



Quality Solicitors Barwells

Established 1896

APPENDIX 8

Ms S Lindsey
Licensing Officer
Lewes District Council
Southover House, Southover Road
Lewes, East Sussex BN7 2SY

By post & email

Our Ref: PMC/KT/Brumwell BRU21/8

Your Ref:

DX: 38900 Seaford
QSBCommercial@barwells.com
www.qualitysolicitors.com/barwells



26 September 2016

Dear Sirs

Our Client: Steven Brumwell

We can confirm that we act upon behalf of Mr Steven Brumwell who is the freeholder of The Bay public house, Pelham Road, Seaford, BN25 1EP. We are also advising Glen Burvill; the current DPS.

It is confirmed that our client, Mr Brumwell, lives locally to The Bay public house living at The Viking, Dane Road, Seaford. As such Mr Brumwell is able to keep in regular contact with the DPS at the public house. Our client, Mr Brumwell, has extensive experience in the public house business as he took on his first public house on the 11th November 1985 when he took over the Beachcomber in Seaford which he ran successfully until the 8th October 2011 when it was sold to McCarthy Stone for redevelopment.

Mr Brumwell has never had any difficulties with his licence and indeed he owns two other public houses in Seaford being The Bay and The Crown. The Bay Mr Brumwell has owned for 19 years and the Crown Mr Brumwell has owned for 22 years. Both of these public houses are let out but Mr Brumwell is actively involved.

Until the recent issues with The Bay there have been no difficulties with either The Crown or The Bay and Mr Brumwell has enjoyed an excellent relationship with both the police and the licensing authorities in particular with Garry Clark who was previously a police inspector before becoming the Licensing Officer for Lewes District Council. Mr Brumwell has previously been Chairman of the Seaford Pub Watch Committee.

Mr Brumwell has had regular meetings with the current DPS, Mr Glen Burvill regarding the recent communications with the police relating to the Licence and in particular lengthy meetings have taken place between Mr Brumwell and Mr Burvill and both Barwells and Mr David Lewis-Hill, Counsel of One Crown Office Row in Brighton, in an attempt to ascertain precisely the concerns of the police and deal with these effectively.

Directors (May also be referred to as Partners): David George / Tim Morgan / Bill Elliott / Andrew Woods (non lawyer) / Stephen Ash / Nicola Jones / Paul Chaloner.
Authorised and Regulated by the Solicitors Regulation Authority SRA No. 612008. Quality Solicitors Barwells is the trading name of Barwells Legal Limited. Registered in England and Wales. Registration No. 08645312.
Registered Address: 6 Hyde Gardens, Eastbourne, East Sussex, BN21 4PN
Offices at: Eastbourne 01323 411505 / Seaford 01323 899331 / Newhaven 01273 514213 / Peacehaven 01273 582271 / Hailsham 01323 814010



As will be seen from the contents of this letter, it will hopefully be seen and accepted by the police and the Licensing authorities that many of the recommendations of the police are already being implemented and that there are a relatively small number of minor differences between the parties relating to matters raised by the police and most significantly it will be seen that Mr Brumwell and Mr Burvill are prepared to concede that it may be in the best interest of all parties going forward for Mr Burvill to cease to hold the role of DPS and to be replaced by the Assistant Manager at The Bay public house being Mr Robin Willis of 21 Littleington Court, Surrey Road, Seaford BN25 2NZ. This is formally proposed and offered.

It is hoped that the police and the Local Authority Licensing Authority will accept that Mr Brumwell is a serious and responsible person who is well known and respected locally and that it will be seen that, although it is accepted that there have been issues, it is not accepted that every allegation/assertion made by the police is correct, but that where issues have been raised a strenuous effort has been made to satisfy the police and to deal with their concerns.

It is confirmed that both Mr Brumwell and Mr Burvill, together with Mr Willis the proposed new DPS, are more than happy to attend the hearing and are prepared to discuss the issues and the steps they have taken to deal with the allegations raised but it is hoped by Mr Brumwell that the hearing can be avoided given the reasonable and progressive proposals which are now being made and put forward in this letter to deal with the concerns which would appear to be a most practical and realistic way of dealing with matters raised.

