

# Public Document Pack

Legal and Democratic Services



## LICENSING (HEARING) SUB-COMMITTEE

Tuesday 17 August 2021 at 10.00 am

Place: Council Chamber, EpsomTown Hall

Link for public online access to this meeting:

<https://attendee.gotowebinar.com/register/8109747494173920271>

Webinar ID: 517-534-963

Telephone (listen-only): 0330 221 9922, Telephone Access code:427-996-854

The members listed below are summoned to attend the Licensing (Hearing) Sub-Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor David Reeve (Chair)  
Councillor Steve Bridger

Councillor Rob Geleit

Yours sincerely

A handwritten signature in black ink that reads "K. Beldan".

Chief Executive

For further information, please contact Democratic Services, [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk) or 01372 732000

### **EMERGENCY EVACUATION PROCEDURE**

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

## Public information

### **Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live on the internet**

This meeting will be open to the press and public to attend as an observer using free GoToWebinar software, or by telephone.

A link to the online address for this meeting is provided on the first page of this agenda and on the Council's website. A telephone connection number is also provided on the front page of this agenda as a way to observe the meeting, and will relay the full audio from the meeting as an alternative to online connection. A limited number of seats will also be available in the public gallery at the Town Hall. For further information please contact Democratic Services, email: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk), telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for the Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at [Democraticservices@epsom-ewell.gov.uk](mailto:Democraticservices@epsom-ewell.gov.uk).

### **Exclusion of the Press and the Public**

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. Should any such matters arise during the course of discussion of the below items or should the Chairman agree to discuss any other such matters on the grounds of urgency, the Committee will wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

### **Questions from the Public**

Questions from the public are not permitted at meetings of the Licensing (Hearing) Sub-Committee. [Part 4 of the Council's Constitution](#) sets out which Committees are able to receive public questions, and the procedure for doing so.

## **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. MINIATURE, 11-13 UPPER HIGH STREET, EPSOM SURREY (Pages 5 - 66)**

The Licensing (Hearing) Sub-Committee is asked to determine a variation application made under the Licensing Act 2003.

This page is intentionally left blank

**LICENSING ACT 2003 - VARIATION TO PREMISES LICENCE  
MINIATURE, 11-13 UPPER HIGH STREET, EPSOM SURREY**

<b>Head of Service:</b>	Rod Brown, Head of Housing & Community
<b>Wards affected:</b>	Town Ward;
<b>Appendices (attached):</b>	Appendix 1:-Variation to Premises Licence Application form Appendix 2:- Operational Plan that accompanied the Application form Appendix 3:- Plans attached to Application form; New Basement Bar Miniature Restaurant and Mono Lounge Appendix 4: Pre Application advice from Environmental Health Appendix 5:- Copy of valid representation by Environmental Health Appendix 6:- Redacted copy of valid representation by Surrey Police Appendix 7:- Redacted copy of valid representation by local resident Appendix 8:- Current Premises Licence Appendix 9:- Current Premises Licence plan

**Summary**

The Licensing (Hearing) Sub-Committee (“the Sub-Committee”) is being asked to determine a variation application made under the Licensing Act 2003

**Recommendation (s)**

**The Council being satisfied that the application is made in accordance with the Licensing Act 2003 the Sub Committee is now asked to:**

- (1) Hold a hearing to determine the variation application for a premises licence under the Licensing Act 2003, unless all relevant persons agree that a hearing is unnecessary.**
- (2) Grant the application and modify the conditions of the licence as is necessary, or alternatively, reject the whole or part of the application.**

## **1 Reason for Recommendation**

- 1.1 To determine the application for a premises licence at a hearing pursuant to section 35(3) of the Licensing Act 2003. The Council, the applicant and all persons who made valid representations may agree to dispense with the hearing provided notice is given in accordance with The Licensing Act 2003 (Hearings) Regulations 2005 regulation 9.

## **2 Background**

- 2.1 The sale of alcohol and provision of regulated entertainment, are licensable activities under the Licensing Act 2003. Authorisation from the Council, in its role as the licensing authority, is required in order to carry on any of these activities at premises within the borough.
- 2.2 Under the scheme of delegation adopted by the Council the sub-Committee is responsible for the exercise of many of the functions of the Council as a licensing authority, including determination of applications where representations have been received.
- 2.3 On 6 April 2021 Morteza Derayzadeh (“The Applicant”) applied for a variation of their premises licence known as Miniature, 11-13 Upper High Street, Epsom, Surrey. KT17 4QY.

## **3 General principles to be followed**

- 3.1 The statutory framework for varying premises licences protects the community by allowing responsible authorities and neighbours and occupiers of local premises, including residents, businesses and community groups, to make representations about an application.
- 3.2 When determining applications, the Sub-Committee recognises the Council as the licensing authority is required to carryout its functions with a view promoting the licensing objectives, which are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance; and
  - The protection of children from harm.
- 3.3 In considering the licensing objections the Council must have regard to its statement of licensing policy, and to the statutory guidance (Revised Guidance April 2018) issued under section 182 of the Licensing Act 2003.
- 3.4 The procedure and information on hearings can be found at 9.31 ff of that Guidance.

#### **4 Options open to the Sub-Committee**

- 4.1 The Sub-Committee in determining the application will consider the steps set out in section 35(4) of the Licensing Act 2003.
- 4.2 The Sub-Committee will decide whether to vary the licence (imposing all mandatory conditions) in the terms set out in the application or take any of the following steps before varying the licence:
  - 4.2.1 vary and grant the licence with such modifications to the conditions it considers necessary for the promotion of the licensing objectives, which can include making the licence subject to different conditions in respect of different parts of the premises or different licensable activities;
  - 4.2.2 reject the whole or part of the application; to vary the licence.

#### **5 Current Position**

- 5.1 The licence authorises the carrying out of licensable activities for Miniature, 11-13 Upper High Street, Epsom, Surrey KT17 4QY as follows:

Retail Sale of Alcohol

11.00 hours until 23.00 hours every day.

Provision of Regulated Entertainment; Recorded Music

11.00 hours until 23.00 hours every day.

For all Licensable Activities

New Years Eve and Valentines Day until 01.00 hours

20 until 23 March Persian New Year until 01.00 hours

The opening hours of the premises

11.00 hours until 23.20 hours every day

New Years Eve and Valentines Day until 01.00 hours

20 until 23 March Persian New Year until 01.00 hours

This is attached as Appendices 8 and 9.

#### **6 Details of the Application**

- 6.1 On 6 April 2021 the Applicant submitted an application to vary the current premises licence. This is detailed and attached as Appendix 1. The Applicant also submitted an Operational Plan. This is attached as Appendix 2. The plan submitted with the application is attached as Appendix 3.

- 6.2 The Variation application was to include an area at the back of the venue known as Mono Lounge. The basement area of the premises known as Basement Bar is proposed to change to a late night bar allowing customers the option of a meal.
- 6.3 The Basement Bar is to open at 18.00 hours with the last sale of alcohol at 01.00 hours with the venue to close at 01.30 hours.
- 6.4 The area known as Miniature Restaurant and the Mono Lounge is to open at 11.00 hours and the last sale of alcohol at 01.00 hours with the venue to close at 01.30 hours.
- 6.5 To licence is to include the provision of live music Friday and Saturday 18.00 hours until midnight.
- 6.6 To vary will increase the licensed provision of recorded music from 11.00 hours until 01.00 hours Monday to Saturday, Sunday 11.00 hours until 01.00 hours.
- 6.7 The opening hours of the premises from 11.00 hours until 01.30 hours every day
- 6.8 The Applicants had pre application discussions with Environmental Health before the application was submitted. Environmental Heath's advice is attached as Appendix 4.

## **7 Representations from Interested Parties**

- 7.1 One representation from a local resident was received. The Council did not reject any representations. This is attached as Appendix 7.

## **8 Representations from Responsible Authorities**

- 8.1 Environmental Health has made a representation to this application. This is attached as Appendix 5.
- 8.2 Surrey Police has made a representation to this application. This is attached as Appendix 6.
- 8.3 No other representations from Responsible Authorities were received.

## **9 Policy Considerations**

- 9.1 A copy of the Councils' Statement of Licensing Policy (December 2018) has been sent to the Applicant and Interested Parties together with the report. Members will need to have due regard to the representations submitted and the location of the premises with Epsom and Ewell Borough Council. Miniature is in the Red Zone



- 9.2 Since Minatures premises is in the red zone and the application is beyond midnight, there is policy presumption to refuse the application unless the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area and satisfies the criteria stated in the policy of Epsom and Ewells Statement of Licensing Policy.

## 10 Legal Implications

- 10.1 Decisions on licensing matters engage issues of human rights, in particular, Article 1 of the First Protocol, the peaceful enjoyment of possessions, Article 6, the right to a fair hearing, and Article 8, respect for private and family life. However, interference with Convention rights is permitted where lawful and necessary and in the interests of public safety, the prevention of disorder or crime, the protection of health and morals or for the protection of the rights and freedoms of others.
- 10.2 Due regard must also be had to the public sector equality duty enshrined in Section 149 of the Equality Act 2010, which aims to eliminate unlawful discrimination, having regard to the nine protected characteristics.

## 11 Statutory time-frame for holding a hearing

- 11.1 The last date for representations was 3 May 2021. Pursuant to The Licensing Act 2002 (Hearings) Regulations 2005 a hearing for purposes of section 35(3)(a) Licensing Act 2003 should have commenced 20 working days thereafter. This became impossible with significant constraints on the Council's resources due to the Covid-19 Pandemic and a delay was agreed by both parties.

## 12 Monitoring Officer's Comments

- 12.1 None arising from the contents of this report.

## 13 Policies, Plans & Partnerships

- 13.1 None relevant for the purposes of this report.

## 14 Background papers

- 14.1 The documents referred to in compiling this report are as follows:

**Previous reports:**

None

**Other papers:**

Code of Conduct and Practice in Licensing Procedures and Hearings

Statement of Licensing policy, dated 11 December 2018

Guidance issued under Section 182 of the Licensing Act 2003

Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005



\* required information

**Section 1 of 18**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If your business is registered, use its registered name.

VAT number   Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**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.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

38,000

**Section 3 of 18**

**VARIATION**

Do you want the proposed variation to have effect as soon as possible?

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

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 to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The Miniature Restaurant/Mono Lounge is currently owned and managed by DORSA LTD. It is a venue set in Epsom Town Centre. MORTEZA DERAYZADEH is the current premises licence holder and he is the applicant for this premise licence variation. The venue is currently split into two parts which are as follows:

The Miniature Restaurant that is located on the ground floor with the entrance on the high street. This currently operates from the hours of 11:00 - 23:30 every day with the last supply of alcohol at 23:00. There is a bar that serves alcohol on this floor and also a kitchen.

Mono Lounge is a shisha bar which is located at the back of the venue. The entrance to the Mono Lounge is also from the high street and has the same opening and closing times as the Miniature restaurant. The Mono Lounge is outdoors and has a detachable roof. All the sides are open to comply with the shisha guidelines. There is a bar situated in this area also (please see attached property plan).

