

Public Document Pack

Legal and Democratic Services



LICENSING HEARING PANEL

Tuesday 17 July 2018 at 2.00 pm

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 Steve Bridger

Councillor David Reeve

Yours sincerely

A handwritten signature in black ink, appearing to read "J.C. Beldan".

Chief Executive

For further information, please contact Tim Richardson, 01372 732122 or trichardson@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. THE GRUMPY MOLE AT THE AMATO (Pages 3 - 44)

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

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THE GRUMPY MOLE AT THE AMATO

Head of Service/Contact:	Rod Brown, Head of Housing & Community
Annexes/Appendices (attached):	Annex 1 – Application Form Annex 2 – Copies of Representations received Annex 3 – Current Premises Licence Annex 4 – Location Map
Other available papers (not attached):	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)

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

1 Current Position

- 1.1 The current licensing hours for The Grumpy Mole at the Amato, Chalk Lane Hotel, Epsom, Surrey. KT18 7AS are as follows and attached as **Annex 3**:

Sale of Alcohol by Retail

Sunday to Wednesday 12.00 hours until 23.00 hours
Thursday to Saturday 12.00 hours until midnight.

Provision of Regulated Entertainment:- Recorded Music; Provision of anything of a similar description to recorded music:

Sunday to Wednesday 12.00 hours until 23.00 hours
Thursday to Saturday 12.00 hours until midnight.

The opening hours of the premises are as follows:

Sunday to Wednesday 12.00 hours until 23.00 hours

Thursday to Saturday 12.00 hours until midnight

2 Introduction

- 2.1 Since the premises opened in 2017, the Licensing Authority has had considerable communications with both local residents and the premises with regard to general noise complaints and dispersal.
- 2.2 The applicants had pre-application discussions with Surrey Police and the Licensing Authority before the application was submitted.
- 2.3 The Variation Application is as follows and attached as **Annex 1**:

To add additional conditions to existing licence, namely

“[Out of respect for our neighbours] last orders for service in the garden will be 10pm. The garden will close with the lights off at 10.30pm. We will also display signage to this effect, including no ball games.”

“We will also add additional signage which is visual to patrons leaving – Please respect our neighbours and leave quietly.”

To add an additional thirty minutes drinking up time on all days.

To add Late Night Refreshment to the Premises Licence.

To add non-standard timings to Christmas Eve and New Years Eve.

To add the last orders for service in the garden will be 10pm with the garden closed and lights off at 10.30 pm.

3 Representations from Interested Parties

- 3.1 Three representations objecting to the application on the grounds of Public Nuisance and Public Safety have been received. These are attached as **Annex 2**

4 Representations from Responsible Authorities

- 4.1 No representations have been received from any Responsible Authorities.

5 Policy Considerations

- 5.1 A copy of the Statement of Licensing Policy adopted in December 2013 has been distributed to all parties. There are no Policy presumptions against the grant of the application however, Members will need to have due regard to the representations submitted and the location of the premises within Epsom and Ewell Borough Council.

- 5.2 The premises is in the Green Zone, there is policy presumption to grant the licence unless it can be shown that the application would undermine the licensing objectives.

6 Equalities and Other Legal Implications

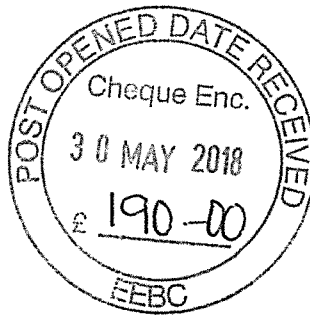
- 6.1 The Panel must consider the application and the representations made and either modify the conditions of the licence or reject the whole or part of the application, having regard to the promotion of the licensing objectives of crime and disorder, promotion of public safety, prevention of public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

7 Conclusions

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

Ward(s) affected: Woodcote Ward;

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Ehh04/zd136/prem

Town Hall
The Parade
Epsom
Surrey, KT18 5BY
Telephone 01372 732000
www.epsom-ewell.gov.uk

Schedule 3, Regulation 5

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.

I/We DOUGAL INNS LTD
(Insert name(s) of applicant)
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/17/00055/LAPRE.