With regard to the police's proposals for new conditions for the Licence, the relevant points are as follows:-

1. With regard to the CCTV, all of the police's proposals are agreed save for the police's recommendation that 28 days of recording should be kept. This letter is to confirm that our client, Mr Brumwell, is of the opinion that 20 days is sufficient given the significant extra cost which would be incurred in increasing the storage to 28 days and the significant lowering in the quality of the recordings if 28 days were insisted upon. It is confirmed that there is a CCTV policy which requires that if any incident is reported that a responsible member of the management staff at The Bay public house will arrange to immediately "burn off" onto a CD the incident concerned together with the previous one hour's events leading up to the incident and the one hour's events following the incident. We attach to this letter a copy of the current CCTV's policy which has been explained to all members of staff and a copy of such policy is now within the Training Manual of all staff members.
2. With regard to the proposal for the security staff approved by SIA, our client's proposal is that they would be willing, if this were required by the police, to accept such a condition as a temporary three month condition with a view to it moving back to the current arrangement at the discretion of Mr Willis as the DPS. Our client has concerns that if the condition is a permanent condition that there could be issues in the event of the company supplying the door staff being unable to provide the correct number of staff every day due to possible sickness and for the avoidance of doubt our client can confirm that they will ensure that three door staff personnel all being SIA approved will be available on all Friday nights and Saturday nights being the nights when the public house has most trade.

3. With regard to staff training, all of the conditions proposed by the police are accepted. There is now a much more detailed Staff Training folder incorporating within this all of the staff training policies including the CCTV Policy, Policy on Drugs in respect of which there is a no tolerance policy and a Refusals Policy for not serving persons believed to be intoxicated. In addition, although the public house has always had posters giving details in form of notices in respect of the public house's policy having alcoholic drinks and glasses in the garden, all staff have now formally been trained on this policy and of the procedure whereby in the event of persons failing to cooperate with a request to come into the public house from the garden throughout the prohibited times that the Manager or DPS will be called and the person will be required to leave the public house and the incident recorded. All staff members are given a copy of the Essentials of Alcohol Workbook.
4. With regard to the Incident Book, a copy of the Incident Book is attached which includes the Police Log and all of the police's recommendations are being adhered to.
5. With regard to the Refusals Register, all of the police's recommendations are accepted and the current Refusals Book, a copy of which is attached, is being improved to include a request for the name and address of the person being refused as well as details of what action is being taken after they leave the public house, for example, confirmation being given that if they have indicated that they are going to another public house that the other public house is advised in advance. All of the staff have been advised in their training of the need for a more accurate Refusals Book to be kept and of the importance of seeking the name and address of the person refused, and providing a full description of the person concerned as well as taking steps to ensure that other public houses in the vicinity are advised of the relevant incident.
6. With regard to Written Authorisations, all of the police's recommendations are accepted and all of the police's recommendations are being currently adhered to. Copies of the written authorisations are attached although as yet a couple of staff have not had their duty turn so are yet to sign the forms.
7. With regard to Drug Reporting, all of the police's recommendations are accepted and these steps are now being taken. We attach a copy of the Drugs Policy together with copies of the relevant posters which are now displayed prominently in the public house.
8. With regard to Zero Tolerance, similarly it is confirmed that all of the recommendations of the police are being adhered to and all the procedures are currently being undertaken. Details of the zero tolerance posters which are now displayed in the public house together with their location are now attached to this letter.
9. With regard to Challenge 25, similarly it is confirmed that all of the recommendations of the police are being adhered to and all the procedures are currently being undertaken. Details of the Challenge 25 posters which are now displayed in the public house together with their location are now attached to this letter.

10. With regard to the Seaford Pub Watch, all three; Mr Brumwell, Mr Burvill and Mr Willis have agreed to attend the next Seaford Pub Watch meeting in November and Mr Willis will, if there is a vacancy, put himself forward to take on a role within the Group.

For the avoidance of doubt, it is confirmed that all eight members of staff of The Bay public house have all now passed relevant Licensing qualifications and will hold personal Licences although some remain to be issued. There was a meeting on Friday 22 September 2016 when Sue Lindsey of the Licensing Committee confirmed to the staff members that they had passed their examinations. It is understood that the relevant Licensing cards will be issued shortly.

In conclusion, Mr Brumwell and Mr Burvill, as well as Mr Willis, would hope that the Police and Licensing authorities would accept that there should not be any reduction in the opening hours. In this regard we would refer to Lewes District Council's Statement of Licensing Policy as set out in Principle 2 and Principle 5.1.4 and rely upon the fact that the Licence used to be until 2am in the past. Similarly it is hoped that all parties will accept that there should be no suspension of Licence under the circumstances.

Yours faithfully



QualitySolicitors Barwells

N.B. A similar letter has been sent to Sussex Police

Refusal
Book

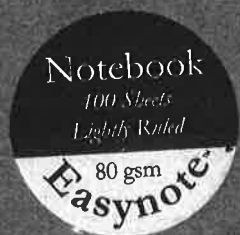
16-9-16

Blonde Girl Refused Drink
Due to Drunkenness.

