

From: [Jon Bryant](#)
To: [licensing](#)
Subject: FW: Objection to PLH application for the Fox Pub, West Hoathly
Date: 17 September 2021 14:17:58
Attachments: [IMG-20210907-WA0000.jpg](#)
[IMG-20210907-WA0001.jpg](#)
[IMG-20210907-WA0002.jpg](#)
[Very final text.jpg](#)
[DRAFT Letter to Dean Wilson LLP.docx](#)
[The Fox - rent letter.docx](#)

FAO: The Mid Sussex Licencing Team

Dear Sirs,

I am writing to formally object to Ms Claire Kacy being awarded Premises Licence Holder at the Fox Eating & Drinking House, West Hoathly.

I am the freehold owner of the named property, a former Inspector of the Hong Kong Police and former PC in the Metropolitan police. I have managed and owned public houses for over 30 years and I am fully aware of the roles and responsibilities of the Licencing Act 2003. I am currently the Premises Licence Holder for the above premises and was the former Designated Premises Supervisor (DPS) until I stepped down from this role 16th August 2021 in part because Ms Kacy was making it difficult for me to perform my role.

My objections are based on the 4 principles of the Licensing Act;

1. The prevention of crime and disorder

Claire Kacy has a lack of understanding of the Licencing Act. She has made several attempts to prevent me from entering the premises in my capacity as both the PLH and DPS and from speaking to the staff. This is supported in a letter from my solicitor dated (attached) when she last tried to restrict my access and also in an email she sent to me via my wife's email address 20th August 2020 -also attached. She has no former experience of running a public house, as she is a former beautician, and whilst she has worked at the pub since 2014, this has been primarily responsible for decor and administration.

Despite referring to herself as the owner of The Fox (as per the social media post attached), she is not the named leaseholder and has not invested any of her own money into the purchase of the lease. She has no legal authority and my dealings are only with Mr Early only who is the named leaseholder and tenant. Despite this she continues to claim she is the owner and demonstrates her irrationality and understanding of reality.

Ms Kacy has also been present when police have attended the pub due to complaints of noise and breach of Covid and in these instances made no effort to deal with either of these issues when Mr Early was working in the kitchen or to contact me as the PLH.

2. Public safety

When Mr Early was arrested in 2016 for breaching a restraining order placed on him by Ms Kacy in the private quarters above the pub where they were both living at the time, Paul Thornton, Mid Sussex Licencing Officer at the time, commented to me that the DPS (at the time being Mr Early) and Ms Kacy, who assists him in the pub are supposed to prevent havoc rather than cause it.

There is a potential risk to public safety as Ms Kacy has never demonstrated to me knowledge of the Licencing Act 2003. She states in her social media post attached (dated 30th August 2021) that as the DPS I could have simply transferred it to them for £23 and the pub could have continued trading. This implies she believes the DPS and PLH roles are simply administrative pieces of paper and shows no understanding of the roles and responsibilities involved in this position. In addition, I have witnessed her drunk on the premises during trading hours when I spent a night at the pub in 2019 and a band was playing. Mr Early told me at the time that when she starts drinking she cannot stop.

3. The prevention of public nuisance

Claire Kacy has previously sent me abusive texts, calling me names such as 'twat', 'prick' and including finger emojis, when under the influence of alcohol. I have attached an example from 25th May 2020. Ms Kacy was also cautioned by the police in November 2020 after sending abusive texts to a former employee and customer of the pub. She was only cautioned as the recipient of the texts did not want to formally press charges. The officer in charge of the case is PC Adam Duly of Sussex Constabulary. In addition, a local Sharpethorne resident also received abusive messages from Ms Kacy which can be obtained if required.

There has typically been a pub manager employed but often Ms Kacy takes control of events when out front drinking and socialising. Last summer there were complaints of noise and loud music but Ms Kacy did not think to control the situation. In fact, she told me complaints had been made by local residents and when I suggested the musician should then be asked to play less loud, she did not see why they should and did not understand the problem.

Since I stepped down as DPS, Ms Kacy has also posted on social media derogatory comments about me and the Licencing laws in general and which I attach for reference.

4. The protection of children from harm

For the reasons stated above, I would be concerned about Ms Kacy being fit to adequately ensure the protection of children from harm.

In summary

Upto this point, I have been resistant to formally object to either Mr Early or Ms Kacy being named Premises Licence Holder in order to preserve the peace and prevent more threats, intimidation, abuse and anti-social behaviour from either of them. In December 2020, Mr Early and I had a confrontation on the premises car park after he started filming me on my private property.