The venue currently has various staff working here including bar staff, kitchen staff and SIA approved door supervisors.

The capacity of the venue (which relates to the whole premises) is broken down as follows:

- Indoor capacity (Miniature Restaurant and Mono Lounge) = 40 people
- Outdoor capacity = 50 people
- New basement bar = 35 people

**PROPOSAL**

The applicant would like the following to be considered for the purpose of extending their license conditions: It has been proposed to change the basement area of the venue into a late-night bar allowing customers the option of a meal and also to be able to have a drink, chill out and listen to some music. (Please see the attached floor plan).

Timing Change: The current licence allows the venue to serve alcohol up to 23:00 every day and the venue closes at 23:30 every day. The proposed change is as follows:

The bar (in the basement area of the venue) to open at 18:00 with the last sale of alcohol at 01:00 with the venue to close at

*Continued from previous page...*

01:30. We would also like to propose this change for the Miniature Restaurant and Mono Lounge as well. Therefore, the new opening/closing times of the premises will be 11:00 - 01:30. The new supply of alcohol times of the premises will be 11:00 - 01:00. Mono Lounge forms part of these variations.

Reason for the change:

As you are aware COVID 19 has affected us as a business significantly and as a family run business, we would like to use the above to increase our income and support out business.

**Section 4 of 18**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes  No

**Section 5 of 18**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes  No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

In-house stereo system (no DJ)

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve , New Years Eve, Valentines Day, Persian New Year (20th - 23rd March)

Live music up until 01:30 for these days.

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End



Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

In-house stereo system (no DJ)

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve, New Years Eve, Valentines Day, Persian New Year (20th -23rd March)

Recorded music up until 01:30 for these days.

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes       No

**Section 11 of 18**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes       No

Continued from previous page...

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve, New Years Eve, Valentines Day, Persian New Year (20th-23rd March).

Last sale of alcohol at 01:30 for these days.

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

No adult entertainment will be provided

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve, New Years Eve, Valentines Day, Persian New Years (20th - 23rd March).

The venue will close at 02:00 for these days.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 18**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

MORTEZA DERAYZADEH is the current premises licence holder and designated premises supervisor who will ensure that at all times the premise is open for licensable activities and that the licensing objectives are adhered to. The licensee will ensure that all staff will have training in there responsibilities and roles with particular attention in regards to the sale of alcohol, intoxication and underage drinking. Records of training will be kept and refreshers given.

b) The prevention of crime and disorder

- SIA approved door supervisors will be present every day the venue is open (11:00 -01:30). TUE- Thursday (1) one door supervisor. FRI and SAT (2) two door supervisors.
- CCTV will be installed at the venue for Local Authority Authorised Officers/Police Officers satisfaction. The cameras will be observing the entrance exit both inside and outside. The cameras will capture head and shoulder images of all customers coming inside the venue for identification purposes. Cameras also located all over the floor area ensuring adequate cover. Monitor to ensure footage is available to be reviewed at any time by the police this footage will be stored for 31 days.
- ID Scanner is already in use in the venue so this will let us know what customers are coming into the venue and if they have committed any previous offences in other venues this will prevent and deter any potential trouble. ID Scanner will be used for both Miniature Restaurant and Mono Lounge from 11:00 - 01:30 every day. For those using Mono Lounge, those who appear to be under 25 will be ID checked using ID Scanner. For those using the Miniature Restaurant, ID Scanner will be used at the discretion of the staff.
- Door supervisor will have their door badges displayed and wear Hi- Viz jackets to be easily recognised on CCTV.
- There will be a terms of entry policy in place (please see above)
- Door supervisors will all wear body worn video.
- Any incidents will be reported to the police.
- Search policy is in place.
- Intoxicated customers will be turned away from the venue if security of management deem them to be drunk.
- We will participate with any pub watch meetings.
- Random searches of customers prior to entry
- Searches will be carried out by same sex and two door staff present
- Anyone who refuses to be searched will be refused entry.
- Anyone found with any illegal prohibited items will be banned from the venue and refused entry and the police will be called.
- Customer will be detained if safe to do so.
- All searches will be recorded.
- Body worn video cameras to be in use while search is carried out.
- Signage will be displayed on the front of the venue, so customers are aware that this policy is in place.
- Security and management will regularly patrol the venue monitoring customers behaviours and looking for the signs of intoxication.
- Anyone who appears to be intoxicated will be escorted outside to get some air but will be told straight away the reasons why.
- Bottles of water will be given out free of charge.
- We operate a lone person policy so if someone attempts to leave while intoxicated, they will be held back until friend's

*Continued from previous page...*

family can be called.

- All walk outs will be logged.
- Taxis will be arranged for people who will struggle to get home.
- All door staff are first aid trained along with staff who will deal with incidents accordingly.
- Staff are trained on the signs of intoxication so will refuse service to anyone who appears to be intoxicated and security will be informed.
- Security will engage with customers leaving the venue making sure they know anyone they are leaving with
- Any customer who is deemed to be intoxicated by door staff or management will be refused entry
- Any customer who refuses to be searched when asked will be refused entry
- Any customer suspected of carrying any offensive weapon or drugs will also be refused entry.
- Any customer who has previously been involved in any criminal activity or anti-social behaviour will be refused entry.
- Any customer wearing tracksuits will be refused entry

c) Public safety

- Fire safety procedures in place including fire extinguisher, fire blankets, illuminated signs for fire exits. Smoke detectors in use along with emergency lighting. Fire evacuation point has been decided. All equipment tested annually.
- Adequate number of staff will be first aid trained. On busier nights I have gained a quote from a private ambulance company to have a FREC 3 medic on site.
- Health and safety risk assessments will be carried out.
- CCTV will be working at all times.
- Fire signs will be displayed.
- Air conditioning also installed.
- Venue will be set to a capacity. Manager and door staff will ensure this is not broken.
- Dynamic risk assessments being carried out throughout the night.
- The access to the side of the business contains a shared alley containing bins storage, parked mopeds from the adjacent take away premises and provides the sole access to the residential accommodation above. Risk assessments will be carried out by staff so that there are no health and safety implications.
- Mono Lounge (the Shisha element of the business) is an outdoors venue and has a detachable roof. All the sides are open to comply with the shisha guidelines. The Mono Lounge is not enclosed or substantially enclosed and adheres to the smoke free guidelines.
- Any fabric blinds which are temporarily covering the mesh fence will be removed when customers are using the Mono Lounge for smoking. The venue will not be substantially enclosed.
- We will fully comply with the COVID-19 regulations and we will ensure we are familiar with the relevant legal requirements and alter our business practices accordingly
- All staff will ensure drinking vessels are durable and safe to use

d) The prevention of public nuisance

- Customers will be asked to leave quietly.
- Signs will be displayed to remind people to consider our neighbours.
- Door staff will do a street clearance at the end of the night ensuring that people are moved on quietly
- Staff will deal with any litter outside the venue and will dispose of glass bottles quietly.
- Anyone causing a disturbance will be banned from future attendance.
- Any issues with individuals will be added on the ID scanner.
- Some drinks will be supplied in glass bottles. All staff will ensure these are collected after use and disposed of correctly.
- The venue is situated within the Public Space Protection Order area which does not permit open vessels of alcohol in this area. Staff will ensure that all bottles are disposed of and will make sure no open vessels of alcohol are left in this area
- There are flats opposite and above the venue. Door staff will ensure that customers who are queuing for entry are quiet and customers will be asked to leave quietly so that those who are occupying the flats are not disturbed. Internal noise will be controlled so it does not disturb those occupying the flats above the venue.
- Drinking vessels and bottles will not be taken outside the premises. All staff will dispose of drinking vessels and bottles after use.

*Continued from previous page...*

- All the deliveries and servicing will be carried out quietly and will not be carried out too early in the morning or late at night in order to minimise disturbance.
- All staff will ensure that storage, movement of waste and recycling materials is carried out quietly.
- To keep noise pollution to a minimum, all staff and door supervisors will encourage customers to leave the premises in a quiet and orderly manner and will ensure that no drinks are taken outside the venue.
- If a group of customers are found to be loitering near the venue, then they will be politely asked to move on as quickly as possible.
- All staff and door supervisors will ensure that customers do not cause any disturbance or nuisance to any local residents within the vicinity of the premises.
- All staff and door supervisors will adequately manage and control customers when arriving, during their stay and when leaving.
- All staff will ensure doors and windows are closed in order to control noise emissions.
- All staff will comply with all practice guides and industry codes relating to the advertising, packaging, labelling and drink promotions
- All staff will control the noise emissions of all fixed plant/machinery
- Dispersal shall take place through the front door(s) of the premises onto the high street.
- Allocation of staff in the last 30 minutes prior to closing will be reviewed, to ensure that the collecting of glasses and the clearing of other waste is prioritised; this provides a message to customers that the premises is in the process of closing and encourages them to finish their drinks and prepare for departure.
- A suitable member of staff or a door supervisor will be visible at each public entrance / exit to control the dispersal, to remind people to leave quietly and to prevent patrons from re-entering the premises.
- Staff will make an announcement at the end of the evening to encourage patrons to disperse gradually and to leave the area quietly.
- All staff will ensure the structure borne/air borne and flanking transmission of entertainment noise is controlled.
- We will ensure adequate signage is available at each exit asking people to leave quietly and not to congregate outside or in the local area. We will direct patrons attention to these signs as they leave.
- We will remove drinks and glass vessels from patrons as they leave to ensure no glass leave the premises.
- Door supervisors will be tasked with management of the queue to enter the premises. Where a queue forms, they will monitor to ensure the behaviour of those queuing is conducive with the entry policy. Any person who appears to be drunk or intoxicated will, where possible, be removed from the queue prior to them reaching the front.
- While monitoring the queue, the door supervisor should remove alcohol from anyone consuming alcohol while queuing or if they are unwilling to give up their alcohol remove them from the queue and advise them they will be refused entry as a result.
- Door supervisors will seek to control the noise from any person queuing outside the premises in order to reduce the potential for noise to disturb people living and working in the local community. This is achieved by politely reminding customers that anyone not complying with the request will be refused entry to the premises.
- Once the premises is closed, the door supervisors shall assist with the dispersal of customers from the area. The purpose of an effective dispersal is to ensure that patrons leave the area quickly, quietly and in an orderly manner.
- Door supervisors will encourage patrons to leave gradually via the appropriate exits at the end of the night and try and avoid large numbers of patrons all leaving at the same time.
- A 'soft closure' is in place at the premises. This is designed to close the premises more slowly and thus to encourage a more even dispersal rather than everyone being asked to leave at the same time. This in turn seeks to minimise the potential for noise and anti-social behaviour which can occur when larger numbers of people leave a venue at the same time.
- The music volume will be turned down 30 minutes prior to the premises closing and turned off 20 minutes before closure of the premises. This advises patrons that the premises is closing and also allows them to finish their drinks in a quieter environment; this in turn will reduce the noise patrons make when they leave.
- On the plan submitted there is a door shown leading to the Mono Lounge to be used as a shisha/bar area. This door is going to be used as access/egress but will be managed by door supervisors who will control capacity levels and will ensure noise is controlled.
- There are sufficient toilet facilities for staff and customers. These are situated in the Miniature Restaurant/Mono Lounge and basement bar (see plans). Staff will control these areas so there is no disturbance or excessive noise
- Customers who are using the new basement bar and Miniature Restaurant will be able to use the Shisha element of the business which has a smoking area outside and a detachable roof. This will be managed by door staff who will ensure that capacity is controlled so there is no disruption from customers who are smoking in this outside space.