R. J. W.

21-9-16

Two Males one with
beard wearing denim
other wearing yellow T-shirt
white with butter fly on
left breast.



ACCIDENT BOOK

N
T
E
B
O
O
K



Toilet Check.

16th September

Toilet checks.

7:30pm CLEAN - ALL OK. ~~OK~~
8:15pm " " " " ~~OK~~
9:00pm " " " " ~~OK~~
9:45pm " " " " ~~OK~~
10:15pm " " " " ~~OK~~
10:45pm " " " " ~~OK~~
11:00pm " " " " ~~OK~~
11:45pm " " " " ~~OK~~
12:30pm " " " " ~~OK~~

17th September

Toilets Check.

6:30pm - Clean - OK - ~~OK~~
7:00pm - Clean - OK - ~~OK~~
7:40pm - Clean - OK - ~~OK~~
8:15pm - Clean - OK - ~~OK~~
8:45pm - Clean - OK - ~~OK~~
9:45pm - Clean - OK - ~~OK~~
10:30pm - Clean - OK - ~~OK~~
5/6 WARD (D/S) Toilet/Clean check.
• 22:00 - Clean all OK ~~OK~~
• 22:30 - Clean all OK ~~OK~~
23:00 - Police toilet check fine.
23:30 - Clean all OK ~~OK~~
00:30 - Clean all OK ~~OK~~

C.C.T.V GUIDE.

All of the Cameras in the garden and outside of the front of the pub have been changed and are now all working clearly and properly. We were asked about changing the time length on them from 20 hrs to 28 hrs. We called the company to ask if this was possible and they said that they could do this but the picture quantity would not be great. So we think the way round this would be to burn any incidents that may happen off straight away and put it onto a dangle and keep it for 28 days if the police need to see it.

Garden Rules.

At 11.30pm especially at weekends the customers would be asked to not have any glasses at all in the garden area, and this is done by our door staff and also there are posters in the garden and inside the pub so customers will be fully aware. If at anytime the customers don't comply with this rule they will be asked again and telling that they will be asked to leave the premises, and not return.

Drugs.

ZERO TOLERANCE.

STAFF.

We have five staff working for us and we have just paid for all of our staff to do their Personal Licensing Course. Including myself we have all successfully passed. We also do staff training and myself and Glenn do this and we order the books etc of the website called "Hianfeild International". Staff training will always take place when we feel issues arising if any and we do staff meetings the 1st Friday of every month. Glenn, Rob Willis and Lisa Osbourne all currently hold a personal licence already. Glenn is also a member of the British Institution of Innkeepers (BII).

Pub Watch.

We are members of Seaford's Pub watch we will be attending the next meeting which is 1st November 2016.

Bay Tree Pub

Staff Handbook, Rules and Regulations.