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>THE AMATO CHALK LANE. EPSOM</u>			
Post town	<u>SURREY</u>	Postcode	<u>KT18 7AS.</u>

Telephone number at premises (if any)	<u>01372 721309</u>
Non-domestic rateable value of premises	<u>£ 18,400 BAND B £190</u>

Part 2 - Applicant details

Daytime contact telephone number	<u>01777 357529</u>
E-mail address (optional)	<u>TAOWORTH@THEGALUMMMAZ.CO.UK</u>

Current postal address if different from premises address	DOUGAL INNS LTD. AML 97 GOOSSTONE ROAD CATFELHAM		
Post town	CATFELHAM, SURREY	Postcode	CR3 6RE

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

DD	MM	YYYY
1	1	1

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1. ADDITIONAL CONDITIONS TO EXISTING LICENSE.
2. AN ADDITIONAL THIRTY MINUTES DRINKING UP TIME ON ALL DAYS.
3. ADDING LATE NIGHT REFRESHMENT.
4. ADDING NON STANDARD TIMINGS TO CHRISTMAS EVE AND NEW YEARS EVE
 - > CHRISTMAS EVE, ONE ADDITIONAL HOUR TO THE EXISTING LICENSABLE HOURS PLUS THIRTY MINUTES DRINKING UP TIME.
 - > NEW YEARS EVE UNTIL 1.30 AM PLUS THIRTY MINUTES DRINKING UP TIME.
5. THE LAST ORDERS FOR SERVICE IN THE GARDEN WILL BE 10PM WITH THE GARDEN CLOSED AND LIGHTS OFF AT 10.30PM

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:

/

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 see guidance note 3) Please tick all that apply

- 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)

Supply 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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6).		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details (please read guidance note 5)</u>
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events (please read guidance note 6)</u>
Tue			
Wed			<u>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 7)</u>
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u>		
Thur					
Fri			<u>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 7)</u>		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur			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 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	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 5)		
Mon	12.00	23.30			
Tue	12.00	23.30			
Wed	12.00	23.30	State any seasonal variations for the playing of recorded music (please read guidance note 6) CHRISTMAS EVE ONE ADDITIONAL HOUR TO EXISTING LICENSABLE HOURS PLUS THIRTY MINUTES DRINKING UP TIME. NEW YEARS EVE UNTIL 1.30AM PLUS THIRTY MINUTES DRINKING UP TIME.		
Thur	12.00	00.30			
Fri	12.00	00.30	Non standard timings. Where you intend to use the premises for the <u>playing of recorded music at different times to those listed in the column on the left. please list</u> (please read guidance note 7)		
Sat	12.00	00.30			
Sun	12.00	23.30			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 5)	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	12.00	23.30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12.00	23.30	Please give further details here (please read guidance note 5)		
Wed	12.00	23.30			
Thur	12.00	00.30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) AS RECORDED MUSIC .		
Fri	12.00	00.30			
Sat	12.00	00.30	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 7)		
Sun	12.00	23.30			

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	23.30	<u>Please give further details here</u> (please read guidance note 5)		
Tue	23.00	23.30			
Wed	23.00	23.30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23.00	00.30	AS RECORDED MUSIC.		
Fri	23.00	00.30	<u>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</u> (please read guidance note 7)		
Sat	23.00	00.30			
Sun	23.00	23.30			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	AS RECORDED MUSIC. For non-seasonal timings only.	
Tue	12.00	23.00			
Wed	12.00	23.00			
Thur	12.00	01.00	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 7)		
Fri	12.00	00.00			
Sat	12.00	00.00			
Sun	12.00	23.00			

K

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 10).

NONE .

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)	
Day	Start	Finish		
Mon	12.00	23.30	AS RECORD	
Tue	12.00	23.30		
Wed	12.00	23.30		
Thur	12.00	00.30		<u>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</u> (please read guidance note 7)
Fri	12.00	00.30		
Sat	12.00	00.30		
Sun	12.00	23.30		

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.

