

**SCHEDULE 12 PART A (Regulation 33,34)
Premises licence number EEBC/17/00058/LAPRE
Part 1 - Premises Details**

Postal address of premise, or if none, ordnance survey map reference or description DIA Y NOCHE 39 THE OAKS SQUARE	
Post town EPSOM	Post code KT19 8AS
Telephone number 07768 194491	
Where the licence is time limited the dates	NONE
Licensable activities authorised by the licence SALE OF ALCOHOL BY RETAIL PROVISION OF REGULATED ENTERTAINMENT;- LIVE MUSIC (E); RECORDED MUSIC (F); DANCING (G); ANYTHING OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN (E), (F) AND (G); LATE NIGHT REFRESHMENT	

<p>The times the licence authorises the carrying out of licensable activities</p> <p><u>SALE OF ALCOHOL BY RETAIL</u> MONDAY TO THURSDAY 09.00 HOURS UNTIL 23.00 HOURS FRIDAY TO SATURDAY 09.00 HOURS UNTIL MIDNIGHT SUNDAY 10.00 HOURS UNTIL 23.00 HOURS CHRISTMAS EVE 09.00 HOURS UNTIL 01.00 HOURS NEW YEARS EVE 09.00 HOURS UNTIL 01.30 HOURS HALLOWEEN, ST PATRICKS DAY; ST GEORGES DAY; 09.00 HOURS UNTIL MIDNIGHT.</p> <p><u>PROVISION OF REGULATED ENTERTAINMENT</u></p> <p><u>LIVE MUSIC</u> THURSDAY 18.00 HOURS UNTIL 23.00 HOURS FRIDAY AND SATURDAY 18.00 HOURS UNTIL MIDNIGHT SUNDAY 17.00 HOURS UNTIL 22.00 HOURS CHRISTMAS EVE 18.00 HOURS UNTIL 01.00 HOURS NEW YEARS EVE 18.00 HOURS UNTIL 01.30 HOURS HALLOWEEN, ST PATRICKS DAY; ST GEORGES DAY; 18.00 HOURS UNTIL MIDNIGHT.</p> <p><u>RECORDED MUSIC</u> MONDAY TO THURSDAY 08.00 HOURS UNTIL 23.00 HOURS FRIDAY TO SATURDAY 08.00 HOURS UNTIL MIDNIGHT SUNDAY 09.00 HOURS UNTIL 23.00 HOURS CHRISTMAS EVE 08.00 HOURS UNTIL 01.00 HOURS NEW YEARS EVE 08.00 HOURS UNTIL 01.30 HOURS HALLOWEEN, ST PATRICKS DAY; ST GEORGES DAY; 08.00 HOURS UNTIL MIDNIGHT.</p> <p><u>PERFORMANCE OF DANCE</u> MONDAY TO THURSDAY 08.00 HOURS UNTIL 23.00 HOURS FRIDAY TO SATURDAY 08.00 HOURS UNTIL MIDNIGHT SUNDAY 09.00 HOURS UNTIL 23.00 HOURS CHRISTMAS EVE 08.00 HOURS UNTIL 01.00 HOURS NEW YEARS EVE 08.00 HOURS UNTIL 01.30 HOURS HALLOWEEN, ST PATRICKS DAY; ST GEORGES DAY; 08.00 HOURS UNTIL MIDNIGHT.</p> <p><u>ANYTHING OF A SIMILAR DESCRIPTION TO THAT FALLING WITHIN (E), (F) AND (G);</u> MONDAY TO THURSDAY 18.00 HOURS UNTIL 23.00 HOURS FRIDAY TO SATURDAY 18.00 HOURS UNTIL MIDNIGHT SUNDAY 18.00 HOURS UNTIL 23.00 HOURS CHRISTMAS EVE 18.00 HOURS UNTIL 01.00 HOURS NEW YEARS EVE 18.00 HOURS UNTIL 01.30 HOURS HALLOWEEN, ST PATRICKS DAY; ST GEORGES DAY; 18.00 HOURS UNTIL MIDNIGHT.</p> <p><u>LATE NIGHT REFRESHMENT</u> FRIDAY TO SATURDAY 23.00 HOURS UNTIL MIDNIGHT CHRISTMAS EVE 23.00 HOURS UNTIL 01.00 HOURS NEW YEARS EVE 23.00 HOURS UNTIL 01.30 HOURS</p>

The opening hours of the premises

SUNDAY TO THURSDAY 08.00 HOURS UNTIL 23.00 HOURS
FRIDAY TO SATURDAY 08.00 HOURS UNTIL MIDNIGHT
SUNDAY 09.00 HOURS UNTIL 23.00 HOURS
CHRISTMAS EVE 08.00 HOURS UNTIL 01.30 HOURS
NEW YEARS EVE 08.00 HOURS UNTIL 02.00 HOURS
HALLOWEEN, ST PATRICKS DAY; ST GEORGES DAY; 08.00 HOURS UNTIL MIDNIGHT.