As recently as 25th August I was visited by two police officers at approximately 10.45pm in regard to a call they received from Mr Early alleging my daughter was unsafe in my house screaming and which my wife and I were able to prove was not the case.

When I have informed Mr Early about Ms Kacy's behaviour in the past, he has refused to act upon it and is aggressive and confrontational. In the past, he has contacted the police accusing me of harassment and for which I have been able to provide evidence to show this is not the case. I understand from a local resident that Ms Kacy also posted another derogatory post about me on facebook but this has since been taken down.

I also enclose a copy of an email she sent to me 10th August 2020 which demonstrates another example of where Ms Kacy clearly does not understand the role of the PLH by trying to bar me and an example of her abusive tone. As the freeholder I need to have a professional and reasonable working relationship with the PLH. Although Ms Kacy does not have a legal relationship with me and I am the incumbent PLH and is a role which I have not stepped down from, I do not believe it would be possible to work with her and could lead to further issues impacting the 4 principles of the Licencing Act 2003.

I take the role and office of PLH seriously and despite the above have decided to make these objections as I have no confidence that Ms Kacy is or would make a suitable Premises Licence Holder of the pub.

Best regards

Paul Lloyd

Attachments

Facebook post 30/8/21

Texts 25/05/21

My solicitor's Letter 13/8/21

Copy of email from Ms Kacy 10/8/20

**Claire Kacy** ► **Forest Row Community**

Yesterday at 7:23 pm · East Grinstead ·

WHATS REALLY HAPPENING @ THE FOX

I would underline/highlight the word REALLY if I could, as these heart felt few paragraphs are about what is actually going on here, what we are experiencing and how we are feeling. I will try my hardest to stick to the facts without my emotions taking over, but I make no guarantees :)

So many rumours flying around (some of them quite funny, I might add). Tim does not now live in Brighton and is not running a restaurant in Hove! I haven't run off to be an artist somewhere (although I like the thought). You guys need to hear the truth, and here it is.....

BANK HOLIDAY MONDAY – THE FOX IS SHUT! What is this madness? Not in the 7+ years we have been in the village has this happened!

Licencing Laws (a bit of a mind field to say the least) definitely needs addressing to protect lessee's and tenants, but that's another story!

January – Lockdown, Mr Paul Lloyd decides to take over the roll of DPS at The Fox (designated premises supervisor) as the licence premise holder he can do this. Why he did this, we have no clue! He then apologises to us and says "I've transferred it back to you guys". Which he actually didn't do! Even went through the whole facade of bringing in a new licence to mount on the wall! So for the last 8 months our DPS – Mr Paul Lloyd has not fulfilled his role (now there's a fine waiting to happen!)

Two weeks ago he then announces he is resigning as DPS (with 10 days warning) and us believing that we held the role of DPS!



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Meaning in layman's terms – we have no alcohol licence at The Fox!

After spending thousands on a specialist solicitor in this field, he can actually do this, and for no apparent reason! How bizarre is that! Hence my line on lessee's and tenants needing more protection for their businesses.

What's is his ulterior motive? We have wracked our brains on this, believe me! Does he want to turn the pub into flats? Is his motive to bankrupt us, get us to hand our lease back and install new tenants? Does he want to sell the freehold? Does he even want to get back into the trade himself? (I doubt this theory though, as he hashed it up pretty badly in the past!) Anyway regardless of all these assumptions, Tim and I own another 13 years of the lease!

HOW CAN HE GET AWAY WITH THIS?

We have lost three quarters of our income in the last 3 weeks, but still if we do not pay our rent come 1st September, we will be in breach of our lease agreement! YES, it's CRAZY!

All this in mind, you're probably wondering how we are still open Fridays to Sunday with the ability to sale alcohol? Every week I have to apply for a TENS notice (temporary events notice) to enable us to carry on trading as a public house. You can only be granted 21 of these per year on the building. We are now up to 18 (up to the 19th September). We have now applied for our own premise licence, you have all probably seen the public notice announcing this, in our front window, and come Thursday this week it will be announced in The Mid Sussex Times and online.

A simple transfer of the premise licence was an option (costing £23) but Mr Paul Lloyd refused this, making it as difficult as possible for Tim and I to carry on running The Fox as intended, a public house!

