the police representation letter, we would find this unworkable for several reasons, we could see scenarios where say four people sat at a table in the afternoon for coffee with one ordering a glass of wine being told they'd have to go indoors to drink it. Or a person ordering drinks prior to a meal or after whilst sitting at the table being refused until the meal had arrived. Also who would decide what was a substantial meal, would soup be classed as such or is it the case that you could not have a bowl of fresh homemade soup with a glass of wine. I'm sure you can see the potential for problems here. We could easily end up ruining a reputation turning whole tables away because one member of a party wanted to drink something alcoholic, when refused the whole table got up and left, leaving a bad reputation being spread around the town, this would not be viable commercially.

I am also alarmed by this police report and would need to clarify why it has changed in this way, we had a previous application (withdrawn) to place the same tables outside until 22.00 hours the police report for this application read;

- I. If tables and chairs are positioned outside, then Windbreaker/partitions will need to be installed to enclose that area
- II. When the outside area is no longer in use for licensable activity all unsecured tables, chairs and associated furniture shall be removed from the outside area and/or stacked and secured

They did not state, as with our current application;

- I. If tables and chairs are positioned outside, then Windbreaker/partitions will need to be installed to enclose that area
- II. When the outside area is no longer in use for licensable activity all unsecured tables, chairs and associated furniture shall be removed from the outside area and/or stacked and secured
- III. Alcohol supplied for consumption at tables and chairs outside the premises may only be consumed as an ancillary to a substantial meal**

In my opinion our current application being only until 21.00 hours is a lesser application than the previous one yet has attracted more onerous conditions, please explain why?

yours  
Sincerely

Liquor Licensing Committee - 25 October 2019

Stuart Pilbrow  
Hay & Straw

-----Original Message-----

From: Melanie.Humphreys <[Melanie.Humphreys@sussex.pnn.police.uk](mailto:Melanie.Humphreys@sussex.pnn.police.uk)>  
To: licensing <[licensing@midsussex.gov.uk](mailto:licensing@midsussex.gov.uk)>; stuartpilbrow <[stuartpilbrow@aol.com](mailto:stuartpilbrow@aol.com)>  
Sent: Fri, 13 Sep 2019 10:12  
Subject: Hay & Straw rep Sept 2019

Good morning,

Please find attached a representation raised by Sussex Police in response to the application for a full variation for Hay and Straw, 16 High street, East Grinstead.

Sussex Police have no objection in principal to the application but consider it necessary to add additional conditions to the licence in order to uphold the licensing objectives of Prevention of Crime and Disorder and Prevention of Public Nuisance.

If you are agreeable to the conditions in the attached representation please could I ask that you confirm to this office in writing via e-mail and copy in the local authority [licensing@midsussex.gov.uk](mailto:licensing@midsussex.gov.uk)

If you would like to discuss this representation do not hesitate to contact me on the details below.

Regards

**Mel Humphreys**  
**Divisional Licensing Officer**  
**Prevention Licensing Team, W. Sussex**

**Tel: 101 Ext. 581179**  
**Direct Dial: 01273 404030**

(My working days are Monday, Wednesday and Friday. Please send any urgent enquiries outside of those days to [ws\\_licensing\\_wor@sussex.pnn.police.uk](mailto:ws_licensing_wor@sussex.pnn.police.uk))

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<https://www.sussex.police.uk/report-online>

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**LI/19/1438 Application for variation of a Premises Licence**

**Hay and Straw, 16 High Street, East Grinstead, West Sussex . RH19 3AW**

I write on behalf of Mid Sussex District Council Environmental Protection to raise a representation against the grant of the above application on the grounds of the licensing objective of the prevention of a public nuisance.

The applicant seeks to supply alcohol for consumption by customers seated at tables located on the pavement outside this restaurant up until 21:00 hours, every day of the week.

Given complaints received by Mid Sussex District Council relating to noise created by customers standing outside Hay and Straw, Environmental Protection has concerns that the supply of alcohol for consumption outside the premises up until 21:00 hours could cause noise disturbance to the occupants of nearby residential properties if the licensed area is used by customers consuming alcohol whilst standing. With this in mind, in order to mitigate the likelihood that a public nuisance will be created, Environmental Protection has no objection to the application provided that the following condition is added to the premises licence.

- The outside area will only be used by customers who are seated at tables. For the avoidance of doubt, there will be no consumption of alcohol by customers who are standing in the outside area.

If the applicant is agreeable to the proposed condition, Environmental Protection can resolve this representation subject to this condition being attached to the premises licence.

**Jane Cooper**

**Environmental Protection.**

**27/09/2019**

**Andrea Bailey**

---

**From:** Kaye Adams <kaye.adams@westsussex.gov.uk> on behalf of Business Fire Safety <BusinessFireSafety@westsussex.gov.uk>  
**Sent:** 30 September 2019 18:00  
**To:** licensing  
**Subject:** FW: D7093 Hay and Straw

Forwarded as Paul Thornton is on leave.

Regards  
Kaye

*We value your feedback. Please have your say [here](#)*

Click here for  
Feedback Form

[Kaye Adams](#) Inspecting Officer- Business Fire Safety. West Sussex Fire and Rescue Service  
[West Sussex County Council](#)

Horsham Fire Station, Hurst Road, Horsham, West Sussex RH12 2DN.

