

Minutes of the Meeting of the LICENSING (GENERAL) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 24 August 2023

PRESENT -

Councillor Julian Freeman (Chair); Councillors Steven McCormick and Kieran Persand

In Attendance: Applicant and Business Director

Officers present: Lidia Harrison (Principal Solicitor), Paul Holliday (Principal Licensing Officer), Dan Clackson (Democratic Services Officer) and Phoebe Batchelor (Democratic Services Officer)

6 DECLARATIONS OF INTEREST

No disclosable pecuniary interests were declared by Members in respect of any item to be considered at the meeting.

7 DETERMINATION OF RENEWAL SEXUAL ENTERTAINMENT VENUE LICENCE APPLICATION

The Sub-Committee were asked to determine a renewal application for Sexual Entertainment Venue licence following objection.

The report was introduced by Principal Licensing Officer, Paul Holliday.

The Applicant had no questions to ask of the Principal Licensing Officer.

The Sub-Committee had no questions to ask of the Principal Licensing Officer.

The Sub-Committee received a verbal representation from the Applicant, and the following was confirmed:

- a) The Applicant proposed to change the wording for two of the current conditions to Stir 777 SEV License. The Sub-committee were asked to consider implementing the rewording to Condition 2 and 3 of the SEV license, subject to the decision of the application. The Applicant confirmed that the rewording proposed, would address any age discrimination or gender issues that may arise.

The Applicant and his Representative responded to questions from the Sub-Committee and the following was confirmed:

- a) The change of wording from, '*Condition 3. No person under the age of 20 shall be permitted into the premises, or to remain on the premises at any time when adult entertainment is taking place. A clear notice shall be displayed in those terms in a prominent position at the entrance, so that persons entering can read it...*' to '*Condition 3. No patrons under the age of 20 shall be permitted into the premises, or to remain on the premises at any time when adult entertainment is taking place. A clear notice shall be displayed in those terms in a prominent position at the entrance, so that persons entering can read it...*' is to make specific that it refers to customers coming onto the site, rather than staff employed at the venue, who cannot be under the age of 20.
- b) The Applicant stated that they have received no problems in relation to anti-social behaviour or crimes, and have had no trouble inside the venue.
- c) The Applicant's FOI request received a response from the Environmental Health department at EEBC, on the 23rd of August 2023, and no complaints have been received on the Stir 777 SEV License since SEV licensing was introduced in 2011. This correspondence was shared with the Sub-Committee Members during the meeting and published as a late supplement to the Agenda.
- d) Four additional FOI requests were submitted by the Applicant, to Surrey Police, in regard to Police incidents and attendance that have been recorded at three nearby venues and for Stir 777. The information received in response was for a post-code area and was not venue specific. Only one FOI request came back venue specific and has been shared in the final summary included in the Agenda Pack.

The Chair announced that the Sub-Committee would retire with their legal advisor to deliberate. The Chair confirmed that the role of their legal advisor would be to provide legal advice only. The meeting was adjourned at 10:55.

The Sub-Committee and their legal advisor returned to the Council Chamber and the meeting resumed at 11:22. The Chair relayed the Sub-Committee's decision (as detailed below).

Having read all the material presented in the agenda and the written representations made, having listened to all of the evidence and to the submissions presented at the meeting, and having regard to the Licensing Policy of the Council, the Licensing Sub-Committee decided to:

Grant the application subject to the following amendments applied to the Condition 2 and 3 of the SEV License;

- 1. Deletion of the words 'female only,' in line 2 of Condition 2**
- 2. Replace the word 'Person' with the word 'Patron' in Condition 3**

The Chair advised that the decision would be followed up by a written confirmation of the decision in due course. The Chair advised that the Applicant had a right of appeal against the decision of the Sub-Committee within 21 days of the notification in writing to the Applicant, to the Magistrates Court.

The meeting began at 10.30 am and ended at 11.27 am

COUNCILLOR JULIAN FREEMAN (CHAIR)