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

FOR CONSUMPTION ON THE PREMISES

Part 2

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

DIA Y NOCHE LIMITED
71-75 SHELTON STREET
LONDON
WC2H 9JQ TELEPHONE 07768 194491

Registered number of holder, for example company number, charity number 10585204

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

DEAN KIRBY
THE RIDGE
51 ST CLAIR DRIVE
WORCESTER PARK
SURREY
KT4 8UG

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

LONDON BOROUGH OF SUTTON 5870/16/00735/LAPERS

Dated this 21st 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

NONE

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

Prevention of Crime and Disorder

1. A fully operating CCTV system approved by Surrey Police shall be installed and operated. In addition, an internal camera should achieve clear evidential images of all persons leaving and entering the premises. The recordings shall be retained for a period of at least 31 days, and will be made available on requested to an authorised officer of the Council or Police, and operational before carrying out any licensable activities.
2. Toilets shall be checked hourly each day during opening hours and records maintained of checks.
3. Two SIA Registered door supervisors will be on duty each Friday and Saturday and non-standard days from 20.00 hours. A risk assessment conducted as to the need for door supervisors at all other times, or as directed by the Licensing Authority or Surrey Police.
4. The licence holder shall ensure that an incident log is kept on the premises and that it documents any incident involving the premise, this log shall be immediately available upon request of an authorised Council Officer or Police Officer.

5. There shall be a record of any refused sale of alcohol. The refusal register shall be inspected on a regular (at least weekly) basis by the DPS and signed by the DPS that they have checked the register, and copies made available upon request by Police or Licensing Authority.
6. All members of staff shall be trained on using the refusal and incident logs.

Public Safety

7. A member of staff who is first aid trained will always be present on the premises during opening hours.
8. Signs shall be clearly displayed at the entrance/exit to the premises requesting patrons to respect neighbours and to be quiet when leaving the area.
9. A zero drugs policy shall be enforced, and signs indicating this shall be prominently displayed within the premises.

The Prevention of Public Nuisance

10. No customers to use outside seating area after 22.00 hours and all furniture to be removed by 22.30 hours.
11. No customers will be allowed to take drinks to the outside area after 22.00 hours. All furniture removed by 22.30 hours.
12. The use of the outside designated smoking area will be monitored during licensing hours, and the numbers of smokers permitted in the outside area will be limited to 10 at any one time from;

21.00 hours Sunday to Thursday

22.00 hours Friday and Saturday and on non-standard timings.

No liquid refreshment to be taken into this area.

13. There shall be no new admittance to the premises after 23.00 hours on Friday and Saturday and non-standard timings.
14. A double door entrance lobby shall be installed, with doors closed from 22.00 hours, except for egress and access to the premises.
15. Prior to the first licensable activity acoustic treatment to the ceiling and front façade shall be installed and thereafter maintained to comply with the recommendations contained within Adnitt Acoustics report dated 11/5/2017.
16. All loud speakers shall be mounted on resilient neoprene rubber mounts independent columns or wall linings.
17. No amplified live music shall be permitted after 23.00 hours.