Mobile: 07912 298433 or Phone BFS: 033022 23333 Email: [businessfiresafety@westsussex.gov.uk](mailto:businessfiresafety@westsussex.gov.uk)

Further Information: [West Sussex County Council: Business Fire Safety](#)

Do you know anyone that would benefit from a Home Fire Safety Check?

If so, please click here [West Sussex County Council: Home Fire Safety Checks](#)



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**From:** Kaye Adams **On Behalf Of** Business Fire Safety  
**Sent:** 30 September 2019 17:58  
**To:** Paul Thornton  
**Cc:** Bob Adams  
**Subject:** D7093 Hay and Straw

LICENSING ACT 2003

The Fire Authority have no objection to the application for a Variation of Licence in respect of the above premises on the condition that the occupancy is reduced to a maximum of 60 until such time the secondary means of escape is rectified (it currently exits via the commercial kitchen).

The applicant should be advised that current fire legislation requires an employer or other responsible person to carry out a regular review of their fire risk assessment and as a result of changes to the workplace, revise the fire safety arrangements to reduce any increased risk.

Should you require any further advice or assistance please do not hesitate to contact the Protection Team at the above address.

*We value your feedback. Please have your say [here](#)*

Click here for  
Feedback Form

[Kaye Adams](#) Inspecting Officer- Business Fire Safety. West Sussex Fire and Rescue Service  
[West Sussex County Council](#)

Horsham Fire Station, Hurst Road, Horsham, West Sussex RH12 2DN.

Mobile: 07912 298433 or Phone BFS: 033022 23333 Email: [businessfiresafety@westsussex.gov.uk](mailto:businessfiresafety@westsussex.gov.uk)

Further Information: West Sussex County Council: [Business Fire Safety](#)

Do you know anyone that would benefit from a Home Fire Safety Check?

If so, please click here [West Sussex County Council: Home Fire Safety Checks](#)



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### Conditions on current Premises Licence

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum.
2. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than twelve weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to officers of a Responsible Authority.
3. The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than eight weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to officers of a Responsible Authority.
4. After 21:00 hours all children under 18 years must be accompanied by a responsible adult and may only remain on the premises if partaking in a sit down meal or attending a pre-booked function or event.
5. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. (Amend this part as appropriate) The system shall be on and recording at all times the premises licence is in operation.
  - a. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
  - b. CCTV footage will be stored for a minimum of 31 days.
  - c. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - d. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
  - e. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
  - f. Any breakdown or system failure will be notified to the police via 'phone (currently 101) or email immediately & remedied as soon as practicable.

**From:** [Andrew Horrell](#)  
**To:** [licensing](#)  
**Subject:** RE: Premises Licence application DM/19/3546  
**Date:** 11 September 2019 13:00:55  
**Attachments:** [image001.jpg](#)

---

Hello,

Our reference: DM/19/3546

Your reference: LI/19/1438

Many thanks for your enquiry from 3rd September.

As previously stated when consulted on LI/19/0823 there are a number of planning applications on the site are still pending (DM/17/5135, DM/17/5138, DM/18/0424, DM/18/0425, DM/19/1319 and DM/19/1323). Note that Condition 8 of the approved DM/17/1324 states that the premises shall only be open to customers between the hours of 08:00 and 23:00 hours on any day.

Since that consultation, another application is still pending DM/19/2159 which is expressly for the external seating outlined within this licensing application.

I hope this assists.

The above represents my informal view only based on the information contained in your enquiry. It does not prejudice the council from making whatever decision it considers appropriate on any application subsequently submitted.

The information contained in pre-planning advice may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this advice to a third party making a request for information about the subject matter.

Kind regards,

Andrew Horrell

Planning Officer

Development Management

Tel: +44 (01444) 477446

[andrew.horrell@midsussex.gov.uk](mailto:andrew.horrell@midsussex.gov.uk) (mail to [andrew.horrell@midsussex.gov.uk](mailto:andrew.horrell@midsussex.gov.uk)) <http://www.midsussex.gov.uk>

How are we doing? We always welcome your [feedback](#)

Working together for a better Mid Sussex



**- SAVE A TREE** Only print this email if absolutely necessary.

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**From:** licensing

**Sent:** 03 September 2019 10:36

**To:** envhealth; licensing; planninginfo; Public Health Licensing (PublicHealth.licensing@westsussex.gov.uk) ; Social and Caring Services WSCC; Trading Standards; West Sussex Fire & Rescue Team; foodsafety; WS\_Licensing\_WOR@sussex.pnn.police.uk; alcohol@homeoffice.gsi.gov.uk; Yvonne Leddy

**Subject:** Premises Licence application DM/19/3546

**Our Ref: LI/19/1438**

Please see attached an application for a Variation of a Premises Licence for:

**Hay & Straw Limited**

**16 High Street**

**East Grinstead**

**West Sussex**

**RH19 3AW**

We can confirm the 28 day consultation period ends on **30 September 2019**.

Regards,

Licensing Team

Environmental Health  
Mid Sussex District Council  
01444 477344 / 477419  
[licensing@midsussex.gov.uk](mailto:licensing@midsussex.gov.uk)

MSDClogo



'Working together for a better Mid Sussex'







# Hay & Straw Restaurant & Cocktail Bar

hayandstrawrestaurant.co.uk

Restaurant & Cocktail Bar

01342 322699





















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