

From: [DM - email redacted](#)
To: [licensing](#)
Subject: Re: LI/21/0881 - The Fox Eating and Drinking House
Date: 17 September 2021 21:37:15
Attachments: [image001.jpg](#)
[image002.png](#)
[Outlook- Technolog.png](#)

You don't often get email from *email redacted* [Learn why this is important](#)

Hello Jon

Thank you for your email. In relation to your request I confirm that I was responsible for sound during a live event at The Fox on 3rd July.

Mr Earley was keen to emphasise that noise was kept at a reasonable level and I therefore monitored output levels with several different devices at differing times during the performance.

At all times my readings indicated sound from the band equipment confirmed to the 85db limit I believe to have been in place due to COVID 19

I would add that I have been involved in several similar events at The Fox over the years that Mr Earley and Ms Kacy have run the establishment and at all times they have been consistent that bands should play at reasonable volumes and finish promptly within set times.

Obviously I am not an expert but I think that this ably demonstrates a commitment from Mr Earley and Ms Kacy to their neighbours and falls within your point 2 below.

Any further information required, please don't hesitate to contact me.

Dom Howard

Technical Director



Mob: - I'm on WhatsApp but prefer Signal

Tel: [number redacted](#)

Twitter: redacted

Skype:redacted

3rd Floor, The Pinnacle, Central Court, Station Way
Crawley, West Sussex RH10 1JH

Imaginit Limited: Registered in England & Wales

Company number: 7515558

Registered Office: 1st Floor 30 Church Road, Burgess Hill, West Sussex RH15 9AE

From: licensing <licensing@midsussex.gov.uk>

Sent: 17 September 2021 12:47 PM

To: Dom Howard <redacted>

Cc: mims.davies.mp@parliament.uk <mims.davies.mp@parliament.uk>

Subject: RE: LI/21/0881 - The Fox Eating and Drinking House

Dear Mr Howard,

Thank you for your email in respect of the application for a new Premises Licence at The Fox, West Hoathly. To be clear, the Premises Licence that is currently granted to the premises is not under consideration. This Licence remains in existence and is not affected by the application under consideration. The issues surrounding the current licence is a matter strictly between the pertinent parties and not a matter for the Licensing Authorities involvement unless particular issues affect either the promotion of the 'Licensing Objectives' or impacts on the requirements of the Licensing Act 2003.

The application currently being considered is solely for the grant of a new Premises Licence for the current Leaseholder.

Firstly, to be clear, at the time of writing I have only accepted representations from two of the Responsible Authorities under the Act.

In respect of applications made under the Licensing Act 2003 relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

In Licensing Applications a representation is only "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the Licensing Objectives.

There are four Licensing Objectives which are of equal importance. They are:

1. The Prevention of Crime and Disorder
2. The Prevention of Public Nuisance
3. The Promotion of Public Safety
4. The Protection of Children from harm

Therefore, to be accepted in licensing applications a representation must be relevant to one or more of the objectives. I am not permitted to accept any representations that are not relevant under the Act.

I appreciate that there is a strong groundswell of support for the current application, however I can only put before the Panel the specific comments that are related to the Licensing Objectives. Obviously, I will advise the panel in generality of the number of emails etc that have been received in support of the application.

I note your comments in the fifth paragraph of your email regarding the noise complaints. These were dealt with by the Environmental Protection Team. Potentially these comments surround the promotion of the licensing objectives by the applicant. Are you able to provide any other information in this respect and reference it to the objective above.

Please note that the consultation period ends at 23:59 hours tonight (17/09) and I would need to receive this information by this time.

Kind regards

Jon Bryant

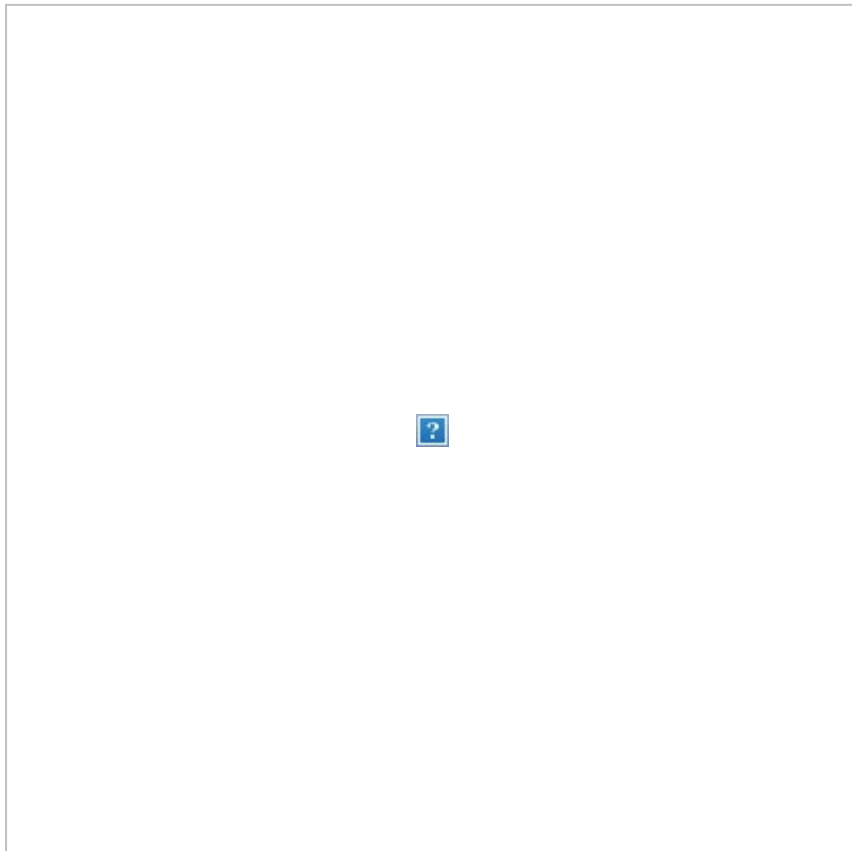
Jon Bryant
Senior Licensing Officer
Mid Sussex District Council
Environmental Health
[01444 477428](tel:01444477428)