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 and e) (please read guidance note 11)

OUT OF RESPECT FOR OUR NEIGHBOURS LAST ORDERS FOR SERVICE IN THE GARDEN WILL BE AT 10PM THE GARDEN WILL CLOSE WITH THE LIGHTS OFF AT 10:30 PM. WE WILL ALSO DISPLAY SIGNAGE TO THIS EFFECT, INCLUDING NO BALL GAMES

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

WE WILL ALSO ADD ADDITIONAL SIGNAGE WHICH IS VISUAL TO PATRONS LEAVING
"PLEASE RESPECT OUR NEIGHBOURS AND LEAVE QUIETLY"

e) The protection of children from harm

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

Checklist:

Please tick to indicate agreement

- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	24 th May 2018
Capacity	DIRECTOR

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 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	24 th May 2018
Capacity	Director

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

DEBBIE COSS THE INN ON THE GREEN DOCKING ROAD SURREY			
Post town	THORNHURST	Post code	KT20 5RX
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. 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.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

NOTES

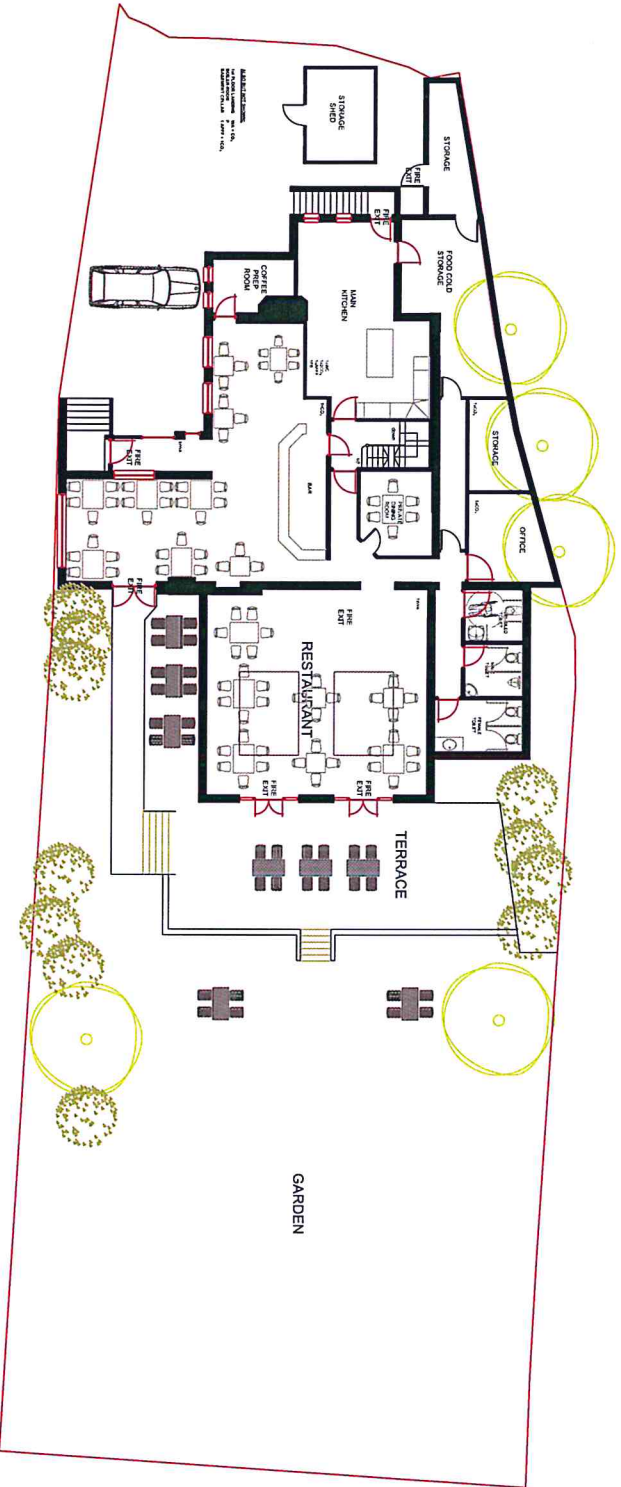
1. All dimensions are given in millimetres unless otherwise stated.

