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Simon Young, Solicitor
Head of Legal and Democratic Services



LICENSING HEARING PANEL

Monday 25 April 2016 at 11.30 am

Council Chamber - Epsom Town Hall

The members listed below are summoned to attend the Licensing Hearing Panel meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Rob Geleit (Chairman)
Councillor Clive Smitheram

Councillor Jean Steer

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Young'.

Head of Legal and Democratic Services

For further information, please contact
Fiona Cotter, tel: 01372 732124 or email: fcotter@epsom-ewell.gov.uk

AGENDA

1. DECLARATIONS OF INTEREST

Members are asked to disclose the existence and nature of any Disclosable Pecuniary Interests in respect of any item to be considered at the meeting.

2. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 - SLUG AND LETTUCE, 10 THE DERBY SQUARE, EPSOM, SURREY. KT19 8AG (Pages 3 - 56)

The Panel is requested to determine the application made under the Licensing Act 2003.

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APPLICATION FOR THE VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – SLUG AND LETTUCE, 10 THE DERBY SQUARE, EPSOM, SURREY. KT19 8AG

<u>Report of the:</u>	Head of Housing and Environmental Services
<u>Contact:</u>	Angela Slaughter
<u>Annexes/Appendices (attached):</u>	<u>Annexe 1</u> - Application Form <u>Annexe 2</u> - Copies of Representations received <u>Annexe 3</u> - Current Premises Licence <u>Annexe 4</u> - Location Map
<u>Other available papers (not attached):</u>	Code of Conduct and Practice in Licensing Procedures and Hearings Statement of Licensing Policy Licensing Act 2003 Guidance Issued under Section 182 of the Licensing Act 2003

REPORT SUMMARY

The Panel is requested to determine the application made under the Licensing Act 2003.

RECOMMENDATION (S)

The Panel is requested to determine whether or not the application should be granted.

Notes

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

1.1 The Council will exercise its licensing functions with regard to the Council's Core Values which include focusing on our customers and performing with openness and honesty.

2 Current Position

2.1 The current licensing hours for Slug and Lettuce, 10 The Derby Square, Epsom, Surrey are as follows:

Supply of Alcohol and Provision of Regulated Entertainment

Monday to Sunday 10.00 hours until midnight.

Late Night Refreshment

Monday to Sunday 23.00 hours until midnight.

One additional hour on every bank holiday Friday, Saturday, Sunday and St Andrew's, St David's, St George's and Valentine's Day.

New Years Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The opening hours of the premises

Monday to Sunday 08.00 hours until 00.30 hours;

One additional hour and half on every bank holiday Friday, Saturday, Sunday and St Andrew's, St Davids, St George's and Valentine's Day.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

3 Background Information

- 3.1 The Applicants had pre application discussions with Surrey Police and Environmental Health before the application was submitted, and as a result, neither party has made a representation on the application.
- 3.2 An informal meeting has been arranged between the Interested Parties, and persons acting on behalf of the Applicant.

4 Application

- 4.1 An application has been received for the variation of a Premises Licence for the Premises known as Slug and Lettuce, 10 The Derby Square, Epsom, Surrey. The application as stated in Annexe 1 to this Report.

5 Representations from Interested Parties

- 5.1 Five representations objecting to the application on the grounds of Public Nuisance been received. These representations are attached at Annexe 2.

6 Representations from Responsible Authorities

- 6.1 Surrey Police has not made a representation on this application.

- 6.2 Surrey Fire and Rescue Service has not made a representation on this application.
- 6.3 The Planning Department has not made a representation on this application but state that planning permission for these premises as set out under 06/01091/FUL is to restrict the hours of opening to 0800 to midnight on Fridays and Saturdays and 0800 to 0200 on Christmas Eve and New Year's Eve.
- 6.4 In addition any outside seating area has to be vacated by all customers/patrons by no later than 2300 on any day. These restrictions were imposed to safeguard the interests of nearby residents, especially the residents of the third floor flat above that has a roof terrace.
- 6.5 The proposed extension of opening times to 01.30 on Fridays and Saturdays and the opening times from 07.00 Monday – Sunday would clearly be outside the times allowed by the extant planning permission. Accordingly, it is important that the applicant realises that any extension of the licensed hours will also need to be the subject of a new planning application.
- 6.6 The Environmental Health Service has not made a representation on this application.
- 6.7 Surrey Children's Service has not made a representation on this application.
- 6.8 Trading Standards has not made a representation to this application.

7 Submissions and Evidence

- 7.1 As at the date of publication of the Agenda, no additional evidence or submission has been provided by the applicant. However, it was agreed that the applicant's solicitors can submit evidence in support of the application for distribution to Panel members on 20 April and they have indicated their intention to do so.

8 Policy Considerations

- 8.1 A copy of the Statement of Licensing Policy adopted in December 2013 has been distributed to all parties. Members will need to have due regard to the representations submitted and the location of the premises within the Borough.
- 8.2 The premises are in the Red Zone and the application is for opening beyond midnight. Therefore there is a policy presumption to refuse the application unless the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area and satisfies the criteria stated in the policy.

9 Legal Implications (including implications for matters relating to equality)

- 9.1 The Panel must consider the application and the representations made and either modify the conditions of the licence or reject the whole or part of the application having regard to the promotion of the licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

10 Conclusion

- 10.1 The Panel is requested to determine whether or not the application should be granted.

WARD(S) AFFECTED: Town Ward

ANNEXE 1 - APPLICATION FORM

Epsom and Ewell Borough Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number EEBC/07/00324/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Slug & Lettuce 10 The Derby Square			
Post town	Epsom	Post code	KT19 8AG

Telephone number at premises (if any)	01372 729174
Non-domestic rateable value of premises	£74,400.00

Part 2 – Applicant details

Daytime contact telephone number	08451262944		
E-mail address (optional)			
Current postal address if different from premises address	Porter Tun House 500 Capability Green		
Post Town	Luton	Postcode	LU1 3LS

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not, from what date do you want the variation to take effect?

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note)

1. To extend the terminal hour for sale of alcohol, regulated entertainment in the form of films, indoor sporting events, live music, recorded music, performance of dance and the provision of late night refreshment to 01:00 the following day on Fridays and Saturdays.
2. To extend the terminal hour for opening times to 01:30 the following day on Fridays and Saturdays.
3. To extend the start time for opening hours and films to start from 07:00 Monday to Sunday (including standard and non-standard timings) to allow for breakfast opening.
4. To remove all conditions at Annex 2 on the premises licence and to replace these with an updated operating schedule as detailed in the application submitted to the licensing authority.
5. To add non-standard timings for notable days, as detailed in the application submitted to the licensing authority.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed				<u>State any seasonal variations for performing plays</u> (please read guidance note 4)	
Thur					
Fri					
Sat				<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	07:00	No change	Please give further details here (please read guidance note 3) As existing.	Both	<input type="checkbox"/>
Tue	07:00	No change			
Wed	07:00	No change	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	07:00	No change			
Fri	07:00	01:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) To retain the existing non-standard timings for: i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day. To add the following non-standard timings: i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27 th , 28 th , 29 th and 30 th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.		
Sat	07:00	01:00			
Sun	07:00	No change			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) As existing.
Day	Start	Finish	
Mon	No change	No change	
Tue	No change	No change	State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed	No change	No change	
Thur	No change	No change	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri	No change	01:00	To retain the existing non-standard timings for: <ol style="list-style-type: none"> i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day.
Sat	No change	01:00	
Sun	No change	No change	To add the following non-standard timings: <ol style="list-style-type: none"> i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27th, 28th, 29th and 30th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	No change	No change	Please give further details here (please read guidance note 3) As existing.	Both	<input type="checkbox"/>
Tue	No change	No change			
Wed	No change	No change	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	No change	No change			
Fri	No change	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) To retain the existing non-standard timings for: i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day. To add the following non-standard timings: i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27 th , 28 th , 29 th and 30 th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.		
Sat	No change	01:00			
Sun	No change	No change			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As existing.		
Mon	No change	No change			
Tue	No change	No change			
Wed	No change	No change	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	No change	No change			
Fri	No change	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) To retain the existing non-standard timings for: i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day. To add the following non-standard timings: i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27 th , 28 th , 29 th and 30 th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.		
Sat	No change	01:00			
Sun	No change	No change			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As existing.		
Mon	No change	No change			
Tue	No change	No change	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	No change	No change			
Thur	No change	No change	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) To retain the existing non-standard timings for: i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day. To add the following non-standard timings: i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27 th , 28 th , 29 th and 30 th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.		
Fri	No change	01:00			
Sat	No change	01:00			
Sun	No change	No change			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			<p>Please give further details here (please read guidance note 3)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p>		
Fri					
Sat			<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As existing.		
Mon	No change	No change			
Tue	No change	No change	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	No change	No change			
Thur	No change	No change			
Fri	No change	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) To retain the existing non-standard timings for: i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day. To add the following non-standard timings: i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27 th , 28 th , 29 th and 30 th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.		
Sat	No change	01:00			
Sun	No change	No change			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	No change	No change			
Tue	No change	No change			
Wed	No change	No change			
Thur	No change	No change			
Fri	No change	01:00			
Sat	No change	01:00			
Sun	No change	No change			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
			To retain the existing non-standard timings for:		
			i. An additional hour to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day.		
			ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day.		
			To add the following non-standard timings:		
			i. An additional hour to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27 th , 28 th , 29 th and 30 th December; Bonfire Night and New Year's Day.		
			ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>As existing.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	No change	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>To retain the existing non-standard timings for:</p> <ul style="list-style-type: none"> i. An additional hour and a half to the terminal hour on every Bank Holiday Friday, Saturday and Sunday; Saint Andrews Day; Saint David's Day; Saint George's Day; and Saint Valentine's Day. ii. On end of permitted hours on New Year's Eve to start of permitted hours on following day. <p>To add the following non-standard timings:</p> <ul style="list-style-type: none"> i. An additional hour and a half to the terminal hour on the following notable days: Saint Patrick's Day; Burns Night; Halloween; Maundy Thursday; Christmas Eve; Christmas Day; Boxing Day; 27th, 28th, 29th and 30th December; Bonfire Night and New Year's Day. ii. An additional hour to the standard and non-standard timings on the day when British Summertime commences.
Tue	07:00	No change	
Wed	07:00	No change	
Thur	07:00	No change	
Fri	07:00	01:30	
Sat	07:00	01:30	
Sun	07:00	No change	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

