

From: [PG](#)
To: [HH](#)
Cc: [licensing](#)
Subject: RE: Crab & Beacon minor variation
Date: 16 November 2020 15:24:03
Attachments: [objection.pdf](#)

Good afternoon

Thank you for responding to my email.

The information you have provided indicates that the new business profile is not in fact that of a restaurant but of a bar with restaurant facilities. I can agree with you that it is not unusual for patrons to wish to stand at a bar drinking and watching sport, but this is activity associated with a bar not a restaurant.

It would be expected that in a restaurant patrons would be sitting down for their meals and enjoying waiter/waitress service for both food and drinks.

It is noted that the hours sought have been reduced however this remains a venue operating during the night time economy in the town centre.

In view of these matters Sussex Police cannot agree to the removal of SIA door supervisors.
(please see attached document)

Kind regards

Pauline Giddings

Divisional Licensing Officer
Prevention Licensing Team
West Sussex
101 x 581443
01273 404030

(My working days are Monday, Tuesday and Wednesday. Please send any urgent enquiries outside of those days to

From: HH
Sent: 16 November 2020 14:38
To: PG

Subject: RE: Crab & Beacon minor variation

****External Email - Think before you click. If you do not trust the sender, do not click on any links or open any attachments. Further information can be found [here](#).****

Good Afternoon

Firstly, allow me to apologise for not getting back to you sooner. As you can imagine things are a little hectic, trying to run a business, during these troubled times.

With regards to your queries, id like to address each in turn.

Firstly, the floor plans you received are the plans for the premises as requested by M.S.D.C. during my application.

I'd be happy to provide a table plan for you if that's what you'd like. I'd like to point out that Jon Bryant and Fiona Spears visited the premises and were happy with our layout. Please feel free to pop in and see for yourself.

As part of the branding for our new venue we want to encourage a family atmosphere where families can enjoy a meal/ snack whilst enjoying not only watching but also participating in sports. This is proving very popular with families who have become regulars.

Although during recent restrictions our customers are only permitted to drink whilst seated, people are looking forward to being able to stand at the bar as they did before.

You'll agree that this is not an unusual thing as many other restaurant/ bar/ grill establishments in this town and others do the same thing.

You'll notice that we've requested our hours be shortened therefore I can confirm that no special events are planned for the future.

If this changes we will provide any risk assessments that are required.

All our staff will continue receiving full training promoting the licensing objectives.

Regards

H.Hassan

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

From: [PG](#)

To: [HH](#)

Cc: [licensing](#)

Sent: Monday, 16 Nov, 20 At 09:52

Subject: RE: Crab & Beacon minor variation

Good Day

To date no response has been received to the email below (9th November 2020) seeking clarification around aspects of this licence application. If the matters raised are not addressed to the satisfaction of Sussex Police, a representation will need to be submitted to the licensing committee objecting to the application; the measures proffered in the operating schedule being insufficient for a premises operating as a late night bar.

A reply is required no later than 4pm today after which time the objection shall be submitted.

Kind regards

Pauline Giddings

Divisional Licensing Officer

Prevention Licensing Team

West Sussex

101 x 581443

01273 404030

(My working days are Monday, Tuesday and Wednesday. Please send any urgent enquiries outside of those days to ...)

From: PG

Sent: 09 November 2020 10:28

To: HH

Cc: 'licensing' <licensing@midsussex.gov.uk>

Subject: Crab & Beacon minor variation

Good Day

Sussex Police have received the application to vary the premises licence for The Crab and Beacon.

Within the application various alterations are sought which include; in effect a change of hours and use of the premises, the removal of conditions and an alteration to the layout.

I have looked at the plan submitted but would seek written confirmation of the changes intended as, without currently having access to the current plan, it is not easy to assess the changes.

It is appreciated that, as a restaurant, SIA door supervision may not be necessary. Can the applicant therefore please confirm that the premises is intending to trade as a restaurant and that alcohol will therefore only be served to persons partaking in a sit down meal? Can it also be confirmed that any pool tables and dart's boards will be removed. If this is the case and the premises is not intending to continue as a vertical drinking establishment then Sussex Police can agree this variation application. A documented risk assessment regarding the use of SIA for any seasonal variations or special functions would obviously be in the interests of the premises licence holder; both for the safety of staff and of members of the public alike; clearly promoting the licensing objective for the prevention of crime and disorder.

Please can these matters be clarified in order that Sussex Police can be assured of the nature of this variation, to enable a proper consideration, and potentially, a resolution to be achieved

Kind regards

Pauline Giddings

Divisional Licensing Officer

Prevention Licensing Team

West Sussex

101 x 581443

01273 404030

(My working days are Monday, Tuesday and Wednesday. Please send any urgent enquiries outside of those days to ...)