2. All work is to be done in accordance with the current Building Regulations and the Building Act 2003.

3. The client is responsible for obtaining all necessary planning and building control approvals.

4. The contractor is responsible for obtaining all necessary planning and building control approvals.

5. The contractor is responsible for obtaining all necessary planning and building control approvals.



- LEGEND FIRE-FIGHTING**
- WA BL WATER ADD
 - CO₂ CARBON DIOXIDE
 - WC BL WET CHEMICAL
 - CCO₂ CO₂ CHEMICAL
 - CCO₂ CARBON DIOXIDE
 - CCO₂ CARBON DIOXIDE
 - FB FIRE BLANKET
 - P Big DRY POWDER



Project: **THE AMATO, CHALK LANE, EPSOM**
 Client: **DOUGAL INNS LTD**

Title: **GROUND FLOOR - LICENCING PLAN**
 Drawing Status: **LICENCING APPLICATION**

Date: **05/04/17**
 Scale: **1:100@A1**
 Drawn: **DW**
 Chkd: **TBA**

Drawing No. **6664-L-01**

Rev. **-**

bell:buttrum
 CONSULTING ENGINEERS
 T: 020-8652 7404 E: bbt@bellbuttrum.co.uk

Rev.	Description	By	Chkd.	Date

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5 CHALK LANE
EPSOM
KT18 7AR
24-6-2018

GRANTS & LICENSING TEAM
EPSOM & EWELE BOROUGH COUNCIL
TOWN HALL
EPSOM
KT18 5BY



Dear Sir & Madam,

Since the The Grumpy Mole, The Amato has been opened, the noise levels have increased dramatically, because people being drunk and disorderly, vehicles arriving and departing at unsociable hours this has impacted on me personally because many of these vehicles do not follow the one way system they passed my bedroom window very late, the council has been made aware of this multiple times.

I was informed by the Grumpy Mole staff that they would put new processes in place to help reduce the volume of noise unfortunately this has made no positive change.

The current situation has led to many unhappy locals, the new variations requested by the Grumpy Mole will not help resolve any of the complaints, it will in fact make the noise issue worse.

I'm very worried about the music licence, as before this was flouted by the previous owners.

I'm generally let down by the local government stance when it comes to supporting businesses over vulnerable community members needs.

I'm a widow concerned for my health as I'm often woken at night by patrons of the Grumpy Mole, the new changes will only worsen this. Following on the Grumpy Mole patrons take all local parking spaces which the council has not addressed, this will only be aggravated by late opening hours of the pub.

Yours Sincerely

Angela Slaughter

From:
Sent: 25 June 2018 19:16
To: Licensing
Subject: Objection: Variation to license - The Grumpy Mole, The Amato, Chalk Lane, Epsom

Follow Up Flag: Follow up
Flag Status: Completed

Epsom and Ewell Licensing Authority
Town Hall
The Parade
Epsom
25 June 2018

Dear Sirs,

We are writing to object against the application to vary the premise licence at The Grumpy Mole, The Amato, Chalk Lane, Epsom for the following reasons:

Prevention of Public Nuisance

We already experience noise from car engines, car doors slamming and people chatting very loudly late at night out the front of our property. The noise of people chatting, laughing and shouting also carries considerably from the pub garden as does the music being played. Patrons park across our drive on double yellow lines at busy times, making it very difficult for us to access it and they also leave rubbish on the curb side seemingly from emptying their cars.

Public Safety

We experience many Patrons driving the wrong way up the narrow one way street, at speed, to access the premises which is dangerous for all living in the vicinity but especially the elderly and children.

We feel the variation to the license will increase the public nuisance even further and be detrimental to public safety.

Kind Regards,

Heather Lodge
Chalk Lane, Epsom.

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8, Chalk Lane,
Epsom. KT18 7AE



Grants + Licensing Team,
Epsom + Ewell Borough Council,
Town Hall,
The Parade,
Epsom. KT18 5BY

Dear Sirs,

Re:- Amato, Chalk Lane, Epsom. Alterations to Licence.

As the owner of 8 and 10 Chalk Lane I wish to object to the later closing hours at the above property. Between July 2017 and early this year we were woken regularly on Friday and Saturday nights by people ringing for transport outside No 10 Chalk Lane where a light standard is located. I complained to the manager and bar manager at the Amato but the nuisance continued, I also reported the matter to the Licensing Team. Although this nuisance has reduced recently people who ~~are~~ have parked their cars opposite the Amato wake me at 1.20am on Sunday 17th June. On 30th May a group of 8-10 people woke me at 11.45, they had been drinking and walked down Chalk Lane towards Woodcote Green Road. This was reported to Debviah the following day, I have

also reported the incident on Sunday. Since the 'Grumpy Male' opened we have not experienced a stop to nuisance shortly after "drinking up" time and find the proposals for a later licence unacceptable, as the management of the property have no regard for the occupants of the residents of Chalk Lane. If people are leaving the Amote late they should be asked by a member of staff to do so quietly. Jack the former manager offered to move the tables away from the fence close to the hours, this was done but was moved back indicating offers of co-operation do not have a lasting effect.