N/A

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the licence]

This variation application seeks to extend the terminal hour for licensable activities and opening on Fridays and Saturdays by one hour to 01:00 hours the following day (close 01:30) as well as an additional hour later for certain notable days.

We have considered the impact of the proposed variation and we note the premises falls within Epsom & Ewell Borough Council's Red Zone policy area.

Pre consultation has taken place with the Police Licensing Officer, the Licensing Officer and Environmental Health Officer prior to submission. In consideration of the variation application, we have put together a new operating schedule which is robust and fit for purpose, consisting of conditions agreed with the Police Licensing Officer and Environmental Health Officer.

We have considered the Council's Statement of Licensing Policy and the Red Zone policy area relating to Epsom. We understand the Red Zone policy is aimed at those premises which may add to the cumulative impact of the area and may be detrimental to public safety, confidence and wellbeing of residents, businesses or other users.

The applicant believes the premises will not add to the cumulative impact for the area and satisfy the criteria for pubs open past midnight under the Red Zone policy through existing measures and the agreed measures set out in the proposed operating schedule below.

There will be no adverse impact on entry and departure points and applicant has a specific queuing and dispersal policy which is adapted at site level as required. The premises has an age verification policy in place and specific measures have been agreed with the Police regarding a commitment to door supervisors, Challenge 25 scheme and a restriction on under 18 year olds at the premises after 10pm, all to ensure door control and to monitor and control access of young people.

Stonegate Pub Company Limited have in place an extensive licensing manual detailing both company policies appropriate across the whole estate, along with procedures in place at a local level to ensure the premises operates to the highest standard and promotes the licensing objectives. These include policies regarding social responsibility and underage sales which promote responsible drinking and discourage drunkenness as well as procedures to prevent crime and disorder and public nuisance. Stonegate take their responsibility as a premises licence holder seriously and are aware of, and will ensure compliance with, the mandatory conditions on the licence regarding irresponsible drinks promotions.

Stonegate operate search, drugs and drinks spiking policies and all staff receive relevant training on how to recognise the signs and effects of intoxication due to drug use, signs and effects of drink spiking and search procedures with regard to drugs and weapons. Additionally, the premises shall maintain a written drugs policy regarding prevention of use and supply of illegal drugs, which will be made available on request to police or council officers. Also, the premises have committed to participate in the local pub watch scheme.

The applicant has committed to deploying door supervisors in agreement with the Police on usual business days as well as other significant days such as Ladies Day, with door supervisors responsibilities including prevention of crime and disorder in the vicinity of the premises. Also, measures have been included to ensure no drinking vessels are taken from the premises except for consumption in designated external areas provided for this purpose and no customers carrying open bottles shall not be admitted to the premises. Additionally, CCTV shall be provided with effective and extensive coverage of the licensed area.

The applicant is committed to promoting the prevention of public nuisance through existing measures and additional steps proposed in the operating schedule. Policies are in place to ensure prevention of public nuisance including noise management and outside areas, as well as a written queuing and dispersal policy which will be maintained by the premises and available to Police and Council officers. Staff are trained to recognize and take steps to prevent nuisance and respect the rights of local residents. Additionally, with regard to controlling noise, the premises has committed to steps in the operating schedule ensuring staff monitor noise levels in the locality and take immediate action to reduce noise, where it is excessive and relates to noise from premises. Furthermore, reasonable steps have been taken to ensure customers leave quietly, and as well as the dispersal policy, there is prominent signage requesting customers respect the needs of local residents and leave quietly,

It is submitted that the hours sought coupled with the existing and additional measures proposed in the operating schedule are unlikely to add to the cumulative impact of the area or have a detrimental impact on the well-being of residents or the character of the area. We do not feel that the application will have an adverse impact on the licensing objectives and the applicant believes that the measures proposed are adequate and further conditions are not appropriate.

The applicant has also made enquires in relation to crime and disorder and potential public nuisance associated with their premises and the impact of the proposed variation. There is no evidence that the premises have caused an increase in crime or disorder. There is no evidence of noise and disturbance to residents, traffic congestion, parking difficulties or littering and fowling.

Additionally, with regard to the hours sought and additional hour for certain notable days, the premises has operated with a number of temporary event notices to later hours without issue and which have not had a negative impact on the licensing objectives.

Therefore, using principles of case law established in *Brewdog* and the recent *Sainsburys* case, the submission is made in this case that the premises can demonstrate comprehensively that the variation will not add to existing problems in the area.

b) The prevention of crime and disorder

1. CCTV to be installed and maintained at the premises with recording and monitoring facilities with effective and extensive coverage of the licensed area. The system shall be maintained in good working order shall be operational at all times. The system shall incorporate a method of recording the date and time of the recording. Images shall be of evidential quality and capture images of all persons entering the premises through the public doors to identification standards, images will be retained for 31 days, being made available to Officers of the Police, Trading Standards and Licensing Authority at any time or within 24 hours upon request, in line with the Data Protection Act
2. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises is open to the public
3. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
4. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
5. The need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any Police advice. On Fridays and Saturdays when the premises is operating and trading for the sale of alcohol beyond midnight then two SI door staff will employed at the premises from 21.00 hours until 30 minutes after the premises closes
6. The premises shall maintain a written drugs policy, which shall be made available to

- the Police or an authorised officer of the Council upon request.
7. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons
 - d. Any refusals of entry
 8. Substantial food shall be available on the premises from when the premises opens until 22:00 hours.
 9. On Ladies Day and Derby Day no glass bottles (with the exception of champagne and wine bottles) shall be served to customers and all drinks shall be decanted into plastic drinking vessels with the exception of drinks served in wine and champagne glasses.
 10. On Ladies Day a minimum of 5 SIA door staff shall be employed from 15:00 hours and on Derby Day a minimum of 5 SIA door staff shall be employed from 17:00 hours. All door staff shall wear high visibility reflector jackets or waistcoats inside or outside the premises on these 2 days.

c) Public safety

See a) above

d) The prevention of public nuisance

1. When the premises is open and trading for the sale of alcohol beyond midnight, after 23:00 hours a member of staff shall regularly carry out proactive monitoring of noise levels in the locality in order to detect excess noise emissions and on discovering any excessive noise shall take immediate action to reduce that noise. Such noise may originate from regulated entertainment or customers of the premises inside or immediately outside the venue.
2. Prominent, clear and legible notices shall be displayed at all exits requesting the public request the needs of local residents and leave the premises and area quietly.
3. The premises shall maintain a written dispersal policy, which shall be made available to the Police or an authorised officer of the Council upon request.
4. The premises shall maintain a written queuing policy, which shall be made available to the Police or an authorised officer of the Council upon request.

e) The protection of children from harm

1. A Challenge 25 proof of age scheme will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
2. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available upon reasonable request.
3. Persons under the age of 18 shall not be permitted to enter the premises after 22:00 hours

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy

- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- * I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>Poppleston Allen</i>
Date	16 February 2016
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Suraj Desor Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349 183		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) s.desor@popall.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If

you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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ANNEXE 2 – COPIES OF
REPRESENTATIONS RECEIVED

From: Ruth Truslove (*email address redacted*)
Sent: 14 March 2016 07:09
To: Licensing
Subject: Slug and Lettuce Licence Variation

Dear Sir / Madam,

I am writing to you as I have been advised, as a resident of Oaks Square, that the Slug and Lettuce have requested changes to their licence to increase their opening hours from 10am to 7am each day and until 1.30am Friday, Saturday and "notable days".