*Continued from previous page...*

e) The protection of children from harm

- A strict challenge 25 policy will be in place where any guests who appear to be under the age of 25 will have to show proof of ID.
- Anyone suspected of being under 25 will have to be scanned on the ID Scanner. ID Scanner will be used for both Miniature Restaurant and Mono Lounge from 11:00 - 01:30 every day. For those using Mono Lounge, those who appear to be under 25 will be ID checked using ID Scanner. For those using the Miniature Restaurant, ID Scanner will be used at the discretion of the staff.
- Whilst the Mono Lounge and bar (basement) are open and operating there shall be no under 18s in these areas.
- Only accepted proofs of IDs will be accepted.
- When checking ID staff will look for the following: check that the 3D hologram is not stuck on. Check the photo to ensure it is the correct person. Check the date of birth, also checking the ID has not been tampered with. If there is any suspicion the ID scanned will be used otherwise, they would be refused entry
- If any customer cannot prove their age, they will not be let in.
- Clear signage will be displayed
- All persons refused will be recorded.
- All staff are trained within the challenge 25 Policy.
- Any customer who refuses to provide ID and does not meet the challenge 25 criteria will also be refused entry.
- Any person under the age of 18 will be refused entry to this bar whenever the venue is operating.
- Challenge 25 will be in operation at all times with clear signage displayed

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

**Continued from previous page...**

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 18 of 18**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	MINIATURE RESTAURANT
Street	11-13 UPPER HIGH ST
District	
City or town	EPSOM
County or administrative area	SURREY
Postcode	KT174QY
Country	United Kingdom

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	MORTEZA DERAZADEH
* Capacity	DIRECTOR
Date (dd/mm/yyyy)	6-4-21

Add another signatory

Once you're finished you need to do the following:  
1. Save this form to your computer by clicking file/save as...  
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/epsom-and-ewell/change-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.

**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.**

This page is intentionally left blank

# MINIATURE RESTAURANT & MONO LOUNGE

11-13

Upper High Street

Epsom

Surrey

KT17 4QY

## Operational Plan

Licensing Procedures & Policies

31<sup>st</sup> March 2021

## Contents

- 1) Introduction
- 2) Proposal
- 3) Terms of Entry
- 4) Young People
- 5) Searching
- 6) Dealing with Intoxication
- 7) Prevention of Crime
- 8) Public Safety
- 9) Prevention of Public Nuisance
- 10) Noise Control
- 11) Smoking Areas
- 12) Health & Safety
- 13) Smoke Free
- 14) Covid-19 Restrictions/Control
- 15) Further Information
- 16) Licencing Policy: Red Zone Criteria
- 17) Floor Plan(s)

## INTRODUCTION:

The Miniature Restaurant/Mono Lounge is currently owned and managed by **DORSA LTD**. It is a venue set in Epsom Town Centre. **MORTEZA DERAYZADEH** is the current premises licence holder and he is the applicant for this premise licence variation.

The venue is currently split into two parts which are as follows:

**The Miniature Restaurant** is located on the ground floor with the entrance on the high street. This currently operates from the hours of 11:00 - 23:30 every day with the last supply of alcohol at 23:00. There is a bar that serves alcohol on this floor and also a kitchen.

**Mono Lounge** is a shisha bar which is located at the back of the venue. The entrance to the Mono Lounge is also from the high street and has the same opening and closing times as the Miniature Restaurant. The Mono Lounge is outdoors and has a detachable roof. All the sides are open to comply with the shisha guidelines. There is a bar situated in this area also (please see attached property plan).

The venue currently has various staff working here including bar staff, kitchen staff and SIA approved door supervisors.

The capacity of the venue (which relates to the whole premises) is broken down as follows:

- Indoor capacity (Miniature Restaurant and Mono Lounge) = 40 people
- Outdoor capacity = 50 people
- New basement bar = 35 people

## PROPOSAL

The applicant would like the following to be considered for the purpose of extending their licence conditions:

It has been proposed to change the basement area of the venue into a late-night bar allowing customers the option of a meal and also to be able to have a drink, chill out and listen to some music. **(Please see the attached floor plan)**

### Timing Change:

The current licence allows the venue to serve alcohol up to 23:00 and the venue closes at 23:30.

**The proposed change is as follows:**

The bar (in the basement area of the venue) to open at 18:00 with the last sale of alcohol at 01:00 with the venue to close at 01:30. We would also like to propose this change for Miniature Restaurant and Mono Lounge. Therefore, the new opening/closing times of the premises will be 11:00 – 01:30. The new supply of alcohol times of the premises will be 11:00 – 01:00. Mono Lounge forms part of these variations.

**Reason for the change:**

As you are aware COVID 19 has affected us as a business significantly and as a family run business, we would like to use the above to increase our income and support out business.

Within this document, we will explain how the venue adheres to the four licencing objectives and how our plan meets the set criteria. Also, according to the Licensing Policy, our premises will fall within the licensing red zone. Please find below information setting out how our premises satisfies the criteria listed in the Licensing policy and how we will demonstrate that the premises will not add to the cumulative impact for the area.

**TERMS OF ENTRY (for basement bar)**

The aim of this policy is to ensure that we can prevent any problems arising before customers enter the venue this will help us keep our customers and staff safe.

This policy will be consistent and followed at all times.

- Any customer who is deemed to be intoxicated by door staff or management will be refused entry.
- Any customer who refuses to be searched when asked will be refused entry.
- Any customer who refuses to provide ID and does not meet the challenge 25 criteria will also be refused.
- Any customer suspected of carrying any offensive weapon or drugs will also be refused entry.
- Any customer who has previously been involved in any criminal activity or anti-social behaviour will be refused entry.
- Any person under the age of 18 will be refused entry to this bar whenever the venue is operating.
- Any customer who refuses to have their ID scanned on the ID scanner will be refused entry. ID Scanner will be used for both Miniature Restaurant and Mono Lounge from 11:00 - 01:30 every day. For those using Mono Lounge, those who appear to be under 25 will be ID checked using ID Scanner. For those using the Miniature Restaurant, ID Scanner will be used at the discretion of the staff.
- Any customer wearing tracksuits will be refused entry.
- Challenge 25 will be in operation at all times with clear signage displayed.



## YOUNG PEOPLE

This policy has been put in place for the following reasons:

- Prevent harm to children
- To prevent licence breaches
- To prevent underage entry to the premises.

The following conditions will be implemented by security and management:

- A strict challenge 25 policy will be in place where any guests who appear to be under the age of 25 will have to show proof of ID.
- Anyone suspected of being under 25 will have to be scanned on the ID Scanner. ID Scanner will be used for both Miniature Restaurant and Mono Lounge from 11:00 - 01:30 every day. For those using Mono Lounge, those who appear to be under 25 will be ID checked using ID Scanner. For those using the Miniature Restaurant, ID Scanner will be used at the discretion of the staff.
- Whilst the Mono Lounge and bar (basement) are open and operating there shall be no under 18s in these areas.
- Only accepted proofs of IDs will be accepted.
- When checking ID staff will look for the following: check that the 3D hologram is not stuck on. Check the photo to ensure it is the correct person. Check the date of birth, also checking the ID has not been tampered with. If there is any suspicion the ID scanned will be used otherwise, they would be refused entry
- If any customer cannot prove their age, they will not be let in.
- Clear signage will be displayed
- All persons refused will be recorded.
- All staff are trained within the challenge 25 Policy.

## SEARCHING

A search policy will be operating for the entire venue:

This will include the following:

- Random searches of customers prior to entry
- Searches will be carried out by same sex and two door staff present
- Anyone who refuses to be searched will be refused entry.
- Anyone found with any illegal prohibited items will be banned from the venue and refused entry and the police will be called.
- Customer will be detained if safe to do so.
- All searches will be recorded.
- Body worn video cameras to be in use while search is carried out.

- Signage will be displayed on the front of the venue, so customers are aware that this policy is in place.

This policy is aimed at preventing crime and disorder and also preventing any harm from drug use or assaults. All door staff are trained in regard to searching

## **DEALING WITH INTOXICATION**

- Security and management will regularly patrol the venue monitoring customers behaviours and looking for the signs of intoxication.
- Anyone who appears to be intoxicated will be escorted outside to get some air but will be told straight away the reasons why.
- Bottles of water will be given out free of charge.
- We operate a lone person policy so if someone attempts to leave while intoxicated, they will be held back until friend's family can be called.
- All walk outs will be logged.
- Taxis will be arranged for people who will struggle to get home.
- All door staff are first aid trained along with staff who will deal with incidents accordingly.
- Staff are trained on the signs of intoxication so will refuse service to anyone who appears to be intoxicated and security will be informed.
- Security will engage with customers leaving the venue making sure they know anyone they are leaving with.

## **CRIME PREVENTION**

- SIA approved door supervisors will be present every day the venue is open (11:00 - 01:30). TUE- Thursday (1) one door supervisor. FRI and SAT (2) two door supervisors.
- CCTV will be installed at the venue for Local Authority Authorised Officers/Police Officers satisfaction. The cameras will be observing the entrance exit both inside and outside. The cameras will capture head and shoulder images of all customers coming inside the venue for identification purposes. Cameras also located all over the floor area ensuring adequate cover. Monitor to ensure footage is available to be reviewed at any time by the police this footage will be stored for 31 days.
- ID Scanner is already in use in the venue so this will let us know what customers are coming into the venue and if they have committed any previous offences in other venues this will prevent and deter any potential trouble. ID Scanner will be used for both Miniature Restaurant and Mono Lounge from 11:00 - 01:30 every day. For those using Mono Lounge, those who appear to be under 25 will be ID checked using ID Scanner. For those using the Miniature Restaurant, ID Scanner will be used at the discretion of the staff.

- Door supervisor will have their door badges displayed and wear Hi- Viz jackets to be easily recognised on CCTV.
- There will be a terms of entry policy in place (please see above)
- Door supervisors will all wear body worn video.
- Any incidents will be reported to the police.
- Search policy is in place.
- Intoxicated customers will be turned away from the venue if security of management deem them to be drunk.
- We will participate with any pub watch meetings.