Reference book for staff

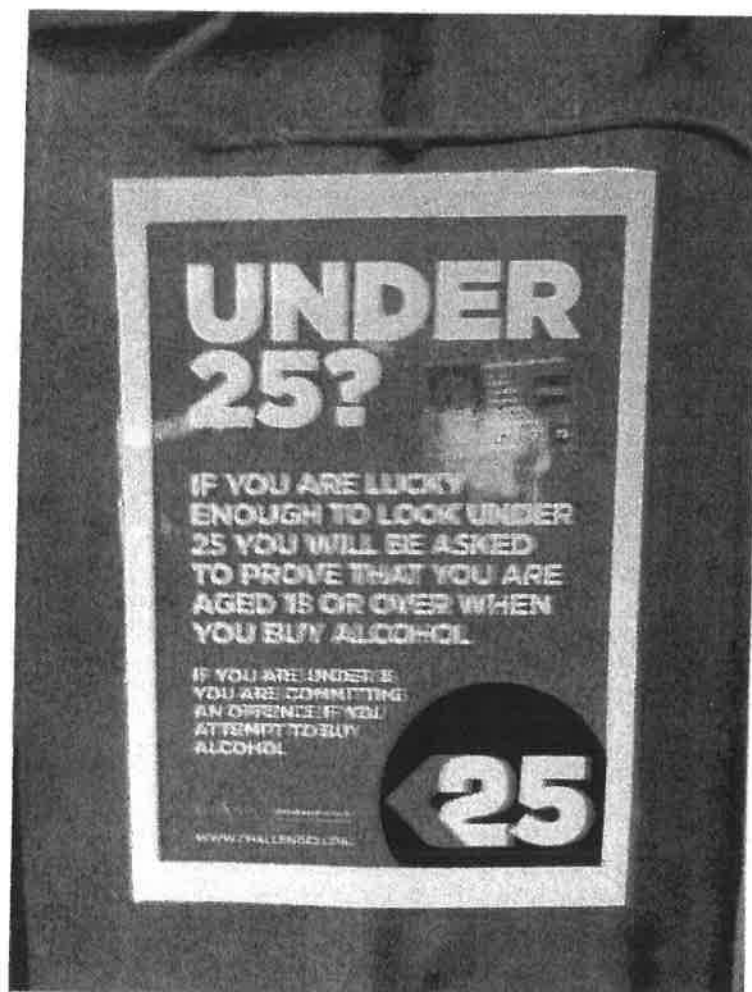
2016-2017

Staff Policies

Under 25 rule

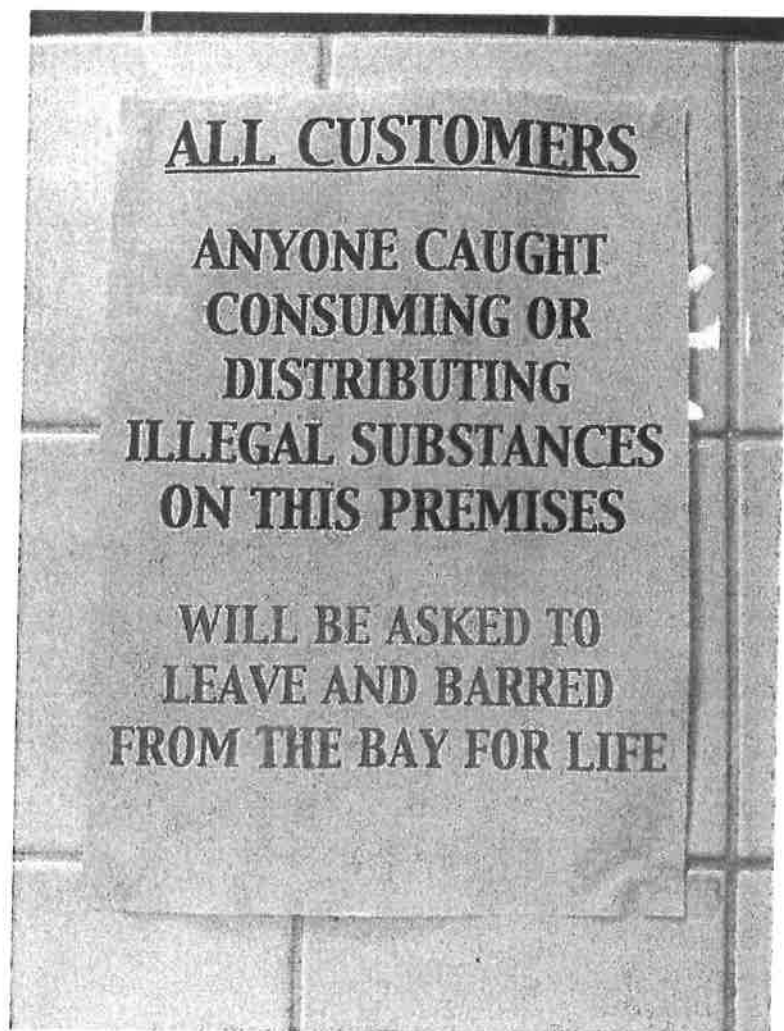
If a customer at the bar looks to you as if they are under 25, politely ask for ID and let them know that we have a strict 25 rule where *anybody* that looks under this age will be asked and it is nothing personal. If necessary show them the "25 poster we have located behind the till.

With I.D. check that there are holograms using special pen by the till and that it looks like all standard UK driving licenses. If it looks suspicious inform another member of staff, if both are still confused ask Glenn, Clare or Rob.



Drugs

At the Bay tree pub we have a strict zero tolerance policy on drugs, either distribution or taking of. We strive to maintain a clean drug free pub and thus anybody caught or even suspected of such things will be asked to leave, barred for life and put on the pub watch scheme. No exceptions! If you are not happy confronting someone whom you suspect or have caught, either make the doorman aware or Glenn, Clare or Rob. Ensure that it is written in the incident book, with all details including, who, a brief description, action you took and time and date.



"Can't get served"

As the poster states it is against the law to serve anybody you suspect is inebriated. If someone has had too much to drink it is down to you to refuse them service. Do it in a polite manner and simply explain there is nothing you can do and that they are more than welcome to come back the next day, once sober. If you feel uncomfortable doing so, speak to the doorman, Glenn, Clare or Rob.