Yours faithfully,

SCHEDULE 12 PART A (Regulation 33,34)

PREMISES LICENCE

Premises licence number EEBC/17/00055/LAPRE

Postal address of premise, or if none, ordnance survey map reference or description	
AMATO CHALK LANE	
Post town EPSOM	Post code KT18 7AS
Telephone number 01737 362855	
Where the licence is time limited the dates NONE	
Licensable activities authorised by the licence	
SALE OF ALCOHOL BY RETAIL PROVISION OF REGULATED ENTERTAINMENT:- RECORDED MUSIC; PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO RECORDED MUSIC	
The times the licence authorises the carrying out of licensable activities	
SALE OF ALCOHOL BY RETAIL SUNDAY TO WEDNESDAY 12.00 HOURS UNTIL 23.00 HOURS THURSDAY TO SATURDAY 12.00 HOURS UNTIL MIDNIGHT PROVISION OF REGULATED ENTERTAINMENT:- RECORDED MUSIC; PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO RECORDED MUSIC SUNDAY TO WEDNESDAY 12.00 HOURS UNTIL 23.00 HOURS THURSDAY TO SATURDAY 12.00 HOURS UNTIL MIDNIGHT	

The opening hours of the premises
SUNDAY TO WEDNESDAY 12.00 HOURS UNTIL 23.00 HOURS THURSDAY TO SATURDAY 12.00 HOURS UNTIL MIDNIGHT

<p>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</p> <p>FOR CONSUMPTION ON THE PREMISES</p>
<p>Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence</p> <p>DOUGAL INNS LIMITED AML 97 GODSTONE ROAD CATERHAM SURREY CR3 6RE</p>
<p>Registered number of holder, for example company number, charity number (where applicable)</p> <p>07083523</p>
<p>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</p> <p>SIMON DAVID NICHOLSON 1 OLD RECTORY CLOSE WALTON ON THE HILL SURREY KT20 7RX</p>
<p>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol.</p> <p>REIGATE AND BANSTEAD BOROUGH COUNCIL RBBC/05/02054/LAPER</p>

Dated this 2nd day of June 2017

For the Licensing Authority

Annex 1 – Mandatory conditions

Mandatory Condition: where licence authorities supply of alcohol

Where a premise 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.