### **PUBLIC SAFETY**

- Fire safety procedures in place including fire extinguisher, fire blankets, illuminated signs for fire exits. Smoke detectors in use along with emergency lighting. Fire evacuation point has been decided. All equipment tested annually.
- Adequate number of staff will be first aid trained. On busier nights I have gained a quote from a private ambulance company to have a FREC 3 medic on site.
- Health and safety risk assessments will be carried out.
- CCTV will be working at all times.
- Fire signs will be displayed.
- Air conditioning also installed.
- Venue will be set to a capacity. Manager and door staff will ensure this is not broken.
- Dynamic risk assessments being carried out throughout the night.

### **PREVENTION OF PUBLIC NUISANCE**

- Customers will be asked to leave quietly.
- Signs will be displayed to remind people to consider our neighbours.
- Door staff will do a street clearance at the end of the night ensuring that people are moved on quietly
- Staff will deal with any litter outside the venue and will dispose of glass bottles quietly.
- Anyone causing a disturbance will be banned from future attendance.
- Any issues with individuals will be added on the ID scanner.
- The venue is situated within the Public Space Protection Order area which does not permit open vessels of alcohol in this area. Staff will ensure that all bottles are disposed of and will make sure no open vessels of alcohol are left in this area.

### **NOISE CONTROL**

- There are flats opposite and above the venue. Door staff will ensure that customers who are queuing for entry are quiet and customers will be asked to leave quietly so

that those who are occupying the flats are not disturbed. Internal noise will be controlled so it does not disturb those occupying the flats above the venue.

- To keep noise pollution to a minimum, all staff and door supervisors will encourage customers to leave the premises in a quiet and orderly manner and will ensure that no drinks are taken outside the venue.
- If a group of customers are found to be loitering near the venue, then they will be politely asked to move on as quickly as possible.
- All staff and door supervisors will ensure that customers do not cause any disturbance or nuisance to any local residents within the vicinity of the premises.
- All staff and door supervisors will adequately manage and control customers when arriving, during their stay and when leaving.
- Dispersal shall take place through the front door(s) of the premises onto the high street.
- Allocation of staff in the last 30 minutes prior to closing will be reviewed, to ensure that the collecting of glasses and the clearing of other waste is prioritised; this provides a message to customers that the premises is in the process of closing and encourages them to finish their drinks and prepare for departure.
- A suitable member of staff or a door supervisor will be visible at each public entrance / exit to control the dispersal, to remind people to leave quietly and to prevent patrons from re-entering the premises.
- Staff will make an announcement at the end of the evening to encourage patrons to disperse gradually and to leave the area quietly.
- We will ensure adequate signage is available at each exit asking people to leave quietly and not to congregate outside or in the local area. We will direct patrons' attention to these signs as they leave.
- We will remove drinks and glass vessels from patrons as they leave to ensure no glass leaves the premises.
- Door supervisors will be tasked with management of the queue to enter the premises. Where a queue forms, they will monitor to ensure the behaviour of those queuing is conducive with the entry policy. Any person who appears to be drunk or intoxicated will, where possible, be removed from the queue prior to them reaching the front.
- While monitoring the queue, the door supervisor should remove alcohol from anyone consuming alcohol while queuing or if they are unwilling to give up their alcohol remove them from the queue and advise them they will be refused entry as a result.
- Door supervisors will seek to control the noise from any person queuing outside the premises in order to reduce the potential for noise to disturb people living and working in the local community. This is achieved by politely reminding customers that anyone not complying with the request will be refused entry to the premises.
- Once the premises is closed, the door supervisors shall assist with the dispersal of customers from the area. The purpose of an effective dispersal is to ensure that patrons leave the area quickly, quietly and in an orderly manner.
- Door supervisors will encourage patrons to leave gradually via the appropriate exits at the end of the night and try to avoid large numbers of patrons all leaving at the same time.
- A 'soft closure' is in place at the premises. This is designed to close the premises more slowly and thus to encourage a more even dispersal rather than everyone being asked

to leave at the same time. This in turn seeks to minimise the potential for noise and anti-social behaviour which can occur when larger numbers of people leave a venue at the same time.

- The music volume will be turned down 30 minutes prior to the premises closing and turned off 20 minutes before closure of the premises. This advises patrons that the premises is closing and also allows them to finish their drinks in a quieter environment; this in turn will reduce the noise patrons make when they leave.
- On the plan submitted there is a door shown leading to the Mono Lounge to be used as a shisha/bar area. This door is going to be used as access/egress but will be managed by door supervisors who will control capacity levels and will ensure noise is controlled.
- There are sufficient toilet facilities for staff and customers. These are situated in the Miniature Restaurant/Mono Lounge and basement bar (see plans). Staff will control these areas so there is no disturbance or excessive noise.

### **SMOKING AREAS**

- Customers who are using the new basement bar and Miniature Restaurant will be able to use the Shisha element of the business which has a smoking area outside and a detachable roof. This will be managed by door staff who will ensure that capacity is controlled so there is no disruption from customers who are smoking in this outside space.

### **HEALTH & SAFETY**

- The access to the side of the business contains a shared alley containing bins storage, parked mopeds from the adjacent take away premises and provides the sole access to the residential accommodation above. Risk assessments will be carried out by staff so that there are no health and safety implications.

### **SMOKE FREE**

- Mono Lounge (the Shisha element of the business) is an outdoors venue and has a detachable roof. All the sides are open to comply with the shisha guidelines. The Mono Lounge is not enclosed or substantially enclosed and adheres to the smoke free guidelines.
- Any fabric blinds which are temporarily covering the mesh fence will be removed when customers are using the Mono Lounge for smoking. The venue will not be substantially enclosed.

### **COVID RESTRICTIONS/CONTROLS**

- We will fully comply with the COVID-19 regulations and we will ensure we are familiar with the relevant legal requirements and alter our business practices accordingly.

### **FURTHER INFORMATION**

- The venue will be showing live football on the TV (i.e. Euros 2021)

**LICENSING POLICY: RED ZONE CRITERIA**

No.	RED ZONE CRITERIA	DETAILS
1	Location of entry and departure points	Please see 'Prevention of Public Nuisance' section and attached floor plans)
2	Door control	Please see the following sections of this document:  <ul style="list-style-type: none"> <li>- Terms of Entry</li> <li>- Public Safety</li> <li>- Crime Prevention</li> <li>- Young People</li> <li>- Dealing with Intoxication</li> <li>- Searching</li> <li>- Noise Control</li> </ul>
3	Control and prevention of queuing	Venue will be set to a capacity. Manager and door staff will ensure this is not broken and will control and prevent excessive queuing (see Prevention of Public Nuisance section and Noise Control).
4	Put in place robust systems to monitor and control the access of young people	Please see 'Young People' section of this document.
5	Ensure door supervisors are trained and empowered to deal with underage drinking	Please see the following sections of this document:  <ul style="list-style-type: none"> <li>- Terms of Entry</li> <li>- Young People</li> <li>- Crime Prevention</li> </ul>
6	The premises age policy to include "Challenge 25"	A strict challenge 25 policy will be in place where any guests who appear to be under the age of 25 will have to show proof of ID (see 'Young People' section of this document).  ID Scanner will be used for both Miniature Restaurant and Mono Lounge from 11:00 - 01:30 every day.

		For those using Mono Lounge, those who appear to be under 25 will be ID checked using ID Scanner. For those using the Miniature Restaurant, ID Scanner will be used at the discretion of the staff.
<b>7</b>	The age policy on checking age to be displayed	Challenge 25 will be in operation at all times with clear signage displayed. (see 'Young People' and 'Terms of Entry' sections)
<b>8</b>	Consider whether the design and layout of the premises are likely to lead to local overcrowding	Venue will be set to a capacity. Manager and door staff will ensure this is not broken and will prevent local overcrowding
<b>9</b>	Put in place measures to discourage excessive drinking and drunkenness	Anyone causing a disturbance will be banned from future attendance. CCTV will be working at all times. Intoxicated customers will be turned away from the venue if security of management deem them to be to be drunk (see 'Dealing with Intoxication' section)
<b>10</b>	Put in place measures to promote 'sensible drinking' including measures to encourage the purchase of soft drinks including the pricing of soft drinks to below that of alcoholic drinks	Bottles of water will be given out free of charge (see 'Dealing with Intoxication' section)
<b>11</b>	Regard paid to good practice guides and industry codes; e.g. on advertising, packaging, labelling and drink promotions	All staff will comply with all practice guides and industry codes relating to the advertising, packaging, labelling and drink promotions
<b>12</b>	Consider whether drinking vessels are made of toughened glass or plastic and are designed to not have a sharp edge when broken.	All staff will ensure drinking vessels are durable and safe to use.
<b>13</b>	Consider whether drinks are to be supplied in glass bottles	Some drinks will be supplied in glass bottles. All staff will ensure these are collected after use and disposed of correctly.

<b>14</b>	Consider whether the taking of drinking vessels or bottles outside the premises is proposed to be permitted	Drinking vessels and bottle will not be taken outside the premises. All staff will dispose of drinking vessels and bottles after use.
<b>15</b>	Consider whether licensed door supervisors are to be deployed and their responsibilities for the prevention of disorder in the vicinity of the premises	<p>Please see the following sections of this document:</p> <ul style="list-style-type: none"> <li>- Terms of Entry</li> <li>- Young People</li> <li>- Prevention of Public Nuisance</li> <li>- Public Safety</li> <li>- Crime Prevention</li> <li>- Searching</li> </ul>
<b>16</b>	Consider whether suitable use of CCTV is proposed inside and outside the premises to provide recordings of a quality to be of use in prosecutions. A fully operating and recording digital CCTV system shall be installed at the premises. At least one internal camera should achieve clear evidential images of all persons entering and exiting the premises. Access to images must be available to Police and any other responsible authority on request within 24 hours. CCTV recording shall be kept for a minimum of 28 days	Please see the 'Crime Prevention' section of this document.
<b>17</b>	Put in place adequate measures to prevent the use and supply of illegal drugs	Any customer suspected of carrying any offensive weapon or drugs will be refused entry (see 'Crime Prevention' and 'Searching' sections of this document)
<b>18</b>	Put in place adequate search procedures to prevent the bringing of illegal drugs or weapons onto the premises	Please see the 'Terms of Entry' and 'Searching' sections of this document.
<b>19</b>	Information displayed for staff and patrons and the training of staff on drug awareness including the spiking of drinks with drugs.	Please see the 'Dealing with Intoxication' and 'Public Safety' sections of this document.