If the customer for some reason becomes aggressive, simply explain that as part of our license we are not allowed to serve anybody that is drunk. Do not take the blame yourself.



Mates in a state

As stated above it is illegal to serve anybody that is inebriated, and it is also against the law to serve anybody that is buying a drink for those who are inebriated. If you suspect this is happening you must tell the people of the legality in a polite, respectful manner. If they persist they will be asked to leave and barred. If you feel uncomfortable ask the doormen, Glenn, Clare or Rob.



CCTV

At the Bay Tree we have CCTV cameras located all the over the pub and outside area, this is for the protection of both the staff and customers.

If there is an incident, no matter how big or small, bring it to the attention of Glenn, Clare or Rob and they will burn it off onto disc ASAP, and this will be kept along with the incident book for no less than 30 days or as long as advised by the authorities. It will be in the black folder with all other record books behind the bar.

Make sure the screen located behind the bar is on and in constant use, to watch what happens in and around the pub.

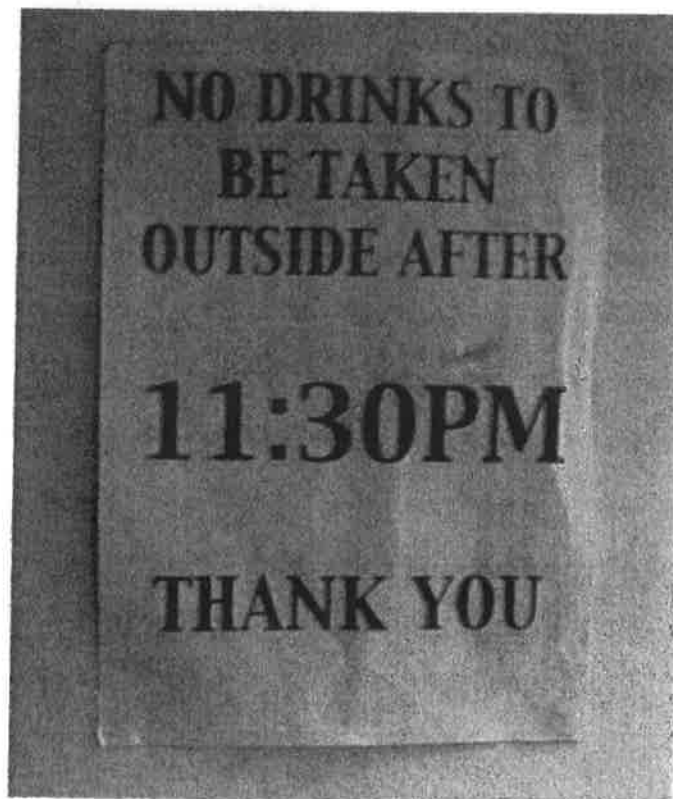
If there is an incident, do not hesitate to tell Glenn, Clare or Rob!



Drinks outside after 11:30pm

It is against the to have anybody in the garden after 11:30pm with food or drink, there are plenty of notices so customers should know, however often need reminding. The table located by the back door is for the use of drinks when people are outside smoking. It is also our policy to make sure that no one is outside unless they are smoking, so no one just outside to talk etc.

We offer one warning to anybody caught outside with a drink, this is one chance to take their drink back inside, after that we will ask them to leave and they will be barred. If you are uncomfortable in doing this speak to Glenn, Clare or Rob.



Drinks outside after 11:30pm

It is against the to have anybody in the garden after 11:30pm with food or drink, there are plenty of notices so customers should know, however often need reminding. The table located by the back door is for the use of drinks when people are outside smoking. It is also our policy to make sure that no one is outside unless they are smoking, so no one just outside to talk etc.

We offer one warning to anybody caught outside with a drink, this is one chance to take their drink back inside, after that we will ask them to leave and they will be barred. If you are uncomfortable in doing this speak to Glenn, Clare or Rob.



Door staff

We are fortunate at the Bay Tree to have the safety and security of our Door staff on a Friday and Saturday night, they are there for the security of the staff and the customers and will be either on the front door, back door or wondering doing regular patrols in and around the pub, if you suspect anything you are unhappy with, with customers do not hesitate to bring it to the attention of the door staff, and if it is a major emergency use the walky talky located on the back bar to radio them in to the position you are in.



Bar rules

Broken glass- If ever there are glasses broken or smashed, they must be cleaned up, swept and mopped immediately no matter how many customers need serving etc.

When in doubt of anything refer to the rules located on the double doors on the back bar, most if not all rules are on there or within this handbook, remember always consult Glenn, Clare or Rob.

