

SPECIALIST in Road Traffic, Liquor Licensing, Health and Safety and Transport Law

Att'n Licensing Officer
Grants and Licensing Team,
Epsom and Ewell Borough Council,
Town Hall,
Epsom
Surrey KT18 5BY

11th July 2018

Dear Sir

Response to Representations made by Objectors - The Grumpy Mole at The Amato

We are instructed to represent Mr and Mrs Nicholson and the team who run the above premises. They are very concerned about the letters received from 3 local residents. They have asked us to prepare this short response in part in an attempt to alleviate concerns raised.

Our clients run a family business and together with their 4 grown up children run five licensed premises located in local communities. They have a good track record of working well with their neighbours.

Prior to the 2005 Act licensed premises could obtain a Supper Hours' Certificate that would enable food led premises to remain open for longer hours with a 30 minute drinking up time until 00.30 Monday – Saturday and 23.30 – 24.00 on Sundays. The premises comprise a quality restaurant, the Garden Restaurant ,a small 'snug' area and the 'beer' garden. The split of sales is food 75%, alcohol 15% and other drinks 10%.

It was thought that residents would welcome the proposal coupled with the application to provide hot drinks as per the late night refreshment rules.

CLARIFICATION OF THE APPLICATION

It has been clarified that the Applicant only provides incidental background music which is exempt the Act so the proposals to extend the hours for recorded music and similar entertainment have been withdrawn. For the avoidance of doubt no music is played in the garden.

The application is therefore limited to permit 30 minutes drinking up time daily and provide for an extension of hours on Christmas Eve and New Year's Eve.

HISTORY OF THE PREMISES

There has been a Public House at the site for over 300 years, originally called the Rummer, then the Hare and Hounds before changing its name again in 1838 to the Derby winner 'The Amato'.

SITES IN THE AREA

The head office of W S Atkins is in the process of relocating to the site opposite the premises with an estimated 3000 employees based there. Epsom and District Hospital with its considerable number of staff and patients is on the other side of Woodcote Road. The Cricket Club is located on Woodcote Road and there is a large school around the corner in Worple Road. These sites are all within walking distance of the premises.

Steps taken to assist neighbours:

There was an alley way at the rear of the premises that was overgrown and the fence in disrepair. The Applicant contacted the occupant (a tenant at the time) and also wrote to the owner whose details it obtained from the Land Registry but did not receive a reply.

As a consequence the builders removed 2 skip loads of rubbish from the alley, put up a new fence and repaired the gate. Mr. West (No 8) attended the premises forbidding use of the alley. Out of courtesy the Applicant stopped. Mr West complained that some trees in the pub garden were overhanging the alley making it dark so the Applicant removed them. Another complaint from Mr. West stated that a tall Sycamore was blocking his light, so a planning application was submitted to reduce its size (and the work carried out at no small cost to the Applicant).

Although there is no condition on the licence limiting the use of the garden area, out of consideration to the neighbours, the managers chose to voluntarily limit serving in the garden with last orders at 22.00 and the lights going off on a timer at 22:30 every evening.

A security man lives on site.

Operation of the Premises

At weekends there is a mixed age group of people frequenting the site, including some local families. During the week and in the evenings, particularly after 21.00 our clients would describe most of their customers as 50 plus, respectful, "getting dressed up to come out for dinner" and are people they would suggest that respect the environment and neighbours living in the road. Our clients believe that the ambience and quality dining experience created provides an element of self - regulation and good behaviour.

The restaurant trade is like being on a roller coaster, sometime you can be very busy and other times it can be dead. There are times when there are no customers in the premises and then they close early. But on a typical evening there will be no more than one or possibly two tables left as closing time approaches.

People who have not met for some time want to catch up and "chin wag" and have a good time. To be able to relax and have a coffee or tea or just finish the drink in a less hurried fashion will have a positive impact.

Our clients believe it would also overcome some of the concerns raised in the letters of objection.

RESPONSE TO OBJECTIONS

The Owner's son is the site manager and application has been made for him to be the DPS.

The Web-Site has been updated to give clear directions to the premises advising of the no entry sign at the junction of Chalk Lane and Woodcote Road.

It is proposed to obtain a dedicated phone line to be operated by the manager on site throughout the **trading period**, specifically to deal with any complaints and the said number is to be advertised on the web-site along with it being provided to objectors.

Clocktower cars of Epsom have been retained to provide a service for those customers requiring a taxi. They are aware of the sensitivity of the neighbourhood and their drivers have specific instructions to pick up from the forecourt, which is well away from neighbouring properties.

We hope that the points raised in this letter will help alleviate concerns raised and in any event provide a clearer understanding of the rationale behind this application

Yours faithfully,

Stephen Thomas