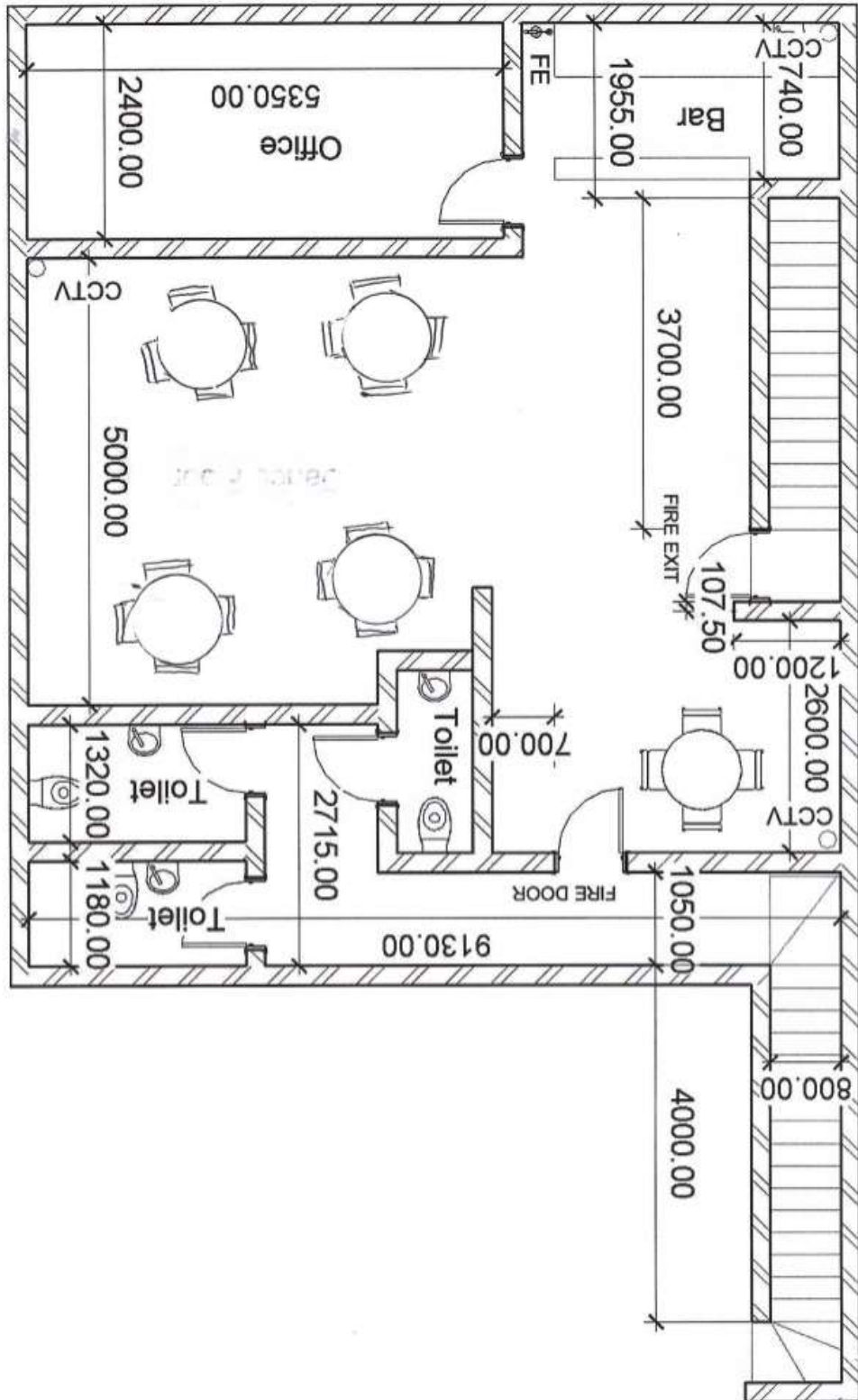
<b>20</b>	Procedures agreed with the police, for searches, the surrender and seizure of drugs and weapons	Please see 'Crime Prevention' section of this document
<b>21</b>	Participation in the local pub watch scheme	We will participate with any pub watch meetings
<b>22</b>	Control of amplified and un-amplified music and voices	All staff will ensure that any amplified or un-amplified music will be controlled so it does not cause a disturbance to the neighbours general public. Customers will be asked to leave quietly.
<b>23</b>	Steps to be taken to achieve good behaviour within and outside the premises	Please see 'Prevention of Public Nuisance' section of this document.
<b>24</b>	Communication with customers (signs, announcements and other means)	Please see the following sections of this document:  <ul style="list-style-type: none"> <li>- Prevention of Public Nuisance</li> <li>- Public Safety</li> <li>- Searching</li> </ul>
<b>25</b>	Management of the use of outdoor areas, (including smoking areas).	Please see the following sections of this document:  <ul style="list-style-type: none"> <li>- Terms of Entry</li> <li>- Public Safety</li> <li>- Crime Prevention</li> <li>- Prevention of Public Nuisance</li> </ul>
<b>26</b>	Steps taken to ensure customers leave quietly.	Customers will be asked to leave quietly. Signs will be displayed to remind people to consider our neighbours. Door Staff will do a street clearance at the end of the night ensuring that people are moved on quietly.
<b>27</b>	Arrangements for dedicated taxi or licensed private hire vehicles to collect patrons in a manner so as to minimise any disturbance	Taxis will be arranged for people who will struggle to get home. All staff will ensure that patrons are collected in a

		manner so as to minimise any disturbance.
<b>28</b>	Limits set on hours for servicing and deliveries	All the deliveries and servicing will be carried out quietly and will not be carried out too early in the morning or late at night in order to minimise disturbance.
<b>29</b>	Guidance to drivers to limit noise during deliveries	All the deliveries and servicing will be carried out quietly and will not be carried out too early in the morning or late at night in order to minimise disturbance.
<b>30</b>	Providing quiet means for storage and movement of waste and recycling materials	All staff will ensure that storage, movement of waste and recycling materials is carried out quietly.
<b>31</b>	Provisions to control noise emissions from doors and windows	All staff will ensure doors and windows are closed in order to control noise emissions.
<b>32</b>	Provision for control and monitoring of entertainment noise audible external to the premises	All staff will ensure that any amplified or un-amplified music will be controlled so it does not cause a disturbance to the neighbours general public.
<b>33</b>	Provisions for management and control of noise and disorder from persons either in the premises or immediately external to the premises such as in a smoking area	Signs will be displayed to remind people to consider our neighbours. Anyone causing a disturbance will be banned from future attendance
<b>34</b>	Considerations on control of noise from fixed plant such as air conditioning and refrigeration hardware	All staff will control the noise emissions of all fixed plant/machinery
<b>35</b>	Policy on emptying of rubbish including glass so as to limit the impact of associated noise	Please see 'Prevention of Public Nuisance' section of this document.
<b>36</b>	Policy on dispersal and procedures to ensure customers and staff leave quietly	Please see 'Prevention of Public Nuisance' section of this document.
<b>37</b>	Consideration of avoidance of nuisance through artificial lighting and littering	Please see 'Prevention of Public Nuisance' section of this document.

<b>38</b>	Consideration of structure borne/air borne and flanking transmission of entertainment noise	All staff will ensure the structure borne/air borne and flanking transmission of entertainment noise is controlled.
<b>39</b>	Where the premises form part of the same building structure, and/or where the designated outdoor area is coterminous with the footprint of the residential areas the steps taken to minimise nuisance to residents by way of noise, smoke and odours entering windows and doors of the residential unit(s)	Please see 'Prevention of Public Nuisance' section of this document.

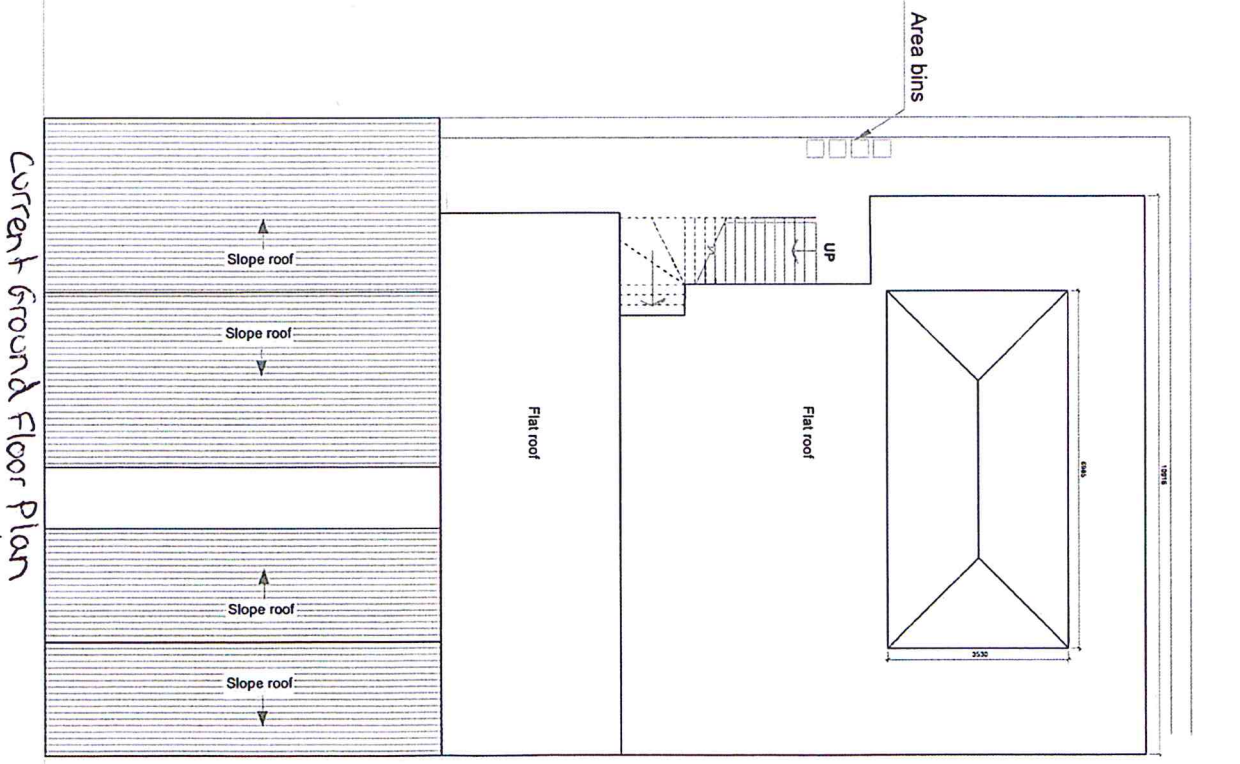
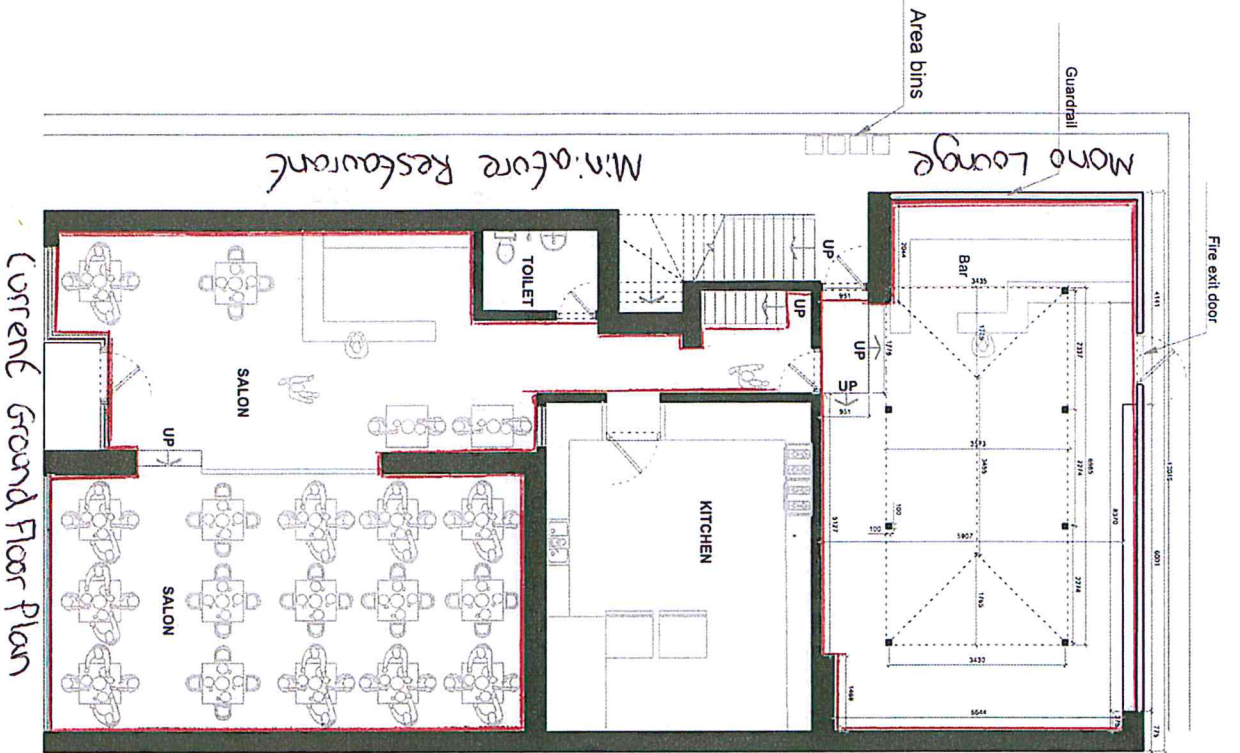
1/1