As stated I am a resident of Oaks Square and live in the block that sits directly above Slug and Lettuce. Most weekends there will be loud music played until midnight, at which point the pub then closes. The impact of this is that I am disturbed by music noise every Friday / Saturday night that I am home, I was aware of this when I bought the property so have not complained, however, as the commercial premises are directly below residential there needs to be a limit to the music, and 1.30am each weekend and any notable days will be a constant and upsetting disturbance which I object to.

In addition to the noise, the entrance to my block is located on the side of the pub and there is litter left in the entrance alcove on a regular basis. If the pub is allowed to stay open later, then I expect that they plan to increase the number of patrons that frequent the pub which would mean a potential increase in litter. The entrance to the flat also has a buzzer directly to my flat, I have been woken late at night by intoxicated people pushing the buzzers and then running away.

I would also like to state that I was advised of this application on Wednesday 9th March, and have only been given until 15th March to make an objection so I have been unable to make any records or logs of noise / litter. However, some research I have done has shown that in January there were 26 incidents of crime in the Ebisham Centre (<https://www.police.uk/surrey/EPCE/crime/>), with the following breakdown:

- 11 anti social behaviour
- 1 bicycle theft
- 1 criminal damage and arson
- 2 other theft
- 4 public order
- 1 vehicle crime
- 6 violence and sexual offences

Given the above, I would therefore hypothesize that to increase the time alcohol is served at this premise from 10am to 12am, to 7am to 1am (an increase in 4 hours), the level of crime and disturbance would only increase. The basis for this opposition is that granting the changes to the licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The letter also states that the premises are requesting removal of all conditions at Annex 2 on the premise. No details on this annex have been provided to be able to review the information, and as I work in London 5 days a week, it has not been possible to visit Town Hall and request this information.

In summary, I **vehemently object** to any extension or changes to their licence. My details are:

(Address and telephone number redacted)

Please can you keep me informed of any decision or if you would like me to provide any further information.

Kind Regards

(signature redacted)

Ruth Truslove
12th March, 2016

From: Tony Axelrod
Sent: 14 March 2016 10:07
To: Nicholas Tapping
Cc: Angela Slaughter
Subject: Representations re application to vary the premises Licence re Slug and Lettuce 10 The Derby Square, Epsom (the premises)

Dear Mr Tapping,

I wish to make representations in respect of the application relating to the premises, to extend the terminal hour for the sale of alcohol and regulated entertainment, to extend the terminal hour for opening times, to extend the start time for opening hours and films and the addition of non-standard timings, all as detailed in an application dated the 16th February 2016. It is my submission that no changes should be made to the hours of operation as permitted by the current licence.

I am an Epsom and Ewell Borough Councillor representing Epsom Town Ward and live in Hudson House on the corner of Waterloo Road and Station Approach, which comprises 111 residential flats over 6 floors. Both Station Approach and Waterloo Road are in close proximity to the premises. I therefore make these representations in my capacity both as a Borough Councillor and as a resident directly affected. I am also the chairman of the management company responsible for Hudson House and as such come into regular contact with residents living the block, which provides homes for professionals, key workers, young families and the elderly. I receive many complaints as to public noise nuisance, when people are either leaving the premises, or migrating from the premises to the Boogie Lounge and/or Elements, the late clubs within the town.

Grounds of Prevention of crime and disorder

I also receive complaints and am personally very concerned as to the high levels of crime and disorder in the town in the early mornings, particularly over weekends and when the late night clubs in the town centre are operating.

Epsom town is a small market town, which is predominantly residential and has a high incidence of crime and disorder, much of which is alcohol related. Incidents include, fighting, shouting, swearing, criminal damage and urinating in public areas. Many incidents take place in the early hours of the morning during times of migration and dispersal. As an example I would draw attention to the cases recently reported in the local press, which are typical:-

During the early hours of the morning of Saturday the 9th January a man was arrested on suspicion of causing grievous bodily harm and actual bodily harm. A 21-year-old Epsom woman was found with injuries, as were two 22-year-old men from Redhill after an assault in Victoria Place near the East Street junction at 1.25am. The woman was taken to Epsom Hospital for serious wounds to her lip, as were the men for facial bruising and minor head injuries. The police officer involved is quoted as saying "This appears to be a vicious attack on a group who had been approached by the suspect in the High Street and then accompanied him to a local bar which turned out to be closed."

On Sunday the 10th January at approximately 2.14am a taxi driver who had stopped his taxi near to the rank at the clock tower was assaulted by 3 men. A police officer involved is quoted saying "This was a nasty and senseless attack where a man who was simply trying to do his job has been subjected to a vicious attack. He has understandably been left extremely shocked and distressed by what must have been a terrifying experience and this sort of appalling behaviour will not be tolerated."

In the early hours of Sunday 6th March one person was hospitalised with facial and head injuries after a 'violent attack' by two men outside Elements night club.

In addition in the early hours of Saturday the 12th March I had cause to call the police to attend a violent assault in Waterloo Road.

With regard to criminal damage, but a few examples are the windows of Duddle and the Co-Op on the corners of Station Approach/Waterloo road and 68 High Street near to the junction of Waterloo road have been recently smashed. In the early hours of Sunday 6th March, the seat of the bus shelter in Waterloo Road was damaged.

The reported figures for crime within a radius of 1 mile of Epsom town centre via Police.uk for November 2015 shows there were 80 incidents related to Anti-Social behaviour, 20 related to public order and 58 related to violence or of a sexual nature. For December 2015 there were 79 incidents related to Anti-Social behaviour, 21 related to public order and 75 related to violence or of a sexual nature. For January 2016 there were 74 incidents related to Anti-Social behaviour, 20 related to public order and 67 related to violence or of a sexual nature. I produce a copy of the relevant crime maps showing these statistics and the very high concentration of such incidents in Epsom town centre.

Most Epsom residents would be under the impression that incidents of crime and disorder in Sutton, would be far greater than Epsom. However for November 2015 and within a mile radius of Sutton town centre there were 56 incidents relating to Anti-Social behaviour, 19 related to public order and 69 related to violence or of a sexual nature. For December 2015 there were 70 incidents relating to Anti-Social behaviour, 13 related to public order and 86 related to violence or of a sexual nature. For January 2016 there were 72 incidents relating to Anti-Social behaviour, 19 related to public order and 82 related to violence or of a sexual nature. I again produce a copy of the relevant crime maps showing these statistics.

I am not in a position to establish that any of these incidents in Epsom town are directly associated to the premises, however it is my understanding that Surrey Police do not as a matter of routine record the licensed premises visited by those involved in crime and disorder and Incidents of criminal damage, leave no name and address. I would however submit that the above statistics and incidents graphically evidence a serious crime and disorder problem within Epsom town centre. Extending the terminal licensing hours for the premises will do nothing to address or improve this, rather it will encourage more people to attend the premises adding to the numbers of those in the town migrating from it on to the nearby clubs, or dispersing, which will only serve to exacerbate a serious problem that the cumulative impact policy is in place to address.

It is my understanding that Surrey Police in common with other police authorities have limited and reducing resources and their ability to police and patrol Epsom town centre in the early hours of the morning and over weekends has been curtailed. I have personally seen a very marked reduction in police patrols both on foot and in vehicles in the town over the past 6 months, during the early hours over weekends. I also understand the change in custody suite provision has contributed to taking officers away from patrol duties, whenever persons are arrested. The reduced physical presence of police officers in the town centre at these times is a serious concern to myself, my fellow Ward Councillors and town centre residents and one that has been raised with the Borough Commander.

Grounds of prevention of public nuisance

The premises is in close proximity to the 39 residential flats in The Oaks Square, of which the premises forms part and to Hudson House. Residential flats as part of The Oaks Square are also located immediately above the premises. At premises closing times and when Boogie Lounge and Elements are open, customers of the premises use The Oaks Square either to gain access to such clubs, or to visit the takeaway restaurant in Waterloo Road, or to pick up taxis or private hire vehicles in Waterloo Road. Public noise nuisance, crime and anti-social behaviour are commonplace at these times in these areas, to the disturbance of residents. At present the last time of admittance to such clubs is at 1am and so if the application were granted, residents would be faced with constant public noise nuisance from midnight through to 3.45am when the clubs have completely dispersed. This situation would be both disproportionate and unreasonable to the many residents that live in near proximity to the premises. There are no public transport facilities in Epsom post 12.30am and so the only means of travel is either via taxi, private hire vehicles or on foot.

With regard to operational noise, the sound system within the premises is set to such a level that it can be readily heard within the Derby Square and as you approach it from The Oaks Square. It is submitted that the fact that the premises has a glass frontage, does little to prevent noise emissions. As an example I produce a video clip taken outside the premises on Friday the 26th February 2016 at 11.25pm.

Epsom and Ewell Licensing Policy

Reference is made at 1.2 to visual appearance, quality of life, safer and stronger communities and managing resources under the corporate plan. An improved sense of safety and security for all town centre users at all times of the day and night and a reduction in anti-social behaviour.

I would submit that Epsom town centre has become residential in character, with the following blocks of flats being located in near proximity to the premises, or on dispersal routes out of the town:-

The Oaks Square – Waterloo Road - 39 flats.

