

Paul Holliday

From: dawn bowling [REDACTED]
Sent: 14 December 2022 08:23
To: Licensing
Subject: Bay Leaves Section 51

Dear Licensing ,

As neighbours to Bay Leaves we welcome a review of their practises. I have complained numerous times to themselves and to the council of the partying that goes in the shop until 1:00pm in the morning. This is always followed by them shouting at the rear of the premises in the early hours of the morning where our bedrooms are situated.

They have deliveries at 4:30am - 5:30am in the morning, again I have complained to Bay Leaves but they ignore any complaints.

We have photos that show an oil trail being put into the drains here from their shop at the back. I will send the photos in a separate email.

During the summer someone was living in the shop who used to put their washing outside to dry. I am aware that environment health visited and found beds in the shop but said that often premises had these for staff to rest on. This shop is supposed to only open from 5:00pm - 11:00pm???

They are lawless and an absolute nightmare and it keeps getting worse

Many thanks

Dawn Bowling



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Paul Holliday

From: James Karen: [REDACTED]
Sent: 13 December 2022 17:31
To: Licensing; [REDACTED]
Cc: [REDACTED]
Subject: Bay Leaves 364 Kingston Rd, Ewell KT19 0DT - Section 51 Licensing Act 2003 Review.
Attachments: Fwd: 364 Kingston road Kt19 0DT - restaurant; Fwd: Noise complaint
Importance: High

Dear Epsom and Ewell Licensing Team,

We own [REDACTED] Kingston Rd which is a flat [REDACTED] Bay Leaves Restaurant, [REDACTED] lives in the flat [REDACTED] the restaurant.

I have attached my initial email to the freeholder and the response which was received and sent to myself.

We would like to oppose any renewal of any Licence to this restaurant, evidence provided in the attached emails.

I must strongly advise that the noise continues to disturb not only our flat but others too, by way of chairs being dragged about and voices raised and music mostly during their business hours and after 11pm. I believe noise was being sent to Epsom and Ewell council via an app.

The parking issues continue with the numerous members of staff.

Since my complaint to our Freeholder [REDACTED] has felt quite afraid on occasions as the restaurant staff come out and stand and stare at her, this is quite intimidating for a lone female.

I know that [REDACTED] and other neighbours have visited the restaurant since my email to ask for the noise level to end. [REDACTED] has telephoned them too, she can not go to bed until they have fully closed and moved items about in the restaurant.

I did contact the council some time back about the Flue that comes up from the shop via both flats above as it was rumoured it was not in use, the restaurant manager told me it was, I did ask Epsom and Ewell hygiene / environmental team to investigate. I do not know the outcome. It is rumoured that staff sleep in the restaurant.

I have sent this via my work email so I could attach the emails, I have added my own email for future correspondence.

Any questions do let me know.
Kind regards



Paul Holliday

From: karen james [REDACTED]
Sent: 13 December 2022 17:02
To: James Karen: [REDACTED] Karen James
Subject: Fwd: 364 Kingston road Kt19 0DT - restaurant

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 7 September 2022 at 10:16:56 BST
To: karen james [REDACTED]
Subject: Re: 364 Kingston road Kt19 0DT - restaurant

Good morning

I shall convey your complaint to the lessee and remind him of the terms of the lease. I trust this will have the desired effect.

Kind regards

[REDACTED]

----- Original Message -----

From: "karen james" [REDACTED]
To: [REDACTED]
Sent: Tuesday, 6 Sep, 2022 At 19:18
Subject: 364 Kingston road Kt19 0DT - restaurant

Hello

Are you able to let me know the conditions of the lease for the restaurant at 364 Kingston road please ?

It appears that many of the neighbours (including [REDACTED] in [REDACTED]) have constant battles over noise - music and the workers shouting at each other until approximately 1am on various nights , even Monday nights.
Plus the numerous cars in and out doing deliveries for the business.

I know they are running a business but can you ask them to be considerate to all neighbours with the noise.

Sometimes they turn the music down, after neighbours telephoning them or actually visiting the shop to ask them to stop.

They claim to conduct 'management meetings' after closing which results in loud voices until 1am

this is most nights.

They have on occasion blamed customers. Even after close of business.

It's alleged that immigration visit yearly to remove workers, it's alleged they sleep on the premises.

If you could check the leaseholder agreement and ask them not to do these things I think all residents will be happy, maybe asking them to sound proof the ceiling would help. If they are blaming customers then they need to put up a notice asking them to leave the premises quietly.

I am aware that some neighbours are logging matters with the council.

Many thanks

Kind regards

Karen



Sent from my iPhone

 pdfelement

Paul Holliday

From: karen james [REDACTED]
Sent: 12 December 2022 20:22
To: James Karen: [REDACTED] ren James
Subject: Fwd: Noise complaint

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 20 September 2022 at 09:51:50 BST
To: karen james [REDACTED]
Subject: Re: Noise complaint

Good morning

Thank you for the update. The flats, whether leased or tenanted, do not have any parking rights.

Kind regards

[REDACTED]

----- Original Message -----

From: "karen james" [REDACTED]
To: [REDACTED]
Sent: Monday, 19 Sep, 2022 At 19:48
Subject: Re: Noise complaint

Thank you [REDACTED] for raising the issues with the restaurant, I have been told that it's now quite 'blissful' after 11pm. The other neighbours are also very happy.

[REDACTED] has had stares from the staff in the restaurant when parking her car in nearby. I have told her to take no notice.

[REDACTED] and the other neighbours will be monitoring the situation going forward.

Thank you
Kind regards
Karen

Sent from my iPhone

On 17 Sep 2022, at 10:34, [REDACTED] wrote:

Good morning

Here is my email to the restaurant owner and his response to the complaint.

Kind regards

John Bissell

----- Original Message -----

From: "Bay Leaves" <bayleavesewell@gmail.com>

To: [REDACTED]

Sent: Friday, 16 Sep, 2022 At 18:57

Subject: Re: Noise complaint

Hi [REDACTED]

Hope you are well.

Thank you for your email and bringing the residences concern to my attention. I can confirm that the allegations made by the resident at 364A are incorrect and have been exaggerated.

I can confirm as your long standing tenant that I have always kept to the lease and licensing terms and conditions and never played music or entertained customers in the premises after 11pm.

My staff leave the premises by 11pm once their shift is over.

I appreciate your concern with the various complaints and allegations made by the tenant at 364A, however I have no legal right outside of my premises to control what the customers do once they have left. My staff do not loiter out the back during business hours or after closing hours and therefore that is also a false claim.

As mentioned, I appreciate you bringing this to my attention and I will inform all my staff regarding this and will continue to adhere to our terms and conditions of our agreement.

Kind regards

Alom

On Thu, Sep 15, 2022 at 10:40 AM [REDACTED] wrote:

Good morning Alom

I have received a lengthy complaint from 364A about noise from your premises and one which I am told is supported by other nearby residents. It concerns the following:

Disturbance by loud music coming from restaurant after closing time and often until 1 a.m Your lease prohibits use of a radio or creating other forms of noise after 11 pm.

Disturbance from customers and staff when dealing with off-premises takeaway collections at the rear of the premises. This must cease forthwith as it will be in conflict with other terms of the lease.

Finally, I shall be glad if you will ensure your restaurant customers leave the premises and walk away in a quiet fashion. Also that your staff do not sit outside the rear of the premises talking loudly in a manner that disturbs residents and other shopkeepers.

Thank you for your co-operation.

Kind regards

[Redacted Signature]

 pdfelement