https://mail.sooile.com/mail/u/0/#inbox/F-MfrcxwLsmidMkbtGfCzDpLZRsobhx?protector=1&messageFwid=0.1



Mont salon 2.jpg

07/03/2021



Proposed Ground Floor Plan

Current Ground Floor Plan

SCALE 1:100

SCALE 1:100



General Notes:  
All dimensions are in millimeters unless noted otherwise.  
All dimensions to be worked on site.  
Do not scale from the drawings.



ARCHITECTURAL DESIGN  
AND PLANNING SERVICES  
EMAIL: INFO@UNIQUEDESIGN.LI.ME.UK  
MITRA NIA : 07475723966

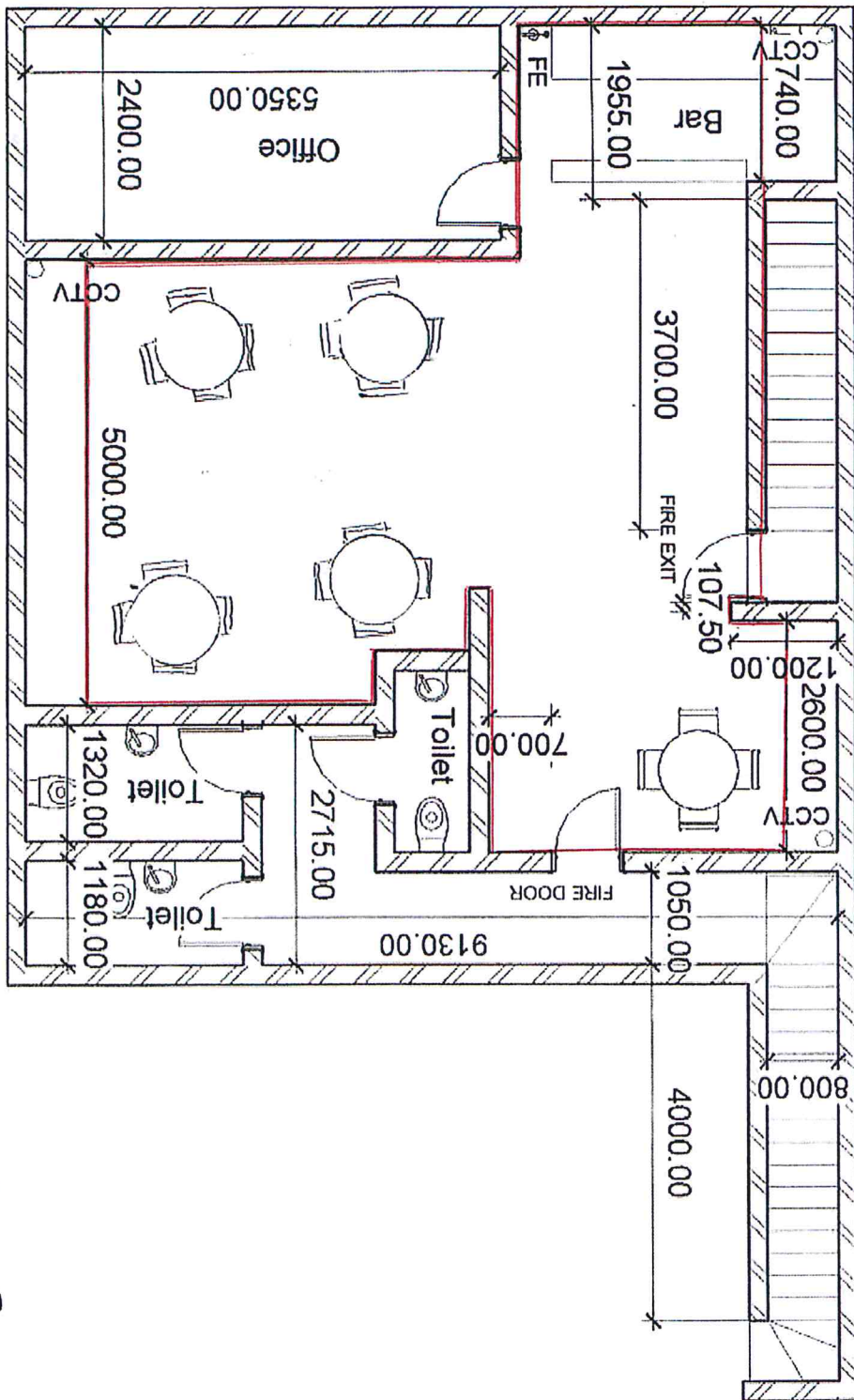
Client	Miniature Restaurant
Project Title	Rear Extension
@11-13 upper high street Epsom KT17 4QY	

Drawing Title	Proposed Drawings
Scale	1:100

Drawing No.  
006

https://mail.google.com/mail/u/0/?ui=2&aspx=1&message=1&messagePartId=0.1

1/1



New Basement  
Bar

Most saloon 2.jpg

07/03/2021

Rod Brown  
Head of Housing & Community

Jonathan Holgate  
Cheyney Goulding LLP  
By Email

Town Hall  
The Parade  
Epsom  
Surrey  
KT18 5BY

Main Number (01372)  
732000

Text 07950 080202

[www.epsom-ewell.gov.uk](http://www.epsom-ewell.gov.uk)

DX 30713 Epsom

Date 30 March 2021

Contact O Nelson  
Direct line 01372 732406  
Email [onelson@epsom-ewell.gov.uk](mailto:onelson@epsom-ewell.gov.uk)

### **Miniature/Mono Lounge**

**11 - 13 Upper High Street Epsom Surrey KT17 4QY**

**Pre-application observations of proposed variation to licence held under the Licensing Act 2003 from the Environmental Health responsible authority**

This report is being provided by the Environmental Health responsible authority in response to documentation provided by Jonathon Holgate from Cheyney Goulding LLP via email on 23 March 2021.

This report only relates to matters Environmental Health are responsible for, and not matters relevant to the Police or other Licensing Act responsible authorities. The information provided is for the benefit of the applicant prior to submitting any licence application and is outside of the normal statutory consultation period defined in the Licensing Act 2003. The service reserves the right to raise representations on matters which may not have previously been considered in this report but which are material at the time of any future application.

The information provided is considered relevant to the Licensing objectives of Public Nuisance and some Public Safety matters. There are other matters outlined in this response, which this Local Authority are responsible for enforcing, namely Health and Safety, Smokefree legislation and COVID legislation. Whilst these may not directly relevant to the proposed application they are areas, that require consideration should any future application be granted.

### **General Commentary**

The nature of the area is mixed town centre commercial with residential occupation. In particular there are flats opposite and above the venue. The application should specifically make reference to this and to proposed mitigation to prevent public nuisance affecting these groups of people. In addition to this the business is with the town centre Public Space Protection Order area which does not permit open

vessels of alcohol in this area. Care must be taken to avoid customers of the venue offending this law.

The supplied documentation lacks sufficient detail and has not been completed to a standard that gives confidence the applicant has thoroughly considered the possible issues and how they are going to be managed or controlled.

### **General points which will require clarification in any future application**

- The applicant on the variation paperwork is Morteza Derayzadeh but there is reference to Dorsa Limited. The Director of this company is Afsaneh Moridian. Will the Limited Company/the Director of this company be the licence holder? Clarification of who is going to be managing/operating Mono Lounge will be required, as previously this has been different to the premises licence holder/limited company.
- What is the capacity of the premises going to be? There is reference to “capacity” but is not actually provided in any of the document. If capacity is defined it should be based on established methodology and take into account the premises fire risk assessment.
- Although appearing on the operational plan, the plans of the premises submitted do not detail the proposed basement area of the business.
- The application refers to the live music and an “unamplified DJ”. In most instances a DJ is providing amplified music so it should be made clear in the application how the applicant will operate with an “unamplified DJ”.
- The effect of the application when taken with The Legislative Reform (Entertainment Licensing) Order 2014 and Deregulation Act 2015 will be that there can be no recorded music after 23:00. Yet the proposed premises closing time is 01:30. This is likely to be an error which the applicant is advised to correct prior to any future application.
- An indication as to where any smoking area is to be provided for people using in the basement/restaurant area. This is relevant to the consideration of disruption from customers smoking in an outside space.

### **Noise control**

- The Operational plan requires further work as it does not provide enough detail to demonstrate the effective controls that will be implemented to control noise. It also does not cover all aspects of the activity, for example queuing outside the premises or dispersal of customers from the business. The business may find it beneficial to have a specific dispersal policy and examples of these can be found online.
- On the plan submitted there is a door shown leading to the Mono Lounge to be used as a shisha/bar area. The applicant is advised to consider whether this door is going to be used as access/egress or just in the event of an emergency, as this could have implications on noise control.