Hudson House – Station Approach and Waterloo Road - 111 flats.

Jubilee House – Station Approach and Waterloo Road, located opposite Hudson House, providing 117 residential flats and a 64 bedroom hotel.

Chelsea Court – The Parade - 14 flats being on one of dispersal routes from the town.

The Old Court House - located next to Chelsea Court - providing 46 residential flats being on one of dispersal routes from the town.

Capitol Square – Church Street and backing on to the Town Hall -152 flats being on one of dispersal routes from the town.

Greenwood Court – The Parade – 35 flats being on one of the dispersal routes from the premises.

Wellington Court – Waterloo Road – 32 flats for the over 55's being on one of the dispersal routes.

Because of the concerns expressed by residents as to the effect of crime and disorder and public nuisance, the policy was amended to introduce zoning, with the premises falling within the red zone. It is submitted that if the application were granted the applicant would not comply with all the relevant criteria, but the extended hours would clearly add to the cumulative impact for the area.

Town Planning

The fact that the premises forms part of a residential block of flats and the consequent need for consideration of residents is evidenced by the current planning permission granted for the premises. This limits the hours of opening between 0800 to 2300 hours Sunday to Thursday and 0800 to midnight on Fridays and Saturdays and 0800 to 0200 on Christmas and New Year's Eve. This permission was granted on 1st February 2007 and the reason for the limitations were given as "in the interest of residential amenities in the locality". Since that time Hudson House, Jubilee House and the Travel Lodge hotel have been constructed and occupied, to add considerably to the residential nature in the immediate vicinity of the premises. This application is therefore in clear contravention of the Epsom and Ewell Licensing Policy 8.1, as no planning application was made at the time of time of submission of this application, let alone obtained.

With regard to additional non-standard timings for notable days, I would submit that under the circumstances these should be dealt with via TENs, rather than a template addition to days under the licence.

With regard to the extended start time to 07.00 Monday to Sunday and extension for the showing of films, I would submit that given the nature of the residential area in which the premises is located this is unreasonable and disproportionate, for reasons of public nuisance and disturbance.

Finally it is submitted that the cases referred to by the applicant do not establish case law or binding authority on the Committee, with reference to this application. It

is submitted that the Committee must determine this application under the licensing objectives based on the facts and circumstances, the application of relevant policies, the location of the premises and the nature of Epsom town centre.

