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**APPENDIX 6**  
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**Our Ref:** PWA0226  
**Your Ref:**

**Date:** 3<sup>rd</sup> November 2020

Mr Hassan Nafi Hassan  
The Crab And Beacon  
King Street  
East Grinstead  
West Sussex  
RH19 3DJ

Dear Hassan,

### **Visit to premises 2<sup>nd</sup> November 2020**

Thank you for your time yesterday when I visited The Crab and Beacon in connection with a report from the Police, that the premises had not been closed at 2200 hours on Friday 30<sup>th</sup> October as required by Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020.

We viewed the CCTV for this and other incidents and confirmed that there were still a number of customers on the premises after 2200 hours on the night in question. This matter has been dealt with by the issue of a Penalty Notice under the Regulations.

In respect of the current Premises Licence conditions, there were a number of issues surrounding breaches of these that came to light.

### **Premises Licence Conditions 9 10 & 14 - Door Supervisors**

*On Thursdays, Fridays and Saturdays, the numbers of licensed door staff will be set as follows, 2 Security Industry Authority licensed door supervisors for the first 100 customers and then 1 Security Industry Authority licensed door supervisor per 100 customers thereafter.*

*Security Industry Authority door supervisors will be on duty from 20:00 hours and will remain on duty until 30 minutes after the closure of the premises and must ensure the Atrium, including the stairwell and lifts, are clear of customers.*

*On Thursday, Friday & Saturday evenings door supervisors shall be employed*

You agreed that there were no door staff on duty on the Friday, when the Police attended the location and accepted that you knew that this was a condition of your licence. You explained that you were having issues in respect of the door team not wanting to work for 2 hours up to 22:00 hours. You confirmed that you had not advised either the Police or the Licensing Authority of these issues and that you realised that there should have been door staff on duty as this is a condition of the premises Licence.

### **Premises Licence Condition 8**

*Staff responsible for the sale of alcohol must sign a written document with authorisation from the Designated Premises Supervisor.*

You were not present at the premises on Friday 30<sup>th</sup> October when the Police visited and there were no holders of a Personal Alcohol Licence present either. I asked to see the authorisation list as per this licence condition to see which of the current staff have been authorised by yourself for the sale of alcohol. You stated that it may be behind the bar but was unaware of its location. We agreed that we would avoid the embarrassment of trying to find it in front of staff and you accepted that there would not be an up to date list in any case.

### **Premises Licence Condition 7 – Staff Training Records**

*Written records to be kept of staff training, with at least one training session to be conducted every 12 weeks. These records will be available upon request by Sussex Police and/or the Local Authority.*

You were unable to show me any staff training records and again it was clear that these records would not be up to date as required.

### **Premises Licence Condition 13 – Refusals Register**

*A written log shall be kept of all refusals to serve alcohol, refusals of entry to the premises and ejections from the premises. The Premises Licence Holder shall have responsibility for making sure that this log is properly maintained and available for inspection upon request to Sussex Police and the Local Authority*

Finally, I asked to see your refusals register; again, this was not available and it was clear that it would not be up to date. We discussed the necessity for the completion of the refusal/incident register in case of any incidents at the premises and that it should be completed where necessary by all staff.

In respect of these breaches of the Premises Licence Conditions you have undertaken to utilise the forthcoming four-week lockdown period to remedy all these areas. I have attached a best practice guidance document for staff authorisations, an example of a refusals/incident register and training logs.

You have indicated that you will be submitting a Minor Variation to apply for the removal of the requirement to have Door Supervisors and amend the current plan of the premises as you plan to run it as a restaurant rather than as a bar into the early hours of the morning. I await this application.

In conclusion, I expect that the measures outlined above which constitute a breach of the Premises Licence conditions are remedied during the lockdown period and by the 5<sup>th</sup> December at the latest. I will look to re-visit the premises once the lockdown restrictions have ended to ensure that these shortfalls have been rectified.

Finally, I must point out that as the Designated Premises Supervisor, and Premises Licence Holder, you are ultimately responsible for the lawful conduct of this business and are reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises in breach of the conditions of a premises licence.

The maximum penalty on conviction for each breach is six months imprisonment and/or an unlimited fine. Furthermore, a review of this premises licence may be called for if further breaches of the Licence are substantiated.

Yours faithfully

Senior Licensing Officer



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Dear Hassan,

### **Visit to premises 8<sup>th</sup> December 2020**

Thank you for your time on Tuesday 8<sup>th</sup> December when I visited The Crab and Beacon to conduct a re-inspection following from my visit on the 2<sup>nd</sup> November.

I am pleased to confirm that the particular issues raised in the earlier visit have been addressed.

You currently have an application for a full variation of the Premises Licence pending to amend the current plan of the premises, shorten the licensable hours and regarding of the removal of current conditions relating to door staff which we briefly discussed.

In respect of the current Premises Licence conditions you have remedied the matters highlighted during the visit in November.

### **Premises Licence Condition 8**

*Staff responsible for the sale of alcohol must sign a written document with authorisation from the Designated Premises Supervisor.*

There is an up to date DPS authorisation document that has been signed by all the staff that are involved in the sale of alcohol on the premises. The document was on display next to the bar area and there was also the age verification policy for the premises displayed next to it. The position of these two documents are clearly visible to any members of public and are fully compliant with the licence requirements.

### **Premises Licence Condition 7 – Staff Training Records**

*Written records to be kept of staff training, with at least one training session to be conducted every 12 weeks. These records will be available upon request by Sussex Police and/or the Local Authority.*

The staff training records were produced and were up to date and covered all the current staff members. I was pleased to see that the training covers issues regarding age verification, permitted licensable activities, refusals, emergency and fire procedures together with the four licensing objectives which were detailed for the staff. I found the areas for staff training to be thorough and comprehensive.

## **Premises Licence Condition 13 – Refusals Register**

*A written log shall be kept of all refusals to serve alcohol, refusals of entry to the premises and ejections from the premises. The Premises Licence Holder shall have responsibility for making sure that this log is properly maintained and available for inspection upon request to Sussex Police and the Local Authority*

You produced the refusals register. It is located at the 'welcome podium' and accessible for all staff to use, and the use of this refusals register forms part of the staff training.

You have clearly used the last four-week lockdown period to remedy the issues that were identified and it is clear that the premises are now fully compliant in these highlighted areas in respect of the licensing conditions.

Yours faithfully

Senior Licensing Officer