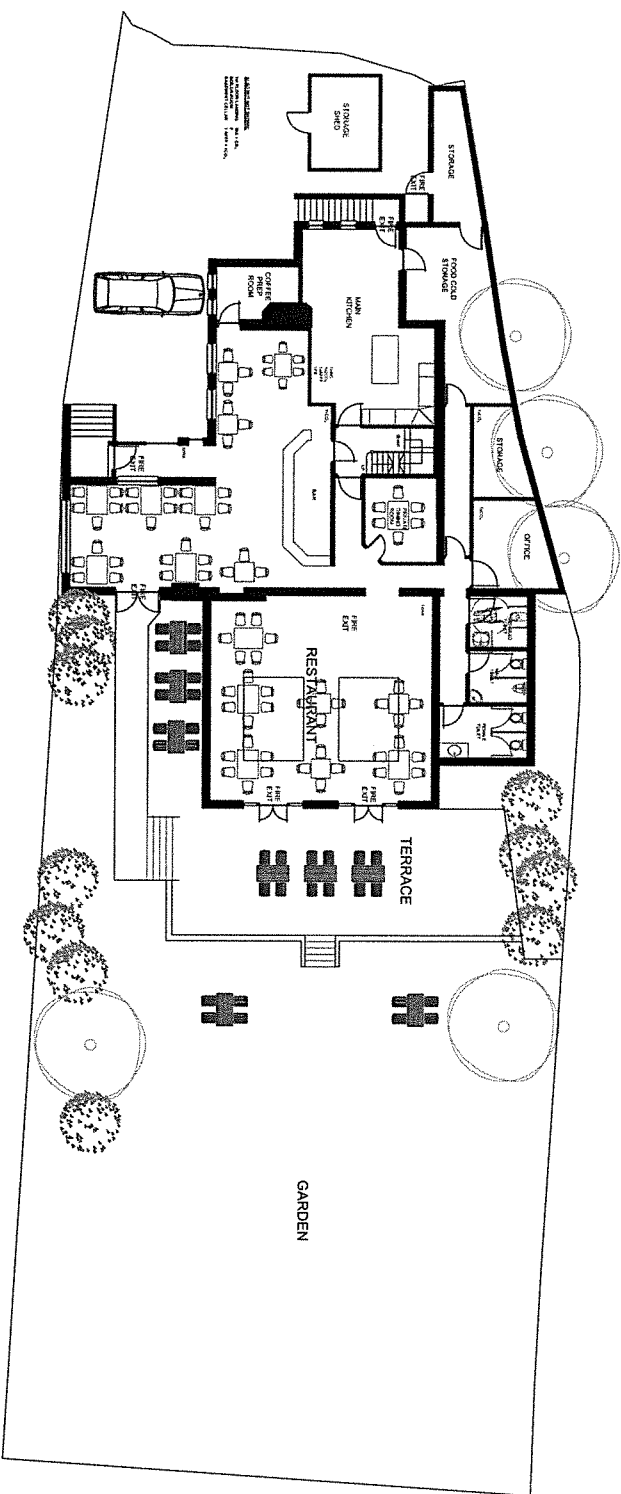
Annex 2 – Conditions consistent with the operating schedule

1. Installation of a comprehensive alarm system.
2. A fully operated CCTV (SANNCE) system recording all visitors to the establishment. It will be installed and operated and will give clear images of all persons arriving and exiting the premises. Access to images will be achievable within 24 hours. All CCTV images will be kept for at least seven days.
3. Five lever 'mortice locks', dead locks and bolts on all external doors.
4. Staff training will be recorded and updated every six months including H&S training; Management training; First Aid training.
5. When there are special events held at Epsom Race Course or other local venues, Dougal Inns will carry out a Risk Assessment with a view to employing SIA door staff.
6. Incident logs will be on the premises and kept up to date.
7. A Challenge 21 Policy will be adopted and appropriate signage will reflect that policy.
8. No alcohol will be sold for consumption off the property.
9. Signage will be displayed requesting that customers leave quietly and respect the neighbourhood.
10. A Challenge 21 will be operated at the premises. Forms of identification that will be accepted are a valid passport, photocard driving licence, HM Forces identity card and a PASS accredited identification card.
11. Signs will be placed in prominent positions at the entrance to the premises which explain no sales of alcohol to those underage and challenge 21 is in force.
12. A refusal log shall be maintained and be available on the premises.
13. We will have a policy on preventing harm to children to include documented staff training which will include the awareness of Child Sexual Exploitation and how to make a referral if any concerns are raised for children or any suspected perpetrator.
14. Signage will be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years.