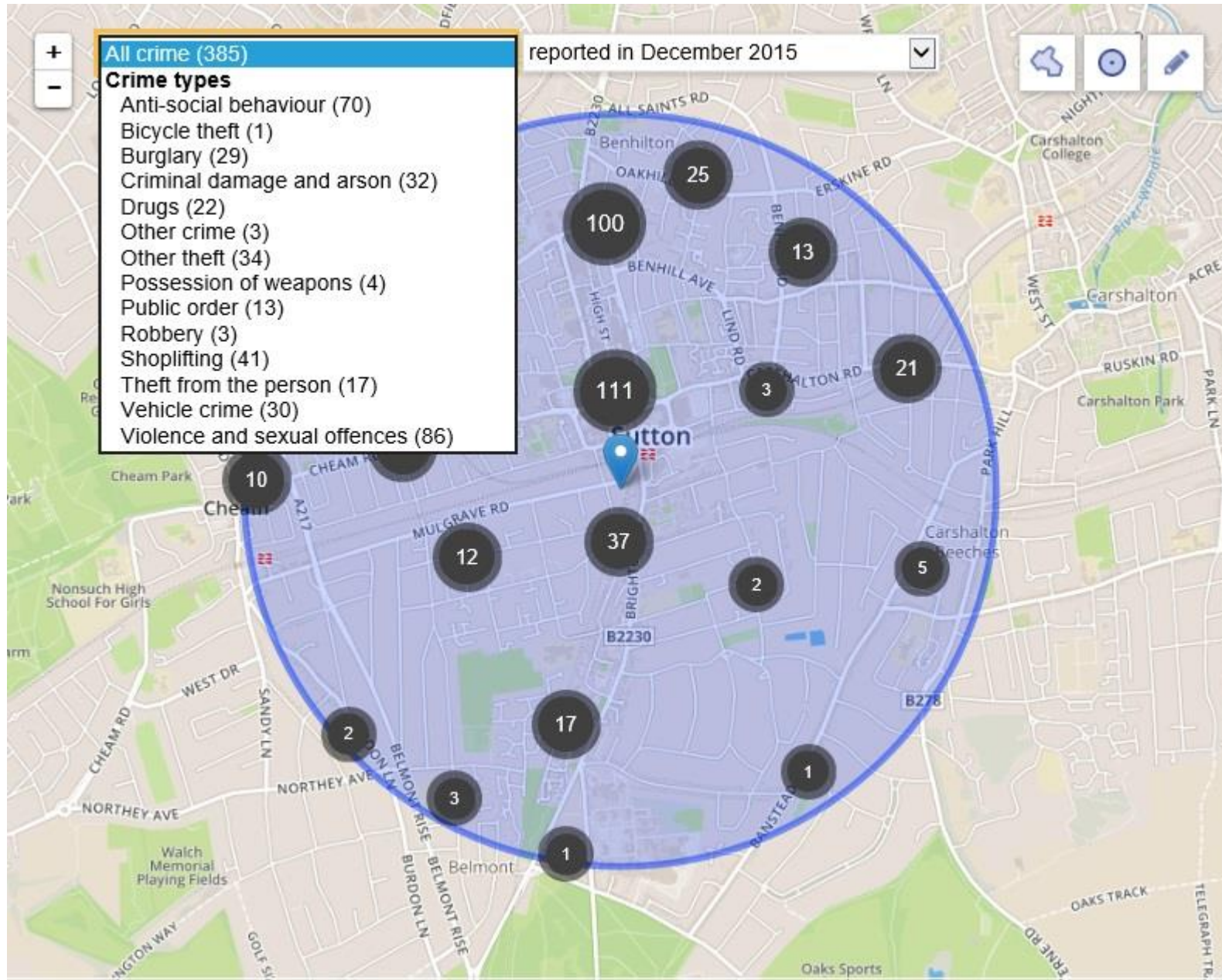
TONY AXELROD

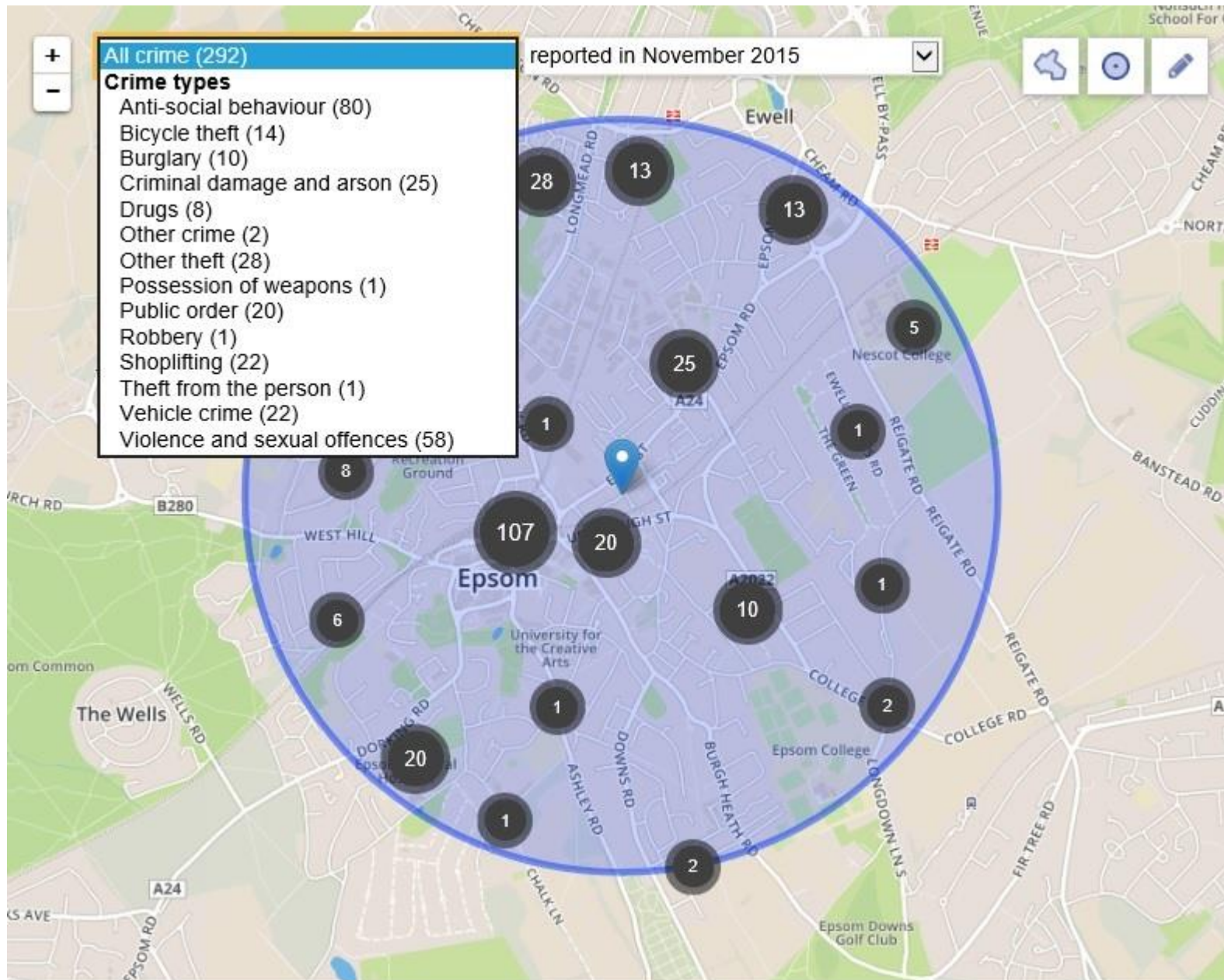
Epsom and Ewell Borough Councillor

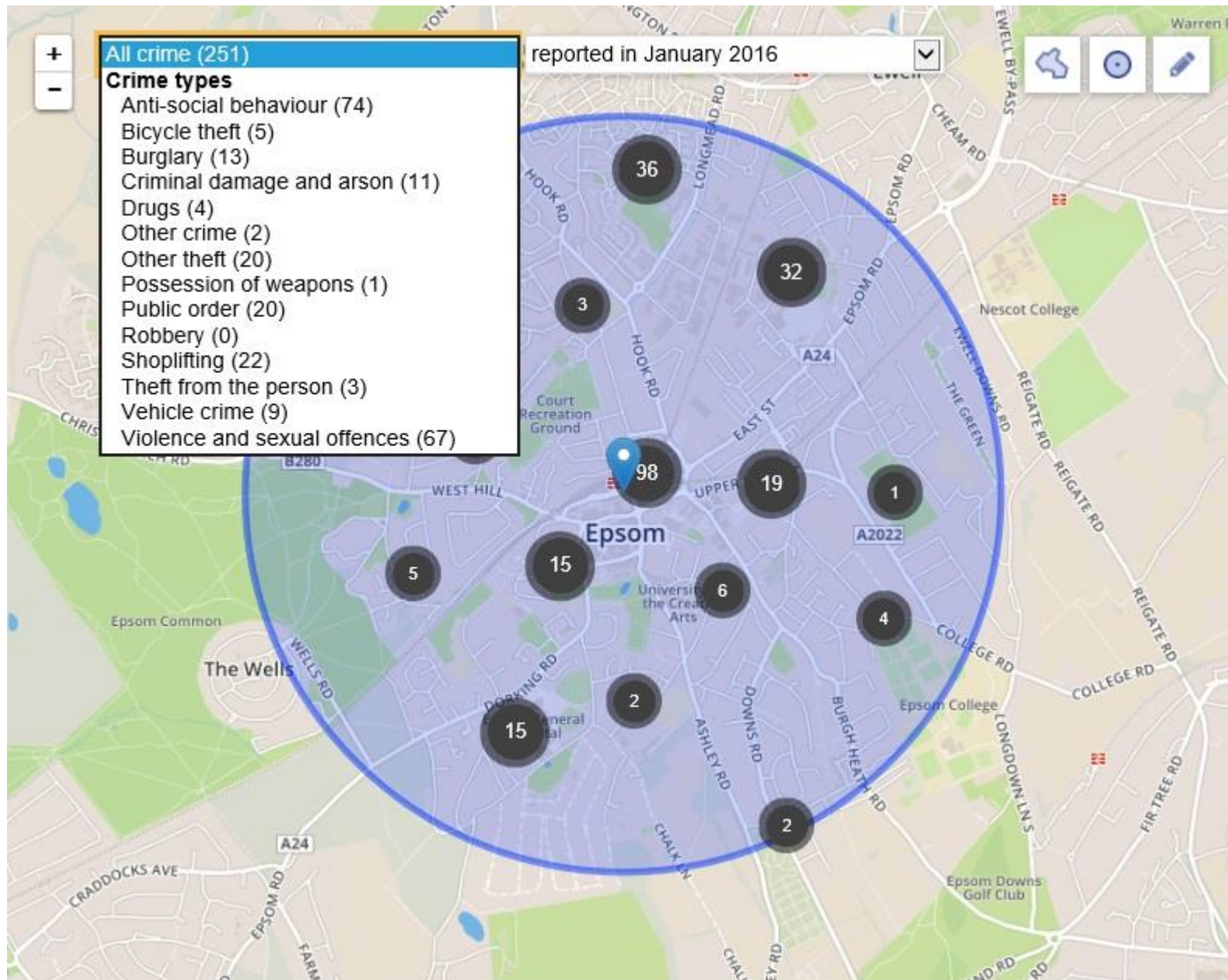
Residents Association - Town Ward

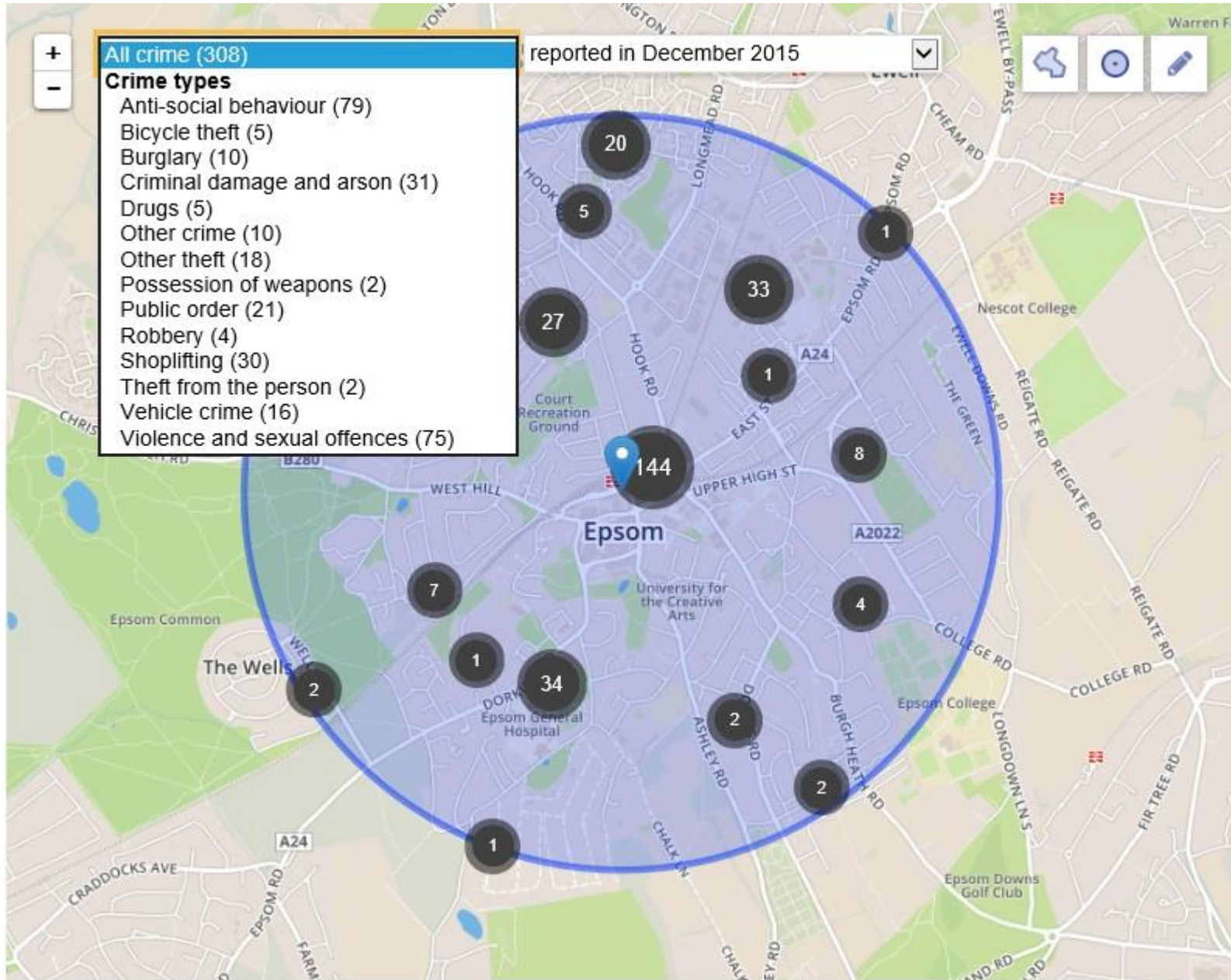
EMAIL [Tony Axelrod](#)