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

We want to know your views - see what's new and give us your feedback and suggestions at www.sussex.police.uk

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If you have received this message in error, please contact the sender as soon as possible -



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

Neighbourhood Licensing Team West Sussex Division

16th November 2020

RE: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR CRAB AND BEACON

Dear Mr Bryant,

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

Sussex Police object to this variation application due to concerns that while the applicant refers to the premises operating as a restaurant, it will in fact be operating as a vertical drinking establishment.

Sussex Police sought clarification from the applicant, due to the information in the application referring to the premises as a restaurant, but also seeming to seek to retain the ability to function as a bar. This has indeed been confirmed by the applicant as the intention.

While the hours in the variation have been reduced, ceasing licensable activity at mid night; the fact remains that the premises would be able to function as a vertical drinking establishment operating well into the hours of the night time economy, in the centre of East Grinstead.

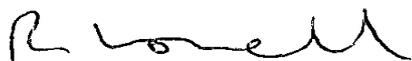
Sussex Police cannot therefore endorse the removal of SIA door supervisors from this premises, as to do so would place staff and members of the public at risk and fail to promote the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

Therefore Sussex Police invite the licensing committee to refuse this variation application.

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

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Lovell', written in a cursive style.

Insp R Lovell CL740
Force Licensing Lead
Sussex Police

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

From: [WJ](#)
To: [Jon Bryant](#)
Cc: [PG, DB](#)
Subject: Crab and Beacon, The Atrium, East Grinstead
Date: 21 December 2020 12:00:51
Attachments: [image001.png](#)
Importance: High

Good morning Jon,

I hope this finds you well?

An Op Tandem/Licensing visit was conducted by local officers at the Crab and Beacon at about 2215 hours on Friday 18th December 2020.

There were no SIA door staff on duty. The PLH/DPS Nafi Hassan, was on site and was spoken to by officers. He confirmed that there were no door staff on duty, rationalising to them that he had an application in to have the condition removed. The officers confirmed with him that it was still a current requirement of the premises licence.

The InnKeeper entry states that there were about 20 patrons present, all seated, and social distancing was being adhered to. There was evidence of recently eaten food on many tables, but a number of empty glasses on most tables.

It would appear that despite recent intervention from both the police licensing team, and yourself as the licensing authority, Mr Hassan has continued to knowingly breach the conditions attached to the relevant premises licence. Being on the premises at the time of the breach, he was in a position to prevent this occurring, thus negating any suggestion of due diligence. This is unacceptable, regardless of any difficulties he has previously cited in obtaining door supervisors, or in regards to any variation application he has in place.

In considering a course of action in regards to this breach, we are mindful that the relevant condition was added following a hearing by the licensing committee. It does therefore seem appropriate to bring this to the attention of Mid Sussex District Council, as the licensing authority, and responsible authority in regards to applying the condition to the premises licence, and invite you to take such action as you deem appropriate.

The attending officers are currently enjoying their rest days, but I will contact them to request s9 statements, and BWV should these be required for any formal procedures you instigate.

Kind regards,

Warren

Warren Jones
Constable CJ903
Neighbourhood Licensing Team | West Sussex Police
Hurst Road | Horsham | RH12 2DJ
Mobile: 07780 227415



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

Neighbourhood Licensing Team West Sussex Division

2nd December 2020

RE: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR CRAB AND BEACON EAST GRINSTEAD

Dear Mr Bryant,

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above variation application on the grounds of the licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm.

On 4th November an application was submitted seeking a minor variation to the premises licence for The Crab & Beacon, East Grinstead.

The application sought to reduce the hours available for licensable activity, so as to cease trading by midnight. (With seasonal variations until 01:00 hours). It stated that the premises would now have "*revised hours & change from predominantly bar to restaurant based and (we) do not require door supervisors*"

While the premises was referred to in the application as a restaurant, there was an indication that it would also continue to operate as a vertical drinking bar. Sussex Police therefore sought clarification from the applicant around this and some other matters regarding the floor plan.

In the email from Sussex Police dated 9th November 2020, (extract below for your convenience*) it clearly explained the concerns surrounding the removal of SIA door supervisors while seeking to continue to trading as a bar, retaining the pool tables and the dart board(s).

*It is appreciated that, as a restaurant, SIA door supervision may not be necessary. Can the applicant therefore please confirm that the premises is intending to trade as a restaurant and that alcohol will therefore only be served to persons partaking in a sit down meal? Can it also be confirmed that any pool tables and dart's boards will be removed.