Bar rules

Broken glass- If ever there are glasses broken or smashed, they must be cleaned up, swept and mopped immediately no matter how many customers need serving etc.

When in doubt of anything refer to the rules located on the double doors on the back bar, most if not all rules are on there or within this handbook, remember always consult Glenn, Clare or Rob.

Photographs to show posters/signs around the Bay Tree Pub

Attached below are several photographs of the signs and posters we have in and around the premises.

Drugs

We have zero tolerance on drugs signs, plastered all over the pub and especially in every toilet, male and female, clearly stating anybody caught consuming or selling illegal narcotics will be barred for life, being that we are now part of the Pub watch scheme we will now report back to them any body we have caught in said circumstances.

11:30pm Drinks rules

We have multiple signs around the building informing our customers that there are to be no drinks outside in the garden area after 11:30pm, anybody caught doing so will be given an initial warning, following that if they persist they will be asked to leave and barred.

Information signs.

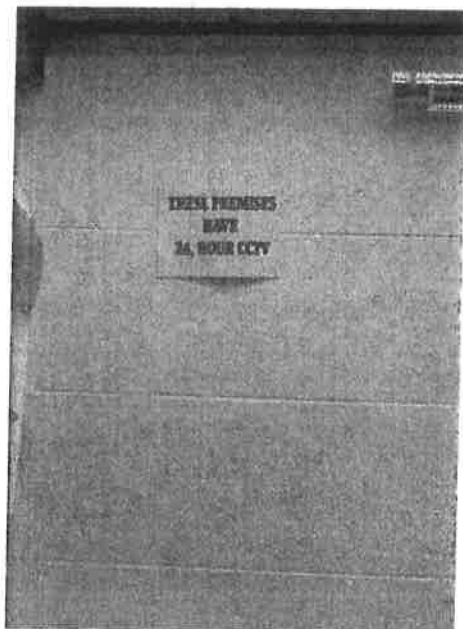
We have posters dotted around the pub explaining that anybody we deem to be drunk will not be served and that anybody attempting to buy alcohol for friends who are drunk will be barred as well.

We also carry a "25" rule within the pub, so that anybody who looks below 25 will be asked for ID, there is a poster stating this too behind the bar.

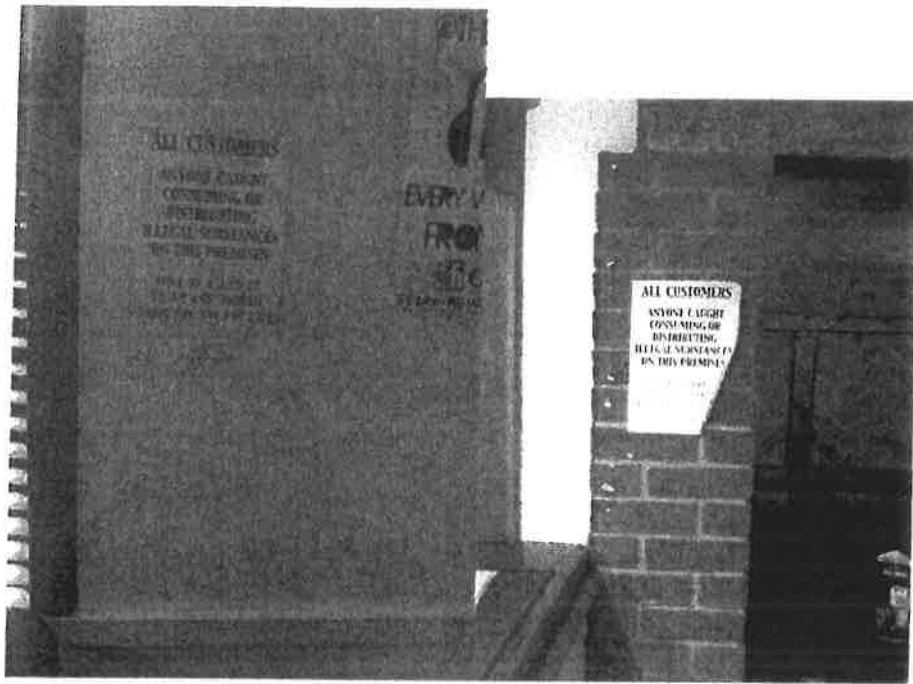
We also have signs on our doors asking customers to be respectful and leave the premises quietly.