If there are no objections from the community, our new licence will



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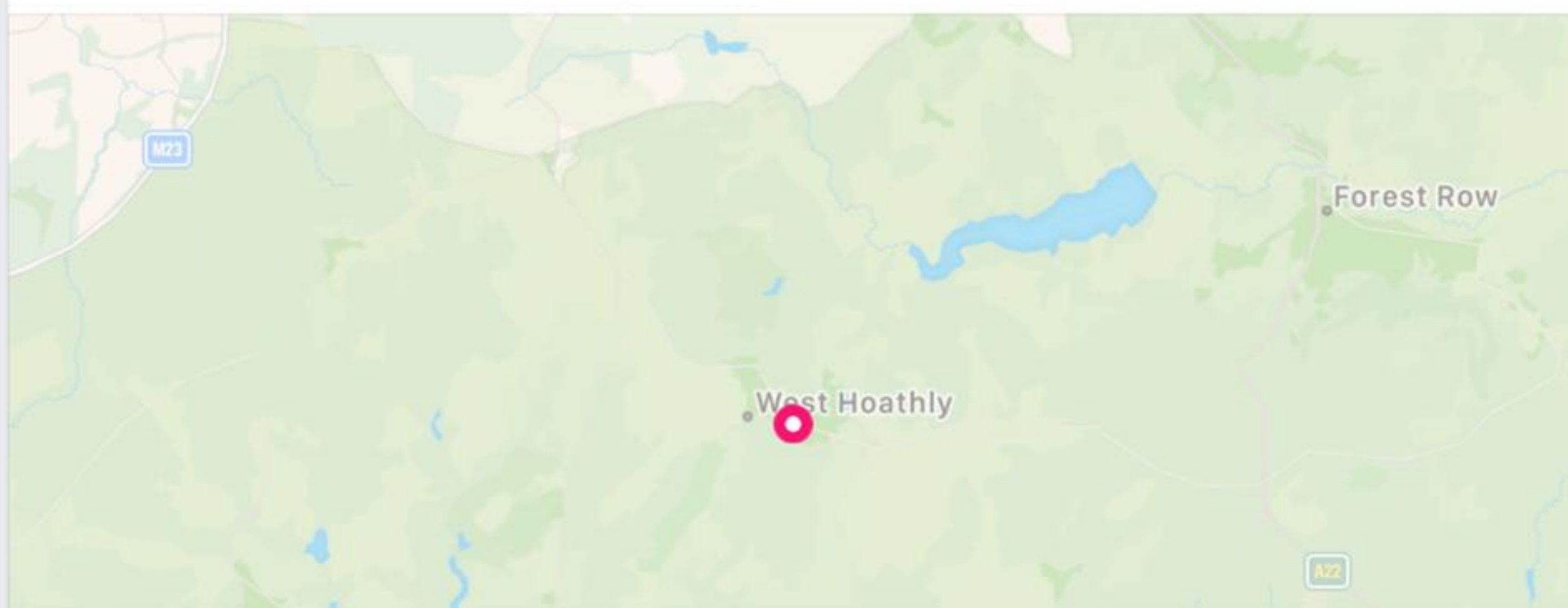
If there are no objections from the community, our new licence will be granted from 17th September, meaning things can get back to normal here (as normal as normal can be with a landlord like we have the misfortune to have!) I did state no guarantees on my feelings! :)

Knowing Mr Lloyd, as we do (this is not the first time he has tried to stiff us, I might add) he will object to our licence being granted, adding another 28 days of non alcohol sales, whilst the licence goes into review, in front of the licensing board.

I know no one wants to hear a "woe is me story", especially after the horrific year and a half we have all been through, but this is what this is! All we can do now is to keep fighting, changing and adapting our business to stay afloat, protect our lively hoods, roofs over our heads and that of our staff, and we will, there is no question of this.

I hope I've explained our situation clearly, as Tim and I need the community to know the full story and the truth. We have tried our utmost to inform all our regulars and locals so far on "what's going on", the crazy changes to our opening times, the café which opens tomorrow etc, it's all very confusing we know. We just ask you to please bear with us through these next few weeks (hopefully a few weeks!).