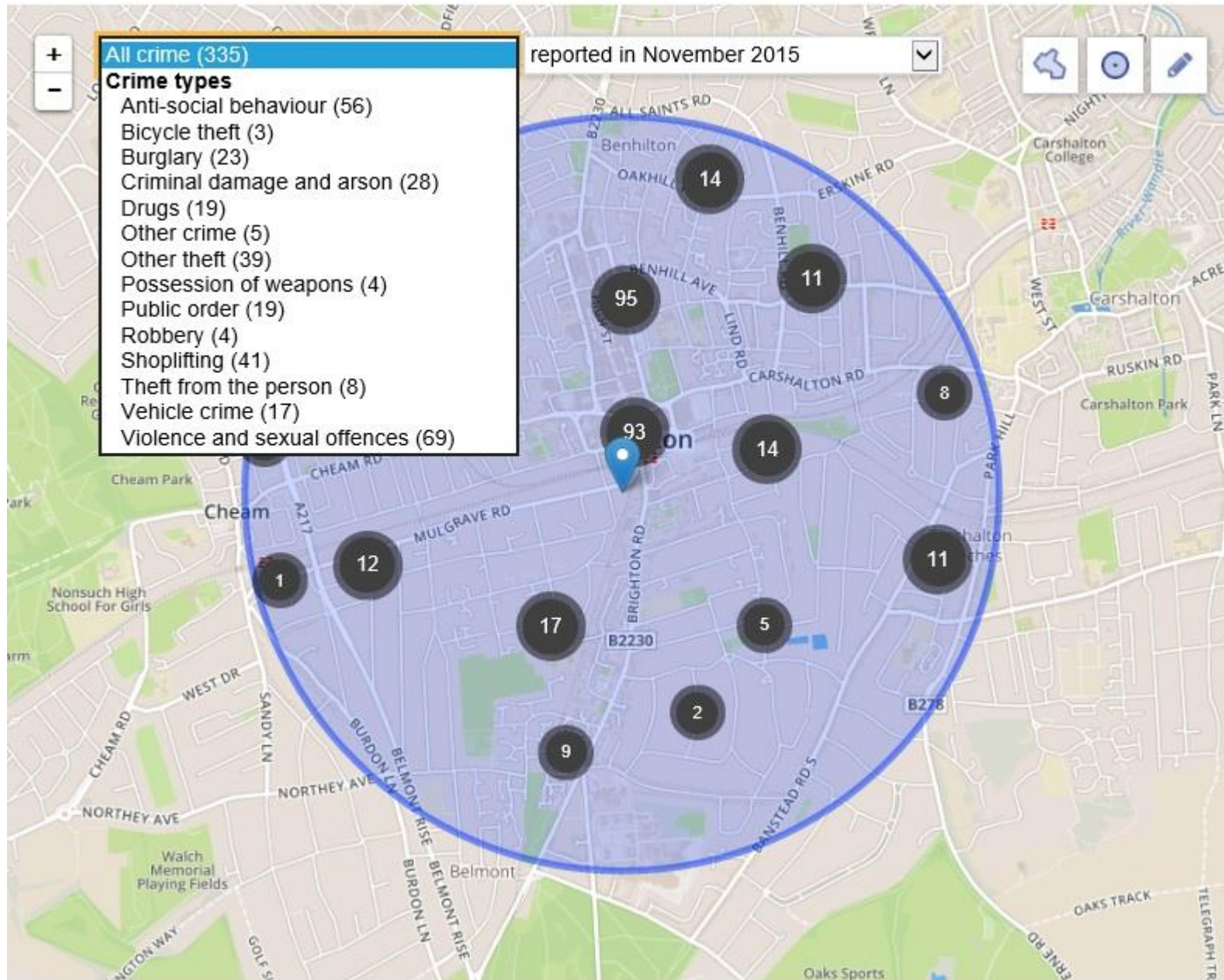
TEL 07986 947974











From: Neil Dallen
Sent: 14 March 2016 12:23
To: Nicholas Tapping
Cc: Tony Axelrod
Subject: Slug and Lettuce application for variation of conditions - objection

Slug and Lettuce license application for a variation of their licence

I would like to object to the license application for a variation of their licence at the Slug and Lettuce on the following grounds.

In general the addition of special days and events is unacceptable in the licence as that is what Temporary Event Notifications should be used for.

I would also like to speak at the sub committee hearing if I am available.

Prevention of Crime and Disorder

There is already a high number of drink related crimes as reported in the online Surrey Police figures.

The times were set for good reasons and nothing has changed.

Any extension of hours will add to the problems in the Town Centre.

There is no public transport after 01.00hrs so customers will add to the noise, disturbance and antisocial behaviour in the town centre.

There is already too many people on the streets in the early hours of the morning who have had too much to drink as shown by the recent reported problems.

If they are in a licensed premises it is the premises staff responsibility to ensure that their behaviour is acceptable.

If they are in the street it is the Police responsibility and there are insufficient police available to meet the need at the present time and police presence is forecast to reduce rather than increase in the future due to lack of funding.

Public safety

For the same reasons as above, public safety is an issue.

Prevention of Public Nuisance

Town Centre residents generally accept that there will be some noise and disturbance but there are limits.

Later closing times will mean that noisy revellers are increasing the disturbance to town centre residents.

Currently there is frequently excessive noise in Ebbisham Square late in the evening. As just one example I have a recording on my phone at 11.40 on Friday 4th March which I would like to submit as evidence.

A later time extends the amount of time that residents have to put up with noisy revellers in the street.

As Councillor I continually get complaints from town centre residents about the noise.

There are now a large number of flats that are affected, well over 500 individual units and this is in addition to the town centre houses that are affected.

The Slug and Lettuce is in the centre of a residential area as well as being in the town centre and this must be taken into account.

In addition to Oaks Square that is a part of the Ebbisham Square complex there is, in very close proximity of the Slug and Lettuce, the following flats with rough numbers of units in each and this is in addition to a number of conversions that have recently taken place above the shops in the High Street

Capitol Square – 160 flats

Hudson House – 111 flats

Central Walk – 64 flats

St. Andrews House – 16 flats

Chelsea Court – 9 flats

The Old Courthouse – 30 flats

Windsor Court – 16 flats

Protection of Children from harm

There are now a relatively large number of young children that live in the Town Centre and are already affected by unacceptable noise in the early hours of the morning. To add to that is completely unacceptable.

Conditions

If the sub committee decides to allow this change I would like to ask that consideration is given to the following conditions:

1. Noise meter fitted to the outside of the Slug and Lettuce building in both Ebbisham Square and Oaks Square to record noise in the immediate vicinity of the premises.
2. CCTV coverage of main areas around the outside of the premises that police can request as evidence in the event of incidents.
3. Reconsideration of a levy that will fund additional police presence between the hours of midnight and one hour after closing time.
4. That 'air lock' doors are fitted as a condition and must be kept closed after say 22.00hrs.

From: neildallen (*personal email address redacted*)

Sent: 15 March 2016 08:41

To: Angela Slaughter

Cc: Epsom TownTeamRA

Subject: Fwd: Slug and lettuce

Angela we received below. See date sent. Don't know if you were copied.
It does evidence noise and antisocial behaviour. This results in objecting on some of the four licencing objectives.

Regards

Neil

Sent from my Samsung device

----- Original message -----

From: scott nixon (*personal email address redacted*)

Date: 14/03/2016 19:23 (GMT+00:00)

To: EpsomTownTeamRA@gmail.com

Subject: Slug and lettuce

I oppose the application by the Slug and Lettuce for extended opening hours for the reasons below:

- 1) The music from the bar resonates throughout oaks square until 00.30 every Friday and Saturday i.e. poor sound insulation
- 2) constant screaming , swearing including this weekend when a group of 5 guys left the bar (witnessed by myself) and one guy screaming " come on , come on "

Oaks square resident

Sent from my iPhone

30 Victoria Place
Epsom
KT17 1BY

13-03-2016

Dear Mr Tapping,

Variation of Premises Licence re Slug and Lettuce 10 The Derby Square, Epsom (the premises) as detailed in an application dated the 16th February 2016

I am writing as I wish to make representations in respect of the above application to extend standard and non-standard opening and terminal times, and to increase the number of non-standard days.

I am an Epsom and Ewell Borough Councillor representing Epsom Town Ward and live in Town Ward at the address above.

I wish to make representations on the following grounds:

- Prevention of crime and disorder

I have included (Page 3 of this letter), a table of rates of crimes for Epsom and Ewell classified as: Antisocial behaviour, Public Order offences, and Violence/of a sexual nature. These are taken from the police reported figures for crime within each of the Epsom and Ewell areas on the Police.uk website, for the year February 2015 to January 2016 (i.e. the most recent figures available).

These figures show that Epsom Town Centre has a high rate for these categories of crime and disorder compared to other areas in the borough (which include other local centres), having 42% (1165 incidents) of all Antisocial behaviour offences; 42% (190) of all Public Order offences; and 37.5% (613) of all crimes of Violence or of a sexual nature.

These categories of crime amount to a majority (55%) of all crime in the Town Centre area for that period. The time of day of these incidents is not documented on the Police.uk site, but it is my experience and understanding that analysis would show that the majority take place late at night, correlating with the dispersal from the late night drinking venues and clubs.