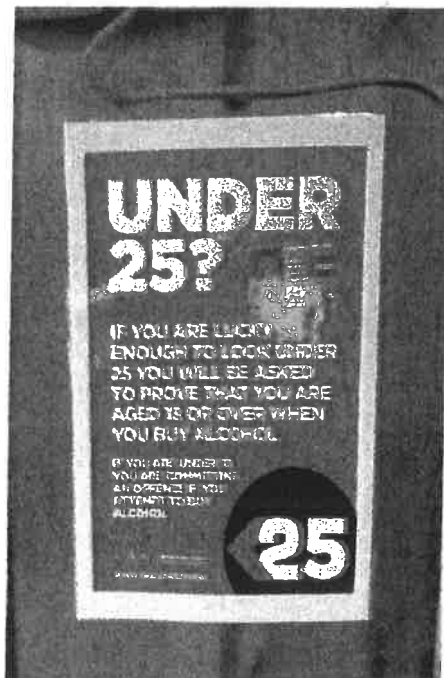
Security

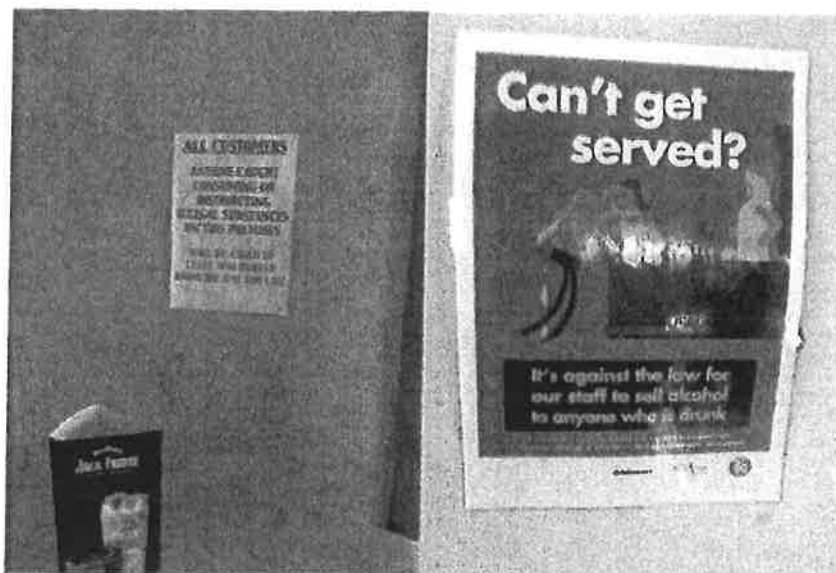
There are signs on most of the doors and around the pub and garden area telling people of our 24 hour cctv system and that we have doorman and the company to which they belong.











THE BAY PUBLIC HOUSE

I, the designated Premises Supervisor of the Bay Public House
Glen Burville authorise


LISA OSBOURNE (Print name of employee)

to make sales of alcohol whilst on duty as bar staff at the
Bay Public House, Pelham Road, Seaford.

I am aware of the basics of the licensing laws especially
regarding the need to identify and to refuse the sale of alcohol
to persons under the age of 18 years and to prevent any other
person buying with intent to supply any such persons.

I am aware that it is an offence to serve alcohol or provide
alcohol to any person who appears intoxicated.

I am also aware that it is an offence to serve alcohol after the
terminal hour.

Authorised bar person  (Signature of bar person)

Date 21.9.16

THE BAY PUBLIC HOUSE

I, the designated Premises Supervisor of the Bay Public House
Glen Burville authorise

.....JILLY O'HARA..... (Print name of employee)

to make sales of alcohol whilst on duty as bar staff at the
Bay Public House, Pelham Road, Seaford.

I am aware of the basics of the licensing laws especially
regarding the need to identify and to refuse the sale of alcohol
to persons under the age of 18 years and to prevent any other
person buying with intent to supply any such persons.

I am aware that it is an offence to serve alcohol or provide
alcohol to any person who appears intoxicated.

I am also aware that it is an offence to serve alcohol after the
terminal hour.

Authorised bar person..... (Signature of bar person)

Date.....

THE BAY PUBLIC HOUSE

I, the designated Premises Supervisor of the Bay Public House
Glen Burville authorise

Lucy Joy..... (Print name of employee)

to make sales of alcohol whilst on duty as bar staff at the
Bay Public House, Pelham Road, Seaford.

I am aware of the basics of the licensing laws especially
regarding the need to identify and to refuse the sale of alcohol
to persons under the age of 18 years and to prevent any other
person buying with intent to supply any such persons.

I am aware that it is an offence to serve alcohol or provide
alcohol to any person who appears intoxicated.

I am also aware that it is an offence to serve alcohol after the
terminal hour.

Authorised bar person..... (Signature of bar person)

Date.....