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

NONE

NOTES
 1. All fire fighting equipment shall be maintained in accordance with the relevant standards.
 2. The fire fighting equipment shall be inspected and tested in accordance with the relevant standards.
 3. The fire fighting equipment shall be replaced when it is found to be defective or worn.
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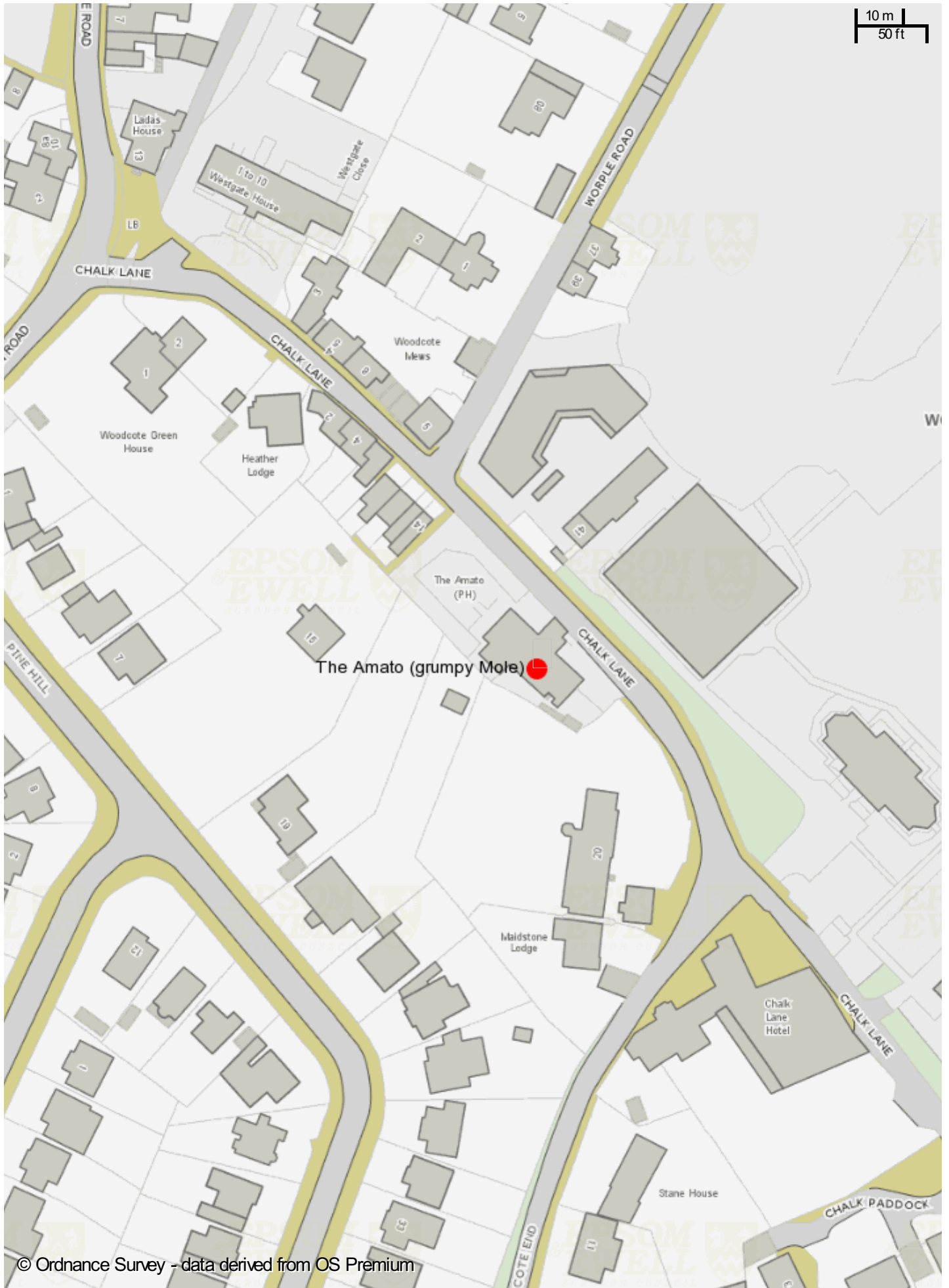
- LEGEND FIRE-FIGHTING**
- WA WATER AFB
 - CO CARBON DIOXIDE
 - WC WET CHEMICAL
 - ZCO 2K CARBON DIOXIDE
 - AFFF FOAM
 - FB FIRE BLANKET
 - P POWDER
 - BL WATER AFB
 - CB CARBON DIOXIDE
 - WC WET CHEMICAL
 - ZK CARBON DIOXIDE
 - FOAM
 - FB FIRE BLANKET
 - PDN POWDER



Project: **THE AMATO, CHALK LANE, EPSOM** Title: **GROUND FLOOR - LICENCING PLAN** Date: 05/04/17
 Client: **DOUGAL INNS LTD** Drawing Status: **LICENCING APPLICATION** Scale: 1:100@A1
 Drawing No: **6664-L-01** Rev: -
bell:buttrum
 CONSULTING ENGINEERS
 T: 020-8662 7404 E: bbuttrum@bellbuttrum.co.uk

Rev.	Description	By	Check	Date

10 m
50 ft



The Amato (grumpy Mole) ●

© Ordnance Survey - data derived from OS Premium

EEBC Map
Scale: 1:1113



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