### **Health and Safety**

- There is reference in the Operation Plan to risk assessments. This department may request copies of these documents to ensure they are suitable and sufficient and that the necessary controls have been identified,



and are being implemented. Noise exposure to staff is a specific area of interest and the applicant should familiarise themselves with the legal provisions on limiting the exposure to excessive occupational noise.

- Depending on the maximum number of customers permitted in the business this may have an implication on provisions of toilet facilities for staff and customers. Once the capacity figure has been provided, and the number of toilet facilities has been outlined on an accurate plan, this can be considered further. The applicant is advised to consult BS6465 in this regard.
- The access to the side of the business of the business is problematic as it is a shared alley containing bins storage, parked mopeds from the adjacent take away premises and provides the sole access to the residential accommodation above. Depending on the extent of the use of this area there could be some Health and Safety implications which require management.

### **Smoke Free**

- It is understood the Shisha element of the business will, as at present be located in the recent single storey rear addition. The applicant is reminded of the criteria for the calculation of what is classed as “substantially enclosed” as this is relevant to avoid both the business and their customers committing offences. It is likely formal calculations will be requested to demonstrate that this area is not substantially enclosed. Additionally the applicant is advised to make contact with the Council’s planning team to ensure the necessary permissions have been granted.
- It has been noted that this area of the business has fabric blinds which can temporary cover the mesh fence. The applicant is reminded that whilst these are in place, the location is likely to be substantially enclosed and any smoking taking place here will be unlawful.

### **COVID restrictions/controls**

There are currently restrictions in place, outlined in legislation, regarding the provision of shisha and in addition to this there are controls that should be in place within businesses to control the spread of COVID 19 for example table spacing. The regulations are frequently changing so the business must ensure they are familiar with the relevant legal requirements and alter their business practices accordingly.

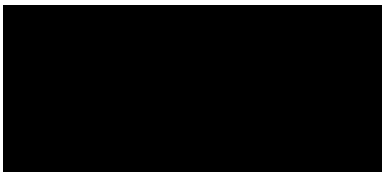
### **Outstanding Areas of concern**

The following questions arise from this departments experience and which don’t appear to have been adequately addressed in the draft application.

- How is noise, whether this is people noise or music noise, from the Mono Lounge/shisha area going to be managed, especially into the early hours of the morning?
- How noise is going to be managed when customers are outside, queuing outside or leaving the premises later into the evenings?
- The Operation Plan is not comprehensive or detailed enough to outline how noise is going to be controlled.

Should the application go forward in its present state it would likely trigger a representation from the Environmental Health responsible authority. It is therefore welcome that the applicant seeks to have pre-application advice. We would recommend that the applicant addresses the points above and takes the time to consider, and even suggest what conditions of licence they may be able to work with so as to promote the relevant licensing objectives.

Yours sincerely,



Oliver Nelson  
Environmental Health Manager

**Licence application representations - Epsom & Ewell Borough Council –  
Environmental Health**

**Miniature, 11-13 Upper High Street, Epsom, KT17 4QY**

Epsom and Ewell Borough Council - Environment Health team are a responsible Authority under the Licensing Act 2003. Representations are being made in based on the Licensing objective of prevention of public nuisance.

Overview

The premises is currently operating as a restaurant with an area at the back which also has a bar. The rear area of the premises, which is being referred to as Mono Lounge, is a structure where shisha are provided to customers. For shisha to be permitted in this area the structure cannot be considered substantially enclosed. The structure has wire mesh to act as walls and has two retractable awnings in the middle of a pitched roof. It is acoustically transparent by design so any customers and entertainment sources in this area needs to be given extra consideration. It cannot realistically be expected that the Mono Lounge can be treated the same as the basement or restaurant area of the business for these reasons.

An unannounced visit to the premises was undertaken on the evening of the 16<sup>th</sup> April 2021. The purpose of the visit to assess compliance with Coronavirus legislation. Also in attendance was a Surrey Police Licensing Officer and Police Officer. During the visit it was noted by the Council representatives that the music and customers were audible from the front of the premises, therefore they would have been audible in the flats above the premises. In addition to this the department has received a noise complaint from a local resident. There is still an ongoing investigation into this complaint.

There have been a number of recent interventions with the business based on complaints and intelligence received. During these interventions the confidence in the management of the business has not been high. For this reason this department has concerns about the business extending their trading hours, as well as their ability to control noise from the premises.

The information provided in the application, in the section which outlines the steps the business intends to take to address the licensing objectives, does not clearly outline the controls that will be implemented. Prior to the application being submitted the operator's legal advisor contacted this department. Correspondence was sent to the legal advisor regarding the proposals, including comments about the businesses plans.

Given the close proximity of residents to the premises, the fact that noise from customers and entertainment noise needs to be controlled and that the confidence in the management is not high the following conditions are requested to be attached to the licence.

Proposed conditions to be attached the to the licence

- The outdoor area must be closed by 22:30 hours. After this time a dedicated smoking area, to be used only by individuals smoking, shall be provided. The number of people shall be restricted to a maximum of 5 people at any one time and they are not

permitted to be take alcohol out with them. Staff from the premises must monitor this area and ensure it is also for the sole use of patrons from the premises.

- No live, recorded or amplified music shall be permitted in the outdoor area of the premises.
- When the premises is operating after 21:00 hours, half hourly patrols of the perimeter of the premises shall be carried out by staff making observations of noise and disturbance and documented and kept in a written log together with any resultative action taken. Documents shall be made available for inspection by an authorised officer of any responsible authority.
- Refuse, such as bottles will be placed into receptacles outside the premise at times that will minimise the disturbance to nearby properties.
- During the last 20 minutes of trading the music volume must be reduced and the lighting levels shall be raised to encourage dispersal. The premises must have a documented dispersal policy and ensure the policy is adhered to.

### Summary

This department is of the opinion that the use of outdoor area of the business and the activities within this area should be restricted or controlled. It is for this reason the conditions outlined above are attached to the premises licence. If noise from the premises is not controlled it is likely to give rise to complaints from local residents.



Eastern Licensing Unit,  
P O Box 101,  
Guildford,  
Surrey,  
GU1 9PE,

**Licensing Act 2003  
Representation in respect of a  
Premises Licence Application or Variation or a  
Club Premises Certificate Application or Variation.  
And Temporary Event Notice.**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance note at the end of the form. If you are completing this form by hand please print. Please ensure your answers are inside the boxes and written in black ink. You may use additional sheets if necessary. You may wish to keep a copy of the completed form for use by you at any hearing held by the Council or the Magistrates Court as a result of this representation.

**I, the undersigned, hereby make representations against the following application.**

**Details of premises or club premises whose application you wish to make representations against.**

<b>Name of Premises or Club</b> Miniatures (Mono Lounge)	
<b>Address of Premises or Club</b> 11 – 13 Upper High Street	
<b>Post town:</b> Epsom	<b>Post code (if known):</b> KT17 4QY

**Type of application**

	Please tick ✓
<b>Premises Licence application</b>	
<b>Variation to a Premises Licence</b>	✓
<b>Club Premises Certificate application</b>	
<b>Variation of a Club Premises Certificate</b>	
<b>Temporary Event Notice</b>	

**Representor's Details**

I am

Please tick one only ✓

1) A person who is not a responsible authority (please complete section (A) below)	<input type="checkbox"/>
2) A responsible authority (please complete section (B) below)	<input checked="" type="checkbox"/>

If you do not fall into one of the above categories you may not be entitled to make representations.

**Section A - DETAILS OF INDIVIDUAL REPRESENTOR** (fill in as applicable)

Surname or Family Name
Forenames
Address of where you live (you can give an alternative address for correspondence later in this form)
Daytime Telephone
E-mail address (optional)

**Section B - DETAILS OF RESPONSIBLE AUTHORITY**

Name of contact person completing this form: Licensing Enforcement Officer ██████████ – Authorised by Delegated Authority T/Inspector Jon Vale, Epsom and Ewell Borough Commander
Name of Authority: Surrey Police
Address of Authority: PO Box 101, Guildford, Surrey, GU1 9PE
Telephone number of contact person ██████████ ██████████
E-mail address of contact person (optional) ██████████@surrey.pnn.police.uk / <a href="mailto:licensingeastern@surrey.pnn.police.uk">licensingeastern@surrey.pnn.police.uk</a>

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please use additional blank sheets if necessary.

Surrey Police as a responsible authority under the Licensing Act 2003 are making representations against the application submitted for a full variation to premises licence EEBC/14/00250/LAPRE. 11 – 13 Upper High Street, Epsom, Surrey, KT17 4QY Miniatures also trading as Mono Lounge. Premises Licence Holder Mr Morteza Derayzadeh.

Surrey Police representations are based on:

- Prevention of Crime and Disorder
- Public Safety

On Friday 16<sup>th</sup> April 2021 at approximately 22:30 myself, PC Humphrys 41538 and members of the Epsom and Ewell Borough Council Environmental Team arrived at the premises, Miniatures, as part of a planned evening of joint Police and EEBC Covid and licensing compliancy. The visits were planned for the evening but licence holders were not aware that we would be attending.

Following on from previous covid complaints received regarding the premises in December 2020, Miniatures was a high priority premises to visit during the evening.

The application to fully vary the premises licence was received to Surrey Police on 7<sup>th</sup> April 2021. Prior to the submission of the application Surrey Police Licensing had already spoken with Mr Adam Irving and Mr Jonathan Holgate regarding the application but only spoke about concerns Surrey Police may have, at no point was advice given around what Police would require as conditions.

During the visit on Friday 16<sup>th</sup> April 2021 the premises had to attend to three intoxicated persons associated with the premises. One male had already been ejected from the premises for his intoxication leaves prior to our arrival. However, the male was still in the vicinity of the premises and returned causing problems for the door staff. Door staff had no control over the situation and were provoking the situation more by not using better communication skills. PC Humphrys had to step in a remove the male away from the situation providing him with train information. Something that door staff could have easily provided rather than antagonising the situation by raising their voices, swearing and not giving clear instructions to the intoxicated male.

Whilst door staff attempted to handle the first intoxicated male and second male was ejected from the premises. Although door staff said he was being ejected due to his "mouthy" behaviour both I and PC Humphrys believed that his "mouthy" behaviour was down to the level of intoxication. Although intoxicated and becoming increasingly difficult to speak too he did leave eventually.

The third person ejected from the premises whilst we were present was a male who door staff ejected for having thrown up on himself. The male was put out on to the street with no regard for his safety or health. Vomit had not been cleaned off the male either. There was no care for a customer that the premises had served so much alcohol too that he was physically unwell.

Continued on separate sheet.....

Please state the ground(s) for the representation and how it relates to one of the licensing objectives.

Continuation sheet page 1 of .....

