



To: All Members of the Licensing (Hearing) Sub-Committee

Dear Councillor,

**LICENSING (HEARING) SUB-COMMITTEE - WEDNESDAY, 25TH JANUARY, 2023 ,
Council Chamber - Epsom Town Hall**

Please find attached the following document(s) for the meeting of the Licensing (Hearing) Sub-Committee to be held on Wednesday, 25th January, 2023.

3. **SUPPLEMENTARY INFORMATION** (Pages 3 - 6)

Email correspondence from the License Holder Alom Hussain to the Principal Licensing Officer.

For further information, please contact Democratic Services, democraticservices@epsom-ewell.gov.uk or 01372 732000

Yours sincerely

A handwritten signature in black ink, appearing to read "Sing".

Interim Chief Executive

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Sent: 23 January 2023 14:28
To: Paul Holliday
Subject: BayLeaves 364 Kingston Road

Hi Paul

Happy new year. Hope you are keeping well.

Thank you for sending through the email regarding the details for the meeting on the 25th. Myself and a friend (representative) will like to attend on the 25th .

Below I have included my response to the complaints that you have attached to the original email.

I would like to also add for your kind consideration. This premises has been an Indian restaurant for over 25 years serving customers within the local community. We have supported charities for the local banks raising money for the Alzheimer's society and Mcmillan.

Losing our licence will have a devastating effect on the community who have enjoyed our service for many years and will continue to do so for many years to come. Some of our staff have been working here for many years who we will need to be laid off if we are unable to operate as a licensed restaurant.

Below is my response to the complaints for you consideration.

Representation from the Immigration Enforcement.

The visit by the IE in September where they have found one individual in the premises who which has come light that he does not have the right to work in UK. I had verbally confirmed his position to work on the basis that he submits his Right To Work documents ASAP for review (within 28 days). The IE had visited the premises within that time and removed him.

In 2016 when then IE visited the premises I was going through a major down turn in business and my focus diverted on trying to keep the business afloat. I have taken lessons from my mistake and had improved my process around staff recruitment. I also introduced H+S courses, training around working in the food and hospitality business and other regular training in order that we operate as a professional establishment.

With both occasions with the IE, I admit my process and diligence was not to the standard expected. I would like to take this opportunity to apologise open heartedly for my mistake in the process. I will assure you that conducts of this nature will never occur on these premises again. Given the opportunity I will continue to provide an outstanding service to the local community and promise to uphold the law and the standers set by the Licencing Act. I will be looking to employ staff vetting (HR) system for the restaurant. I am currently talking to differant accountants and solicitors for advise and cost for this facility. This will no doubt remove any human errors and misjudgemnts.

EMAIL FROM Dawn Bowling

This is to address my response to Dawn Bowlings complaints.

Firstly, the car part to the rear of the restaurant is private land and the restaurant takes no responsibility for the vehicles parked there. The restaurant including all the residents and the other business do not have any right to part there.

The point that has been raised by Dwan and my response is as follows.

- Partying in the shop till 1am. – the restaurant in question closes at 11pm. We do not entertain customers beyond our opening hours which means our staff have no reason to remain in the restaurant till 1am. I can confirm there has never been an occasion where the restaurant had customers till this time.
- Staff shouting in the back – our staff work within the compounds of their work stations and have no reasons to be shouting outside in the back. Dawn lives in a Flat located on Kingston Road which is a very busy dual carriage way with a busy bus stop located just outside the flats. This bus stop is used by residents of all walk of life within the local area and at time can be very noisy when groups gather at the bus stop waiting for busses etc. I believe dawn may be relating these noise issues with my staff.
- Deliveries at 4:30-5:30AM – this point is completely false as our opening times for business is 5:30 – 11:30pm. Our staff arrive aprox an hour before opening to prep for the evening. All our deliveries are done during our opening hours. This point proves the statements made by dawn are very questionable and need to be dismissed. Please note there are other business on this parade of shops which operate early morning and during the day. I can confirm non of the business provide deliveries or conduct business during these hours.

Agenda Item 3

- Oil trail into the drains – this picture of discoloured water trail is not oil. We have an oil collection service which we use for our waste oil. For health and safety we have to store the oil in barrels outside the premises. The train in this picture is from rain water diluted with natural dirt from the edge of the building. I welcome any test from the authority to check if this is oil.

In response to Email from James Karen dated 12/12/22

- This premises has been a restaurant since the late 90's (known as La Palki) from my understanding and has never seen accusations of this nature. If James Karens daughter feels the way the email has been written to the council, then I would like to ask why she has not reported such accusations to the police? My staff have no interest in intimidating residence as we have been established within this community for a very long time now. This complaint has been exaggerated and falsified.
- There is no one who lives in the restaurant. H&S have visited the premises on several occasions, and I welcome any inspections of this accusation.

I would like to thank you in advance for your kind consideration. Please contact me at any time for further information.

Kind regards

Alom Hussain
Bayleaves

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