Following a second email request from Sussex Police; the applicant responded, confirming that the premises would indeed still be operating as a bar. It was also confirmed that patrons would be able to stand at the bar, "*...not only watching but also participating in sports*"

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
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Therefore it was considered that, while a 'restaurant area' may be provided and the operating hours reduced; the premises would never the less continue to function as a 'sports' bar, operating well into the hours of the night time economy, in the centre of East Grinstead.

Sussex Police could not therefore endorse the removal of the SIA door staff condition from this licence.

As Mr Hassan will know, the SIA door staff conditions were placed upon the premises licence as a result of the Review hearing in 2012; following the death of a patron of the premises. The conditions are there to provide protection both to members of the public and staff alike. Persons who have reached their alcohol tolerance threshold will inevitably need to be refused entry to a late night venue. This should be achieved by SIA trained, professional staff. There may also be the need to eject patrons from The Crab and Beacon itself which, given its location at the top of a long flight of stairs, needs to be managed calmly & professionally.

In view of this police representation, the minor variation application was refused by the Licensing Authority on 20th November 2020.

On 25th November 2020 a variation application was submitted by the applicant. This has now been considered by Sussex Police and, being virtually identical to the previous minor variation application, raises the same concerns.

If the applicant seeks to operate *solely* as a restaurant, where children attending as part of a family can be protected from harm; then it may be possible to reconsider the requirement for SIA security door staff. Clearly there would still need to be safeguards in place regarding the presence of children on the premises.

- Any patron under the **age of 18 years** must be accompanied by a responsible person aged 18 or over.
- After 21:00 hours all children under 18 years must be accompanied by a responsible adult and may only remain on the premises until 23:00 hours and then only if partaking in a sit down meal or attending a pre-booked function or event. (such private functions must be booked at least 24 hours in advance and a risk assessment must be performed by the premises staff, with the promotion of the licensing objectives to be addressed.)
- With the exception of the immediate area of the bar, all customers will be required to be seated whilst consuming alcohol. Customers will be served by a waiter/waitress.
- All tables will be laid for food service at all times when the premises are open for licensable activities.
- Any bookings taken will include provision of a full meal for all those attending.
- No entry will be permitted to the premises after food service has ceased each day.
- Food must be offered for consumption up until at least 40 minutes before closing each day.
- The premises will operate as a restaurant and any promotions and advertising will refer to it as such.

However, if the applicant seeks to continue operating as a vertical drinking establishment, and continues to provide dart boards and pool tables then the current conditions remain essential.

While Sussex Police are not adverse to diversification, particularly during these difficult times; this cannot be at the expense of public safety.

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Indeed it is of concern that this Designated Premises Supervisor & Premises Licence Holder has recently come to the attention of Sussex Police and of the Local Authority Licensing Officer for failing to operate this premises with due regard for public safety and in accordance with conditions currently attached to the licence.

On 30th October 2020 a police officer visited the premises after 22:00 hours. The premises was very busy and obviously still full of patrons both standing and sitting at tables and chairs, drinking alcohol. No apparent effort was being made to ask them to leave. The balcony area remained full of patrons smoking and inside patrons continued to drink and play pool; unchallenged by premises staff. No SIA door staff were on duty.

The Local Authority (L/A) were made aware that the premises had been open contrary to Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020. The Local Authority Licensing Officer subsequently attended the premises and, having viewed the evidence, the matter was dealt with by way of a Penalty Notice under the regulations. This was confirmed in writing in a letter dated 3rd November 2020 to Mr Hassan from Mid Sussex District Council. (copy attached)

While viewing footage of the original offence relating to Coronavirus Health Protection regulations, further offences under the Licensing Act 2003 were identified by the L/A officer attending. These offences were clearly set out for Mr Hassan in the letter of the 3rd November 2020, with an explicit expectation that the failings would be addressed by the time the premises re-opened, when the CV19 restrictions were relaxed. At this time this has yet to be confirmed as 'lockdown' restrictions have remained in place.

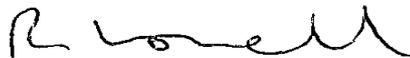
While at this present time provision of alcohol for 'on sales' may only be as an accompaniment to a substantial 'restaurant' meal; clearly this premises licence will be in place once the current restrictions are lifted. Sussex Police cannot therefore endorse the removal of SIA door supervisors from this premises. As previously stated, to do so would place staff and members of the public at risk and fail to promote the licensing objectives of, the prevention of crime and disorder, and the prevention of public nuisance.

Even solely as a restaurant, Sussex Police consider additional steps are necessary to ensure that children are protected from harm at this premises, should it be open for the hours suggested.

Therefore Sussex Police invite the licensing committee to refuse this variation application.

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.

Yours sincerely



Insp R Lovell CL740
Force Licensing Lead
Sussex Police

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