In this week alone there have been 3 major newsworthy late night public order incidents in the Town Centre: A GBH assault, an arson incident (1am) and an assault (between 3.15am and 5.30am) both outside one of the other late night licensed premises. The Police are appealing for witnesses, which is not surprising as there was no Police presence in the Town at these times which appears to be the current pattern

Please refer:

<http://www.surrey.police.uk/News/Witness-Appeals/All-witness-appeals/Article/12526/Appeal-for-witnesses-following-assault-outside-Elements-nightclub-in-Epsom>

<http://www.epsomguardian.co.uk/news/14336100. Violent attack sees one person hospitalised with head and facial injuries outside Epsom nightclub/>

<http://www.surrey.police.uk/News/News-Stories/Full-news-story/Article/12528/Appeal-for-information-following-suspicious-fire-at-Epsom-nightclub.>

It is my understanding that future Surrey Policing policy (being more reactive) and with resources (constrained) will mean that there will be a lower presence in Epsom town centre at the key times for the late night dispersals. This is a serious concern and relevant to their ability to deal with the type of public order and other disturbances noted above, arising from existing, let alone extended use of the licenses for the premises and other late night venues in the centre.

In addition, the Police.uk site notes (18 September, 2015) that consultation with the community identified Anti Social Behaviour as the key priority for policing in Epsom Town Centre. My serious concern is that granting an extension to the admission time of the premises will directly contribute to a worsening of the crime figures for the Town Centre, including Antisocial behaviour, when what we need is the converse – i.e. all parties working together to improve these figures and create an improved sense of safety and security in the Town Centre.

Grounds of prevention of public nuisance

The proposed extension of the terminal hour for sales of alcohol and refreshment (indoors and outside), live and recorded music and dancing 12am to 1am on standard days and until 2am on non-standard days (and the increased number of non-standard days), plus the further extension of the opening times for all these days will inevitably result in more activity of potential clientele at anti-social hours in what is a densely residential area, and is not justified.

The premises is in The Oaks Square, which includes 39 residential flats (some of which are directly above the premises) and is very close to Hudson House and Jubilee House (111 and 117 residential flats respectively, plus a 64 bedroom hotel).

Potential clientele are highly likely to have been drinking and are consequently inclined to loud and inconsiderate, creating a public nuisance for the neighbouring community – as they already do at the current closing time of 12.30 am (1.30am for non-standard days), and for a considerable time after as they disperse from the area. Town centre residents generally accept that there will be some noise and disturbance but there are limits - it is not reasonable for residents to have to endure noise nuisance up to 2 and 3am midweek and weekends. There needs to be a balance that everyone can live with, between the requests of late night drinking establishments and a reasonable standard of life for the neighbouring community, and these extensions of the business and opening times is not reasonable in this densely residential area, with its already poor record of public disturbance. This is not good for the reputation of the town or for the residents.

In previous representations regarding other late night licensed premises, the council has stated that while ensuring there is a thriving night-time economy, they want to make sure the town centre has "an improved sense of safety and security". It said: "To this end we are committed to ensuring that existing users and new development

are not antisocial but reinforce a family friendly atmosphere for all users of the area whatever the time of day or night.”

Granting of the request to extend the business and opening times, and to increase the number of non-standard days of the premises is a move contrary to these aims, and I firmly submit that no changes should be made to the hours of operation as permitted by the current licence, and any additional non-standard days should be dealt with via the Temporary Event Notice process. In addition the request for the early morning weekend 7am opening time (with showing of films) is unnecessary and will create unacceptable public nuisance and disturbance in this residential area.

Yours,

Tella Wormington
Epsom and Ewell Borough Councillor
Residents Association - Town Ward

Crime data taken from Police.UK for Epsom and Ewell in period February 2015 to Jan 2016
(I.e most recent annual figures available)

Crime Type	Epsom Central			E & E East			E & E North			E & E North West			E & E South			E & E West			Total
	No	% (in subarea)	% (in Epsom and Ewell)	No	% (in subarea)	% (in Epsom and Ewell)	No	% (in subarea)	% (in Epsom and Ewell)	No	% (in subarea)	% (in Epsom and Ewell)	No	% (in subarea)	% (in Epsom and Ewell)	No	% (in subarea)	% (in Epsom and Ewell)	No
Anti Social Behaviour	539	32.03	24.28	241	31.19	10.86	212	31.51	9.55	239	37.65	10.77	508	36.64	22.88	481	46.41	21.67	2220
Public Order	105	6.24	31.91	50	5.57	15.20	21	2.8	6.38	41	5.64	12.46	63	4.06	19.15	49	3.77	14.89	329
Violence and Sexual Rel	286	16.99	22.57	145	17.57	11.44	131	15.83	10.34	127	18.9	10.02	384	25.02	30.31	194	15.35	15.31	1267
Sub-Total	930	55.26	24.37	436	54.33	11.43	364	50.14	9.54	407	62.19	10.67	955	65.72	25.03	724	65.53	18.97	3816
Total of all Crime Types	1683		14.51	824		6.80	708		5.68	666		6.35	1415		14.90	1114		11.29	6410

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ANNEXE 3 – CURRENT PREMISES LICENCE

SCHEDULE 12 PART A (Regulation 33,34)

Certified as a true copy
of the licence

PREMISES LICENCE

Premises licence number

EEBC/07/00324/LAPRE

[Signature]
Eisa Inzani, Solicitor
Popleston Allen Solicitors
London

Postal address of premise, or if none, ordnance survey map reference or description	
SLUG AND LETTUCE, 10 THE DERBY SQUARE,	
Post town EPSOM	Post code KT19 8AG
Telephone number 01372 729174	
Where the licence is time limited the dates NONE	
Licensable activities authorised by the licence	
SALE OF ALCOHOL BY RETAIL.	
PROVISION OF REGULATED ENTERTAINMENT:- FILMS; INDOOR SPORTING EVENTS, (PUB GAMES ONLY); LIVE MUSIC; RECORDED MUSIC; DANCE:	
PROVISION OF LATENIGHT REFRESHMENT	
The times the licence authorises the carrying out of licensable activities	
SALE OF ALCOHOL BY RETAIL. MONDAY-SUNDAY 10.00 HOURS UNTIL MIDNIGHT	
PROVISION OF REGULATED ENTERTAINMENT:- FILMS; INDOOR SPORTING EVENTS, (PUB GAMES ONLY); LIVE MUSIC; RECORDED MUSIC; DANCE: MONDAY-SUNDAY 10.00 HOURS UNTIL MIDNIGHT	
PROVISION OF LATENIGHT REFRESHMENT MONDAY- SUNDAY 23.00 HOURS UNTIL MIDNIGHT	
ONE ADDITIONAL HOUR ON EVERY BANK HOLIDAY FRIDAY, SATURDAY, SUNDAY AND ST ANDREWS, ST DAVIDS, ST GEORGE'S AND ST VALENTINES DAYS.	
NEW YEARS EVE, FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY.	

The opening hours of the premises

MONDAY – SUNDAY 08.00 HOURS UNTIL 00.30 HOURS

ONE ADDITIONAL HOUR AND HALF ON EVERY BANK HOLIDAY FRIDAY,
SATURDAY, SUNDAY AND ST ANDREWS, ST DAVIDS, ST GEORGE'S AND ST
VALENTINES DAYS.

NEW YEARS EVE, FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO
THE START OF PERMITTED HOURS ON NEW YEARS DAY

Where the licence authorises supplies of alcohol whether these are on and/or off
supplies

FOR CONSUMPTION ON AND OFF THE PREMISES

Name, (registered) address, telephone number and e-mail (where relevant) of holder
of premises licence

STONEGATE PUB COMPANY LIMITED
PORTER TUN HOUSE
500 CAPABILITY GREEN
LUTON
LU1 3LS.

Registered number of holder, for example company number, charity number (where
applicable)

FC029833

Name, address and telephone number of designated premises supervisor where the
premises licence authorises for the supply of alcohol

CHRISTOPHER MALTMAN
70 EFFINGHAM ROAD
CROYDON
SURREY
CRO 3NE

Personal licence number and issuing authority of personal licence held by designated
premises supervisor where the premises licence authorises for the supply of alcohol.

CROYDON COUNCIL 10/00266/LIPERS

Dated this 28th September 2015


For the Licensing Authority

Annex 1 – Mandatory conditions

Mandatory Condition: where licence authorities supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions

1. No supply of alcohol may be made under the premises licence
 - (a) at a time when there is not designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition: exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection 3(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where:
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Children means persons aged under 18; and Film classification body means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification)

Mandatory Condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
2. But nothing requires a condition to be imposed in respect of:
 - (a) paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

- (b) any occasion mentioned in paragraph 8(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence),
any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

Security activity means an activity to which paragraph 2(1)(a) of that Schedule applies, and
Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Conditions 1, 2 and 3 below came into force on 6th April 2010, and 4 and 5 came into force on 1st October 2010 (as amended 1 October 2014).