THE BAY PUBLIC HOUSE

I, the designated Premises Supervisor of the Bay Public House
Glen Burville authorise

.....CLARE BARRETT..... (Print name of employee)

to make sales of alcohol whilst on duty as bar staff at the
Bay Public House, Pelham Road, Seaford.

I am aware of the basics of the licensing laws especially
regarding the need to identify and to refuse the sale of alcohol
to persons under the age of 18 years and to prevent any other
person buying with intent to supply any such persons.

I am aware that it is an offence to serve alcohol or provide
alcohol to any person who appears intoxicated.

I am also aware that it is an offence to serve alcohol after the
terminal hour.

Authorised bar person.......... (Signature of bar person)

Date.....3/3/16.....

THE BAY PUBLIC HOUSE

I, the designated Premises Supervisor of the Bay Public House
Glen Burville authorise

MICHAEL TINDALL (Print name of employee)

to make sales of alcohol whilst on duty as bar staff at the
Bay Public House, Pelham Road, Seaford.

I am aware of the basics of the licensing laws especially
regarding the need to identify and to refuse the sale of alcohol
to persons under the age of 18 years and to prevent any other
person buying with intent to supply any such persons.

I am aware that it is an offence to serve alcohol or provide
alcohol to any person who appears intoxicated.

I am also aware that it is an offence to serve alcohol after the
terminal hour.

Authorised bar person  (Signature of bar person)

Date 26-06-16

THE BAY PUBLIC HOUSE

I, the designated Premises Supervisor of the Bay Public House
Glen Burville authorise

Rob Willis (Print name of employee)

to make sales of alcohol whilst on duty as bar staff at the
Bay Public House, Pelham Road, Seaford.

I am aware of the basics of the licensing laws especially
regarding the need to identify and to refuse the sale of alcohol
to persons under the age of 18 years and to prevent any other
person buying with intent to supply any such persons.

I am aware that it is an offence to serve alcohol or provide
alcohol to any person who appears intoxicated.

I am also aware that it is an offence to serve alcohol after the
terminal hour.

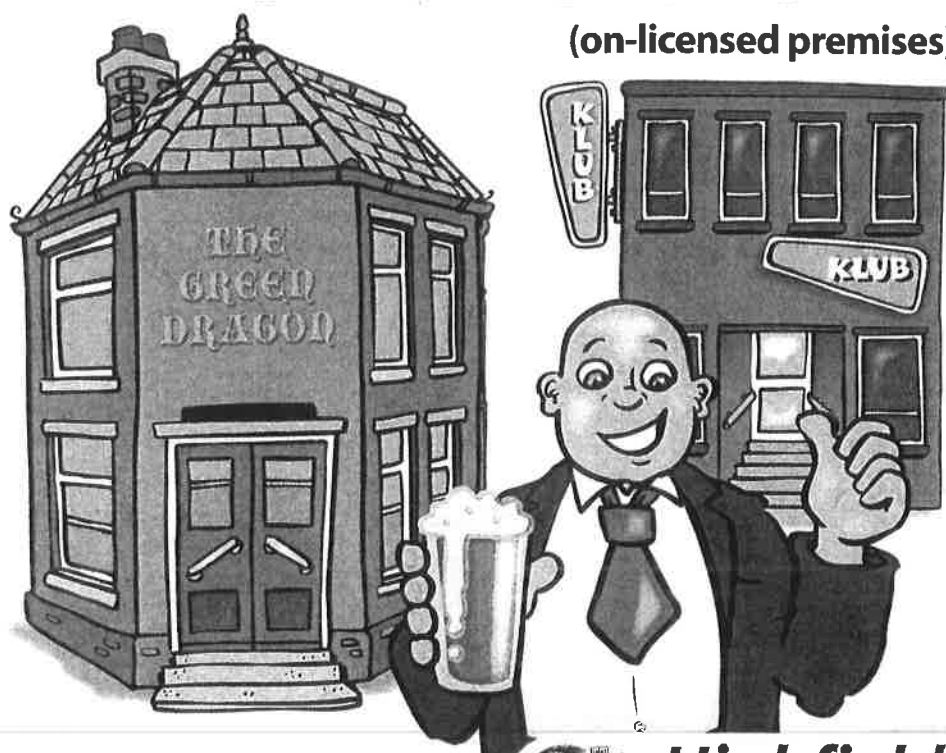
Authorised bar person..... (Signature of bar person)

Date 3-3-16.

Designed for use as an *Introduction* to On-Licence Alcohol Sales

The **Essentials of** **ALCOHOL** **Workbook**

(on-licensed premises)



Nicola Baylis



Highfield
INTERNATIONAL