Other observations that were noted whilst in attendance with EEBC EH team was the loud music being played. The music could be heard from the traffic lights at the end of Upper High Street connecting on to High Street/Church Street/East Street. By the time we reached the premises door loud singing from patrons inside the rear area could be heard word for word. For a small venue this was what I believe to be unacceptable levels of sound for such a residential area.

Based on the short time we were present; many concerns about how the premises was run, the behaviour of the door staff and the high noise levels have given Surrey Police concern that should a licence of a later time be granted that there will be problems further on in time. At this time, Surrey Police cannot support a 01:00 licensable activity time with a 01:30 close the way the premises is currently being operated. In the current climate all service is run via staff attending to the tables to serve customers. If staff cannot tell when a customer is intoxicated whilst diligently attending to the table how can they identify customer's intoxication from behind a bar?

Whilst most of the conditions offered up in the licensing schedule do meet Police criteria, the operation of the premises in its current state leads me to believe that the conditions will not be adhered too, intoxication of patrons will continue and ultimately add to the night time violence within the town. Surrey Police therefore request an earlier licensable activity time of 23:30 with a close of premises at 00:00. We also suggest that the premises operates fully within the timings and conditions of whatever licence is granted for a minimum period of 12 months to show that it can be run without cause for concern.



**This representation relates to the following licensing objectives(s)**

Please tick one or more boxes ✓

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**If your representation does not relate to one of the above objectives your representation will be invalid.**

Please tick ✓

- |   |                                     |
|---|-------------------------------------|
| <ul style="list-style-type: none"><li>I understand that this representation may result in a hearing before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing in the Magistrate's Court.</li></ul>  | <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"><li>I understand that this representation will become a public document and will be included in the agenda for any Licensing Sub-Committee hearing that may be held as a result of this representation.</li></ul> | <input checked="" type="checkbox"/> |

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISHABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.**

**This representation must be signed by:**



**a person making a representation or**

**a person authorised to do so by a Responsible Authority.**



Date 28/04/2021

Address for correspondence

Contact address for correspondence if different from that given in Sections A or B, above.
Licensing Enforcement Officer 
PO Box 101 Guildford, Surrey, GU1 9PE
Daytime Telephone number (if any) 01483 630206 / 01483 638476
e-mail address (optional) <a href="mailto:licensingeastern@surrey.pnn.police.uk">licensingeastern@surrey.pnn.police.uk</a> / 

All representations must be made by sending this form to the Licensing Authority to arrive there during the period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the Licensing Authority by the applicant. In the case of representations following

a closure order this period is 7 days after the day on which the Licensing Authority received the notice under section 165(4) of the Act.

**Representations received outside these time limits will be deemed to be invalid.**

**Copy to Licensing Authority  
Applicant  
Responsible Authorities**

From: Ben Hughes <[REDACTED]>

Sent: 15 April 2021 11:02

To: Licensing <licensing@epsom-ewell.gov.uk>

Subject: Objection

Dear Sir/Madam

I wish to object to the application from Miniature Restaurant ,11,13 upper high street , Epsom KT17 4QY

My objection is based on my concern that this new licence may increase the possibility of public nuisance for the many dwellings nearby, including my own. I am particularly concerned about noise nuisance as this already happens occasionally as yesterday around 00h10 on the 15/04/2021 wasn't able to sleep.you ask the CCTV of yesterday you will see it for yourself .music playing out loud and people gathering outside .

Because of the 'tented' roof arrangement on the building, the noise carries very easily across the building next door . As this nuisance currently only happens occasionally,However, if by applying for this new I would be concerned about the possibility of an increase in low level disorder when guests are leaving the Miniature restaurant . I would be grateful if the Licensing team would consider my objection.

dont hesitate to contact me

kind Regard

Ben Hughes

This page is intentionally left blank

**SCHEDULE 12 PART A (Regulation 33,34)**

**PREMISES LICENCE**

**Premises licence number**

<b>EEBC/14/00250/LAPRE</b>
----------------------------

**Part 1 - Premises details**

Postal address of premise, or if none, ordnance survey map reference or description	
<b>MINIATURE 11-13 UPPER HIGH STREET</b>	
Post town <b>EPSOM</b>	Post code <b>KT17 4QY</b>
Telephone number <b>01372 740202</b>	

Where the licence is time limited the dates
<b>NONE</b>

Licensable activities authorised by the licence
<b>SALE OF ALCOHOL BY RETAIL PROVISION OF REGULATED ENTERTAINMENT; RECORDED MUSIC</b>

The times the licence authorises the carrying out of licensable activities
<b>RETAIL SALE OF ALCOHOL BY RETAIL 11.00 HOURS UNTIL 23.00 HOURS EVERY DAY</b>
<b>PROVISION OF REGULATED ENTERTAINMENT; RECORDED MUSIC 11.00 HOURS UNTIL 23.00 HOURS EVERY DAY</b>
<b>FOR ALL LICENSABLE ACTIVITIES NEW YEARS EVE AND VALENTINES DAY UNTIL 01.00 HOURS 20<sup>TH</sup> UNTIL 23<sup>RD</sup> MARCH PERSIAN NEW YEAR UNTIL 01.00 HOURS</b>

<p><b>The opening hours of the premises</b></p> <p><b>11.00 HOURS UNTIL 23.30 HOURS EVERY DAY</b>  <b>NEW YEARS EVE AND VALENTINES DAY UNTIL 01.00 HOURS</b>  <b>20<sup>TH</sup> UNTIL 23<sup>RD</sup> MARCH PERSIAN NEW YEAR UNTIL 01.00 HOURS</b></p>
<p><b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b></p> <p><b>FOR CONSUMPTION ON THE PREMISES</b></p>

**Part 2**

<p><b>Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence</b></p> <p><b>MR MORTEZA DERAYZADEH</b>  <b>68 HORTON CRESCENT</b>  <b>EPSOM</b>  <b>SURREY</b>  <b>KT19 8AA                      TELEPHONE NO</b></p>
<p><b>Registered number of holder, for example company number, charity number (where applicable)</b></p> <p><b>NONE</b></p>
<p><b>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b></p> <p><b>MR MORTEZA DERAYZADEH</b></p>
<p><b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol.</b></p> <p><b>EPSOM AND EWELL BOROUGH COUNCIL EEBC/14/00057/LAPER</b></p>

**Dated this 16th day of March 2015**

**For the Licensing Authority**

## **Annex 1 – Mandatory conditions**

**NONE**

## **Annex 2 – Conditions consistent with the operating schedule**

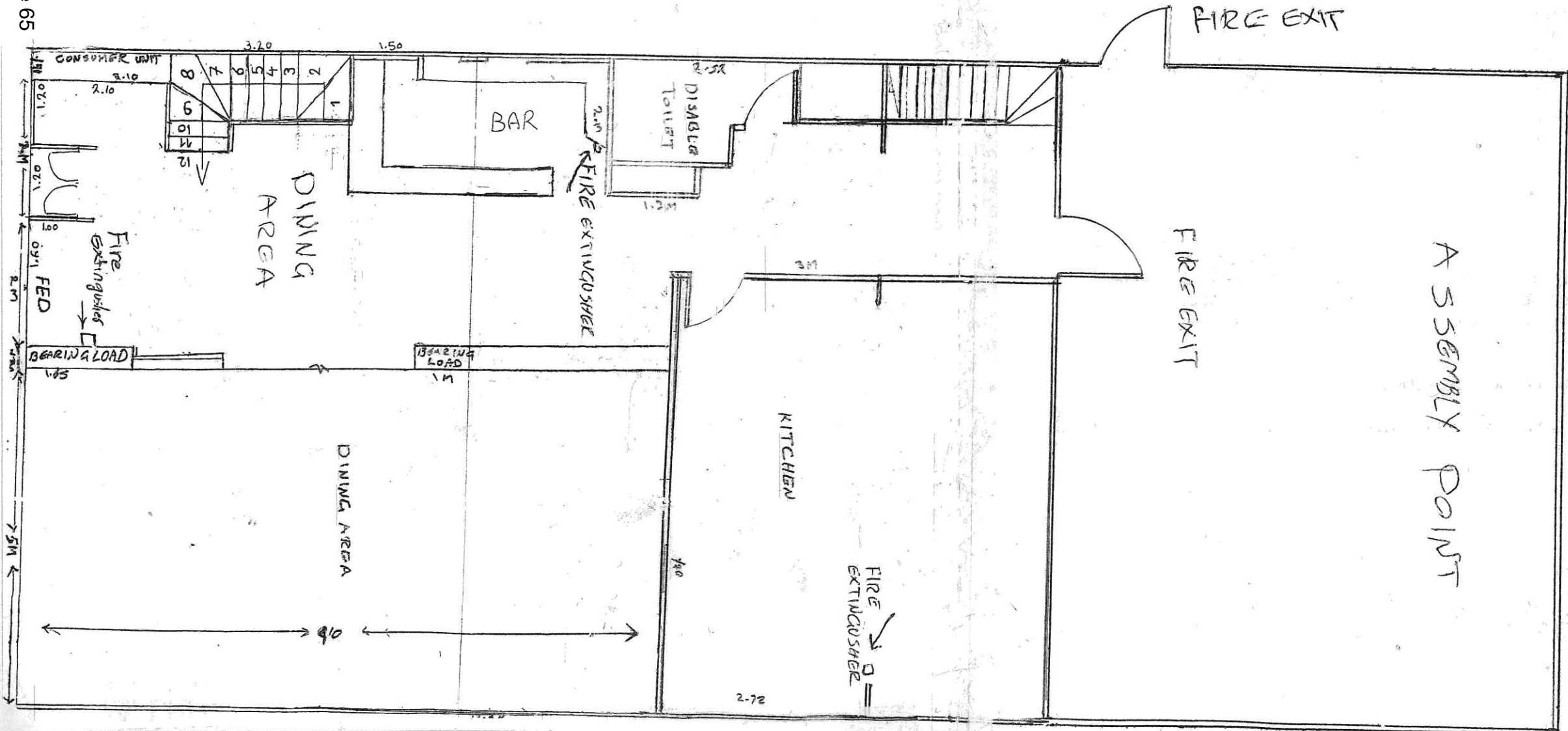
1. Management shall provide effective training of all staff so that they are aware of the premises licence and all conditions on the licence, and licensing legislation.
2. Internal and External lighting at the premises.
3. All staff will be trained in checking appropriate ID's ie bearing the pass hologram, a photographic driving licence or passport. The premises will operate a challenge 25 policy.
4. Prominent, clear and legible notices will be displayed at the exit requesting customers to respect the needs of nearby residents and to leave the premises quietly.
5. Delivery of goods necessary for the operation of the business will be carried out at such a time to not cause disturbance to neighbours.
6. All staff to receive refresher training on all aspects every six months. Staff training records to be kept at the premises and available for inspection, these records should also include the refresher training.
7. The premises shall install and maintain a comprehensive CCTV system. All public entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. Recordings will be made available for Police and Licensing Officers on request.

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

**NONE**

This page is intentionally left blank





This page is intentionally left blank