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be

considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or (b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

The Licensing Act 2003 (Mandatory Conditions) Order 2014 came into force on May 2014.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—
"permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a

licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question;

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph)

not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the

price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

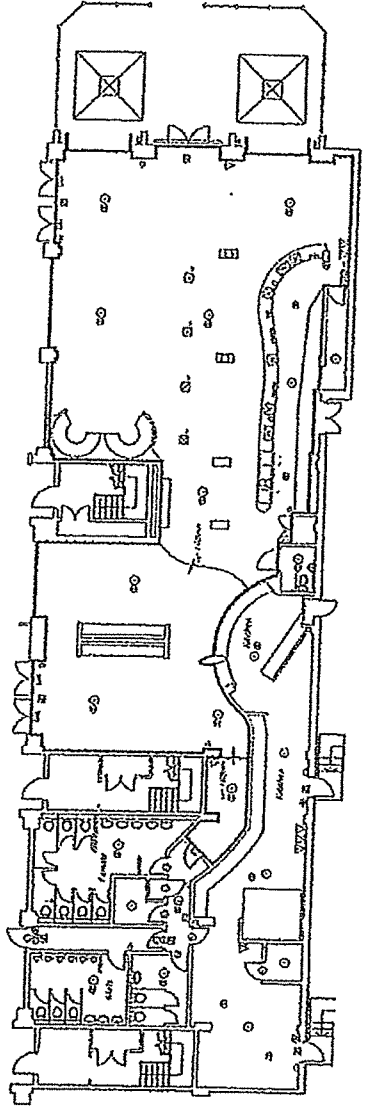
Annex 2 – Conditions consistent with the operating schedule

1. The Licensee shall maintain overall control of sound levels during public entertainment events, any noise emanating from the premises shall not cause nuisance to occupiers of residential premises in the vicinity.
2. Substantial food to be available on the premises.
3. CCTV to be installed and maintained at the premises together with suitable recording equipment following consultation with the crime prevention officer, any tape recordings to be kept for a period of 31 days and made available to the police upon request.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises is open to the public.
5. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
6. Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and leave the premises and area quietly.
7. Persons under the age of 18 shall not be permitted to enter the premises after 22.00 hours.
8. On Ladies Day and Derby Day no glass bottles (with the exception of champagne and wine bottles) shall be served to customers and all drinks shall be decanted into plastic drinking vessels with the exception of drinks served in wine and champagne glasses.
9. On Ladies Day a minimum of 5 SIA door staff shall be employed from 15.00 hours and on Derby Day a minimum of 5 SIA door staff shall be employed from 17.00 hours. All door staff shall wear high visibility reflector jackets or waistcoats inside or outside the premises on these 2 days.

Annex 3 – Conditions attached after a hearing by the licensing authority

NONE

KEY TO FIRE REQUIREMENTS	
SYMBOL	STAFFING
①	1 PERSON
②	2 PERSONS
③	3 PERSONS
④	4 PERSONS
⑤	5 PERSONS
⑥	6 PERSONS
⑦	7 PERSONS
⑧	8 PERSONS
⑨	9 PERSONS
⑩	10 PERSONS
⑪	11 PERSONS
⑫	12 PERSONS
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⑭	14 PERSONS
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㊺	45 PERSONS
㊻	46 PERSONS
㊼	47 PERSONS
㊽	48 PERSONS
㊾	49 PERSONS
㊿	50 PERSONS
Ⓜ	MECHANICAL
Ⓝ	COMMERCIAL
Ⓞ	OFFICE
Ⓟ	ENTERTAINMENT
Ⓠ	EDUCATION
Ⓡ	GOVERNMENT
Ⓢ	HEALTH CARE
Ⓣ	INDUSTRIAL
Ⓤ	LABORATORY
Ⓥ	LIBRARY
Ⓦ	MANUFACTURING
Ⓧ	MUSEUM
Ⓨ	RECREATION
Ⓩ	RESIDENTIAL
ⓐ	RETAIL
ⓑ	RESTAURANT
ⓒ	SCIENCE
ⓓ	SPORTS
ⓔ	TRAVEL
ⓕ	UNIVERSITY
ⓖ	WAREHOUSE
ⓗ	WORKSHOP
ⓘ	OTHER



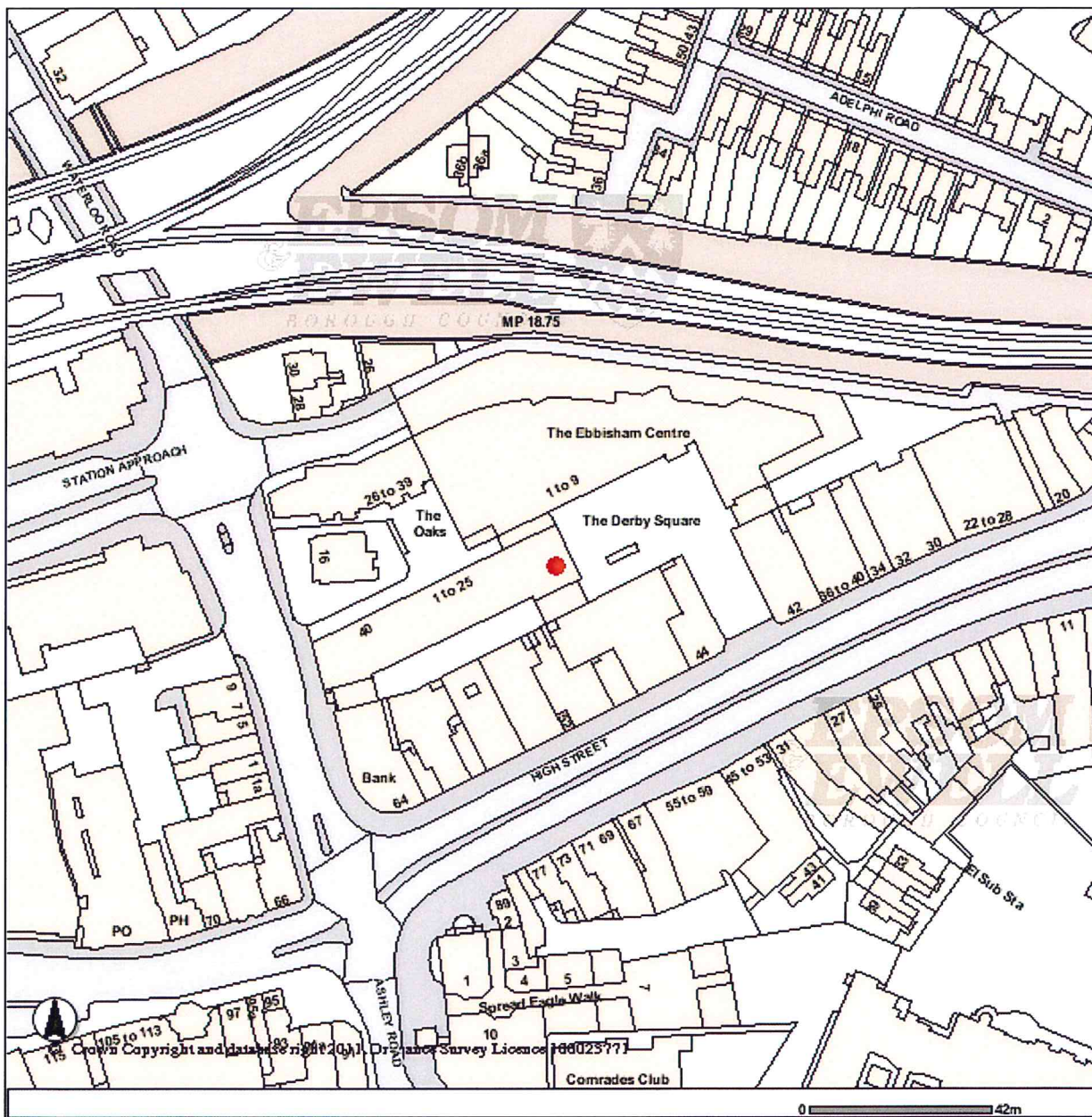
LAWRENCE BERKELEY NATIONAL LABORATORY
 AUGUST 1979
 PROJECT
 5100 SUTCLIFF
 1000 UNIVERSITY AVENUE
 BERKELEY, CALIF. 94720
 STAFF
 STONIGATE PUS COMPANY
 DESIGNER
 PROJECT PLAN
 TRUBB DESIGN BY: CHECKED BY: DATE:
 JUNGCLAHL 18 18 OCT 1978
 2012/10/L01 rev 8
 THIS DRAWING IS THE PROPERTY OF LAWRENCE BERKELEY NATIONAL LABORATORY AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE EXPRESS WRITTEN PERMISSION OF LAWRENCE BERKELEY NATIONAL LABORATORY.

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ANNEXE 4 – LOCATION MAP



Slug and Lettuce



Legend

	RAILWAYLINES
	Countryside Areas
	New Build

Date: 11.4.2016
 Bounding coordinates: 520743, 160739
 520995, 160995

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