Claire and Tim – The Fox Eating and Drinking House/West Hoathly
— at **The Fox Eating and Drinking House**



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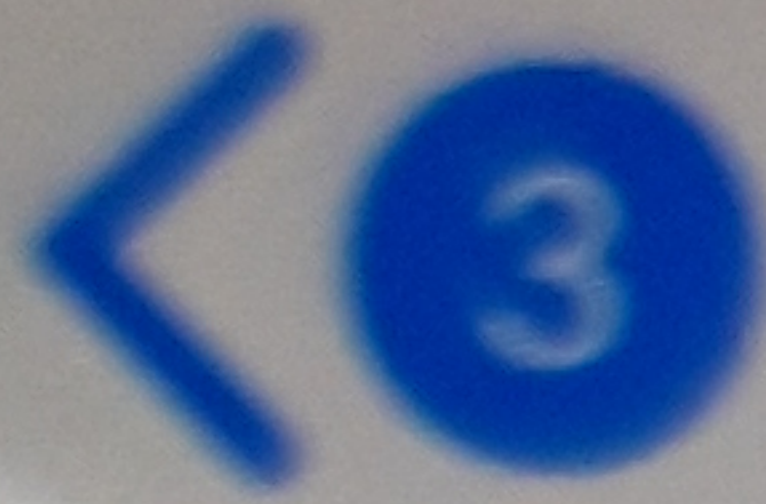
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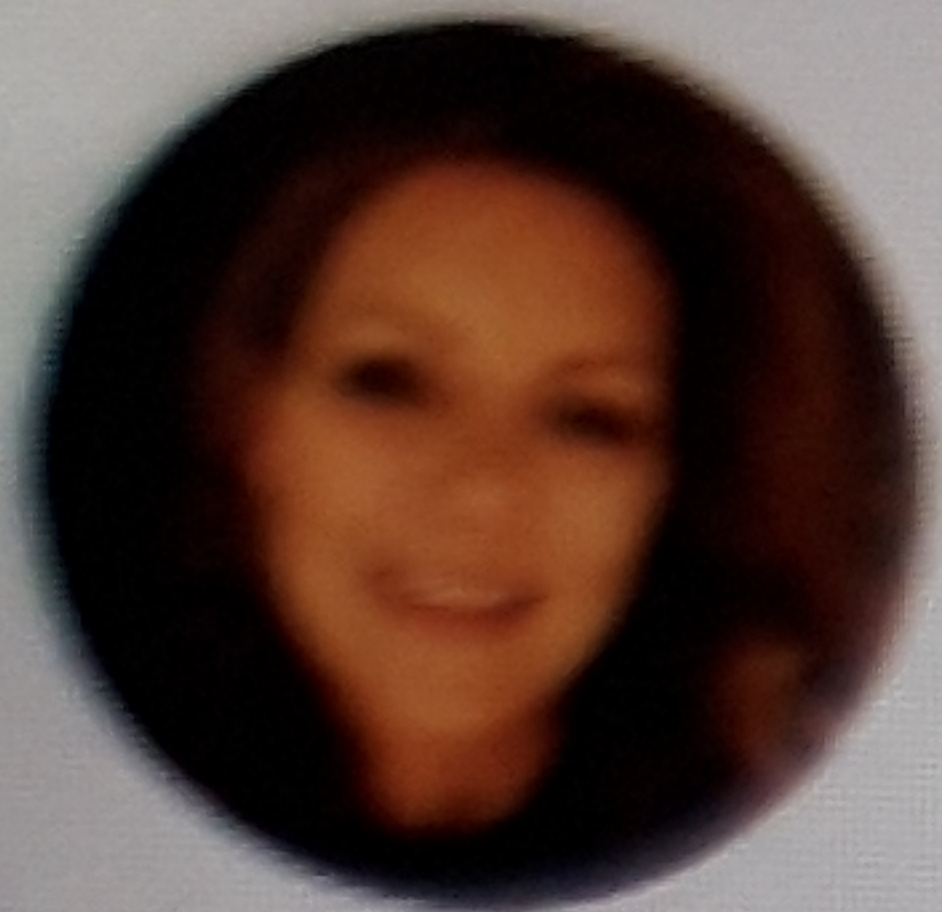
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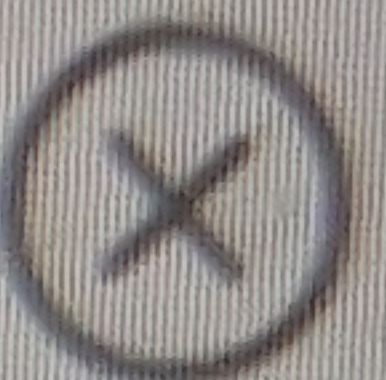


Clair >



New name and photo available

Claire Kacy [Update Contact...](#)



fact is that - yes your a
twat, and that's me
being polite! So you just
crack on > passing my
comments to "the
relevant authorities", I
couldn't give a dam. You
can add this one to your
file too!



Delivered