jon.bryant@midsussex.gov.uk

www.midsussex.gov.uk



'Working together for a better Mid Sussex'



From: Dom Howard <email redacted>
Sent: 16 September 2021 19:03
To: licensing <licensing@midsussex.gov.uk>
Cc: mims.davies.mp@parliament.uk
Subject: LI/21/0881 - The Fox Eating and Drinking House

You don't often get email from email redacted [Learn why this is important](#)

Before I start on my support of this application, I would like to raise a couple procedural points for which I would like clarification. I understand that you have already accepted an objection to this licence on grounds of noise, from a party who you should clearly know has a vested interest in the closure and disposal of the property as a pub. Furthermore, this individual is also complicit in allowing the previous licence to lapse at very short notice and force the new application process onto the applicant, presumably as a further means to damage their business so that they relinquish the premises.

Is this correct?

If so, this sort of conduct is outrageous and I would consider it to be a gross failure of your remit were you to give any sort of weight to these sort of duplicitous tactics. I know little about Licensing, but I do know a lot about common decency and justice and for that reason I have copied in our local MP whom I am sure will be interested that their constituent receives a fair hearing and decision.

Further, I would like details of the actual noise complaints as I believe that for one of the events being cited, I was responsible for the sound equipment at the event. I monitored the sound output throughout the event and am confident that no legal noise limits were breached.

In terms of support, The Fox like many other businesses has found recent times challenging. Rather than feel sorry for themselves the applicants have fought tooth and nail to keep their business alive, and have provided a bedrock of support to many in the village during the lockdowns. Whilst being denied the right to conduct their main business as a pub/restaurant, Tim and Clare diversified into other activities and supported the community, often at considerable cost and effort to themselves.

If you aren't aware of its history this pub has been in this village for much longer than any current resident has lived here. Anyone moving to the village does so in full knowledge that there is a thriving pub here. Generations have lived and died while the pub has been at the centre of village life in Sharpthorne.

While there have been times when the pub has been under attended due to poor stewardship, under Tim and Clare's imaginative hospitality over the last few years the pub has become a well loved local establishment with a wide range of diverse customers. Not just locals either, but ramblers and visitors to the area who are seeking genuine Sussex culture, history and cuisine, of which the pub is such a fine example.

The pub offers considerable employment opportunities to young people in the village who work behind the scenes. It has also engaged directly with the local community, often helping with village events and fundraisers.

Within its local fraternity of which many in the three villages of Sharpthorne, West Hoathly and Highbrook (some 2100 people) would count themselves, there are not just drinkers, but parents groups, charities, local clubs, music clubs. Lifelong friendships have been built within the walls of the pub, along with many happy memories, all of which risk being erased.

If you are not aware, The Fox is very much the last pub in the area. Although The Cat Inn is very close it is more interested in operating as an upmarket restaurant and offers little facility to local pub goers.

In summary, I would ask you to balance all of the positives I have mentioned above against 3 individual complaints, all from people with an axe to grind and one whose veracity should be doubted. It will be an enormous tragedy for the local community and the people who will lose their jobs if this pub is forced to close, which will no doubt be the result if this licence application is refused.

Regards

Dom Howard
Technical Director

Mob: [+44 \(0\)number redacted](#)

Tel: [number redacted](#)

Twitter: redacted

Skype: redacted

3rd Floor, The Pinnacle, Central Court, Station Way
Crawley, West Sussex RH10 1JH

Imaginit Limited: Registered in England & Wales

Company number: 7515558

Registered Office: 1st Floor 30 Church Road, Burgess Hill, West Sussex RH15 9AE

The information contained in this email may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email. This email and any attachments may contain confidential information and is intended only to be seen and used by the named addressees. If you are not the named addressee, any use, disclosure, copying, alteration or forwarding of this email and its attachments is unauthorised. If you have received this email in error please notify the sender immediately by email or by calling [+44 \(0\) 1444 458 166](#) and remove this email and its attachments from your system. The views expressed within this email and any attachments are not necessarily the views or policies of Mid Sussex District Council. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may

result from reliance on the contents of this email and any attachments.