Protection from Children from Harm

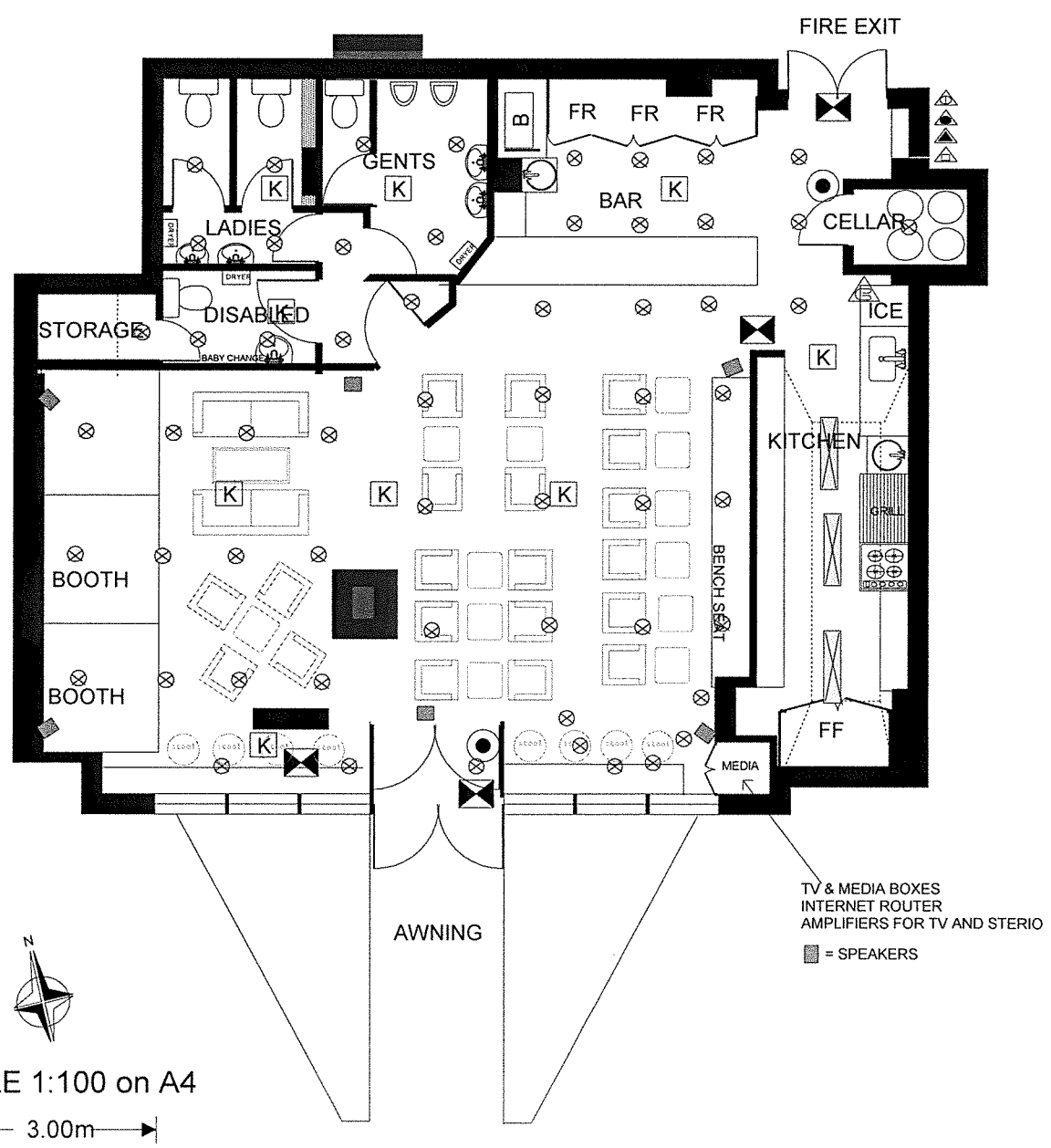
18. After 19.00 hours children shall only be permitted within a family group attending a private function.
19. All members of staff shall be trained in SCE awareness and a CSE Policy adopted and updated as necessary. The "Say Something if you See Something" campaign poster (or similar) will be displayed within the premises.
20. A Challenge 25 Scheme shall be enforced.
21. All Members of staff shall be trained in CSE awareness and a CSE Policy adopted and updated as necessary. The "say something if you see something" campaign poster (or similar) will be displayed within the premises.

LIGHTING PLAN
DIA Y NOCHE
39 THE OAKS SQUARE
EPSOM KT19 8AS
APPROXIMATE INTERNAL FLOOR AREA
1338 SQ.FT / 124.3 SQ.M.

- FIRE FIGHTING EQUIPMENT**
- 1= WATER FIRE EXTINGUISHER
 - 2= FOAM FIRE EXTINGUISHER
 - 3= FIRE BLANKET IN CONTAINER
 - 4= CARBON DIOXIDE EXTINGUISHER
 - 5= DRY POWDER EXTINGUISHER
 - 6= HOSE REEL (No. indicates Length)
 - 7= SAND BUCKET
 - 8= AREA COVERED AUTO SPRINKLER SYSTEM
 - 9= AREA COVERED BY SMOKE DETECTOR
 - 10= AREA COVERED BY HEAT DETECTOR
 - 11= AREA COVERED BY ESCAPE LIGHTING
 - 12= AREA COVERED BY ILLUMINATED EXIT SIGN
 - 13= CONTROL PANEL SOUNDER
 - 14= BREAK GLASS CALL POINT
 - 15= FIRE ALARM POINT

SHOWING ESCAPE PLAN AND ACTION PLAN

- DOOR CODES**
- BF = BREAK FASTENING DOOR
 - FFF = DOOR FREE OF ALL FASTENINGS
 - SCA = SELF CLOSING AUTOMATIC DOOR
 - PB = PANIC BOLT DOOR
 - SF = SIMPLE FASTENING DOOR
 - SL = SECURITY LOCK
 - VP = VISUAL PANEL DOOR
 - S = SMOKE RESISTANT DOOR
 - S22= EMERGENCY EXIT NOTICE
 - S13= FIRE DOOR KEEP SHUT
 - S14= FIRE DOOR KEEP LOCKED
 - S17= SECURE DOOR OPEN WHEN PREMISES OPEN



SCALE 1:100 on A4

