

LICENSING (HEARING) SUB-COMMITTEE

Monday 5 December 2022 at 2.00 pm

Place: Council Chamber, Epsom Town Hall

Link for public online access to this meeting:

<https://attendee.gotowebinar.com/register/9111810516707405067>

Webinar ID: 669-627-011

Telephone (listen-only): 020 3713 5022, Telephone Access code: 552-863-855

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 Liz Frost (Chair)
Councillor Steve Bridger

Councillor Phil Neale

Yours sincerely



Interim Chief Executive

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

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- 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, 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 this 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.

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. DETERMINATION OF VARIATION TO PREMISES LICENCE OF EPSOM GRILL (Pages 5 - 62)

The Licensing (Hearing) Sub-Committee ("the Sub-Committee") is being asked to determine an application to vary a premises licence made under the Licensing Act 2003.

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DETERMINATION OF VARIATION TO PREMISES LICENCE OF EPSOM GRILL 3 WATERLOO ROAD EPSOM KT19 8AY

Head of Service: Rod Brown, Head of Housing & Community
Wards affected: Town Ward;

Appendices (attached):

- Appendix 1 Current premises licence
- Appendix 2 Plan of current licensed area
- Appendix 3 Application
- Appendix 4 Plan of area to be licensed
- Appendix 5 Representations by Surrey Police
- Appendix 6 Representations by local residents
- Appendix 7 Location Map

Summary

The Licensing (Hearing) Sub-Committee ("the Sub-Committee") is being asked to determine an application to vary a premises licence made under the Licensing Act 2003.

Recommendation (s)

Have regard to the relevant representations made during the consultation period, and to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (1) To impose additional conditions on the licence which are appropriate for the promotion of the licensing objectives, proportionate and which deal with the concerns of those making representations; or**
- (2) To reject the application.**

1 Reasons for Recommendation

- 1.1 In carrying out its licensing functions, the Licensing Authority must have regard to its statement of licensing policy and any statutory guidance issued under s 182 of the Licensing Act 2003.
- 1.2 The Council may dispense with holding a hearing if the applicant and all persons who made valid representations agree that such a hearing is unnecessary and give notice to the authority to that effect.

2 Background

- 2.1 The provision of late night refreshment is a licensable activity under the Licensing Act 2003. Authorisation from the Council, in its role as licensing authority, is required to carry on the activity at a 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.

3 Details of application

- 3.1 Epsom Grill, 3 Waterloo Road, Epsom KT19 8AY was first issued a premises licence in 2007 authorising the provision of late night refreshment. In July 2022 the licensed was transferred to the current licence holder Bilal Gilgil. A copy of the current premises licence is attached at Appendix 1, and a copy of the plan showing the current licensed area is attached at Appendix 2.
- 3.2 On 12 October 2022 Bilal Gilgil applied to vary the Epsom Grill premises licence. A copy of this application is attached to Appendix 3. The application is to:-
 - a) extend the terminal hour for late night refreshment hours from 02:00 to 04:00, and the hours the premises are open to the public from 02:30 to 04:30.
 - b) amend the floor plan (the revised plan is attached at Appendix 4).
 - c) Removal superfluous conditions relating to the sale of alcohol, as the authorisation for this licensable activity had been previously removed from the licence at the request of the licence holder.

4 Representations

- 4.1 A valid representation was received from Surrey Police on 8 November 2022. A copy of this representation is attached to Appendix 5.
- 4.2 Three relevant representations were received from local residents. A copy of these are attached to Appendix 6.
- 4.3 A map showing the location of the premises in relation to neighbouring business and residential properties is attached to Appendix 7.

5 General Principles to be followed

- 5.1 When determining applications, the Sub-Committee is required to carry out its functions with a view to 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
- 5.2 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 Licensing Act 2003.

6 Policy Considerations

- 6.1 The Council has a Statement of Licensing Policy that was last reviewed in December 2018.
- 6.2 This policy refers to parts of Epsom Town Centre as having areas describes as either 'Licensing Red Zone' (including Waterloo Road) or 'Amber Zone'. The policy states that there is already a concentration of licensed premises within these zones, and as a result of the possible detrimental impact, all applications within these zones would be determined in accordance with a process set out in the policy. Epsom Grill is located within this 'Red Zone'.
- 6.3 The Red and Amber Zoning was introduced into the Epsom & Ewell statement of policy in 2011. However, The Policing and Crime Act 2017 ('2017 Act'), with effect from 6 April 2018, created a legal framework for applying 'cumulative impact policies' ('CIPs'). Cumulative impact is the potential impact on the promotion of the licensing objectives of several licensed premises concentrated in one area. Whilst the red and amber zoning policy included in the Epsom & Ewell Statement of Policy predates the 2017 Act, it is submitted that they are a type of CIP, and accordingly should be subject to the provisions of the 2017 Act, and the revised Section 182 guidance issued by the Secretary of State.
- 6.4 The Licensing Act 2003 as amended sets out the steps that must be taken by a licensing authority before it can publish a cumulative impact assessment. The licensing authority may then explain within their policy statement how the authority has had regard to cumulative impact assessment, including describing the types of applications for which it would likely be inconsistent with the licensing authority's duty to promote the licensing objectives to grant. Cumulative impact assessments must then be reviewed by the licensing authority every 3 years.

- 6.5 As the red and amber zoning policy has not been reviewed within the last three years, it should be considered unreliable and open to legal challenge, and reference to it within the Statement of Policy should be disregarded when determining the current application.
- 6.6 Officers are in the process of instigating a new cumulative impact assessment with the intention of updating the Statement of Policy as soon as practically possible.
- 6.7 The absence of a CIP means there can be no policy presumptions against the grant of the licence, or restricting the licence to predetermined hours. The application must be considered on its individual merits in light of the representation. However, it remains open for Members to take into account issues relating to crime and disorder away from the proposed premises and beyond the direct control of the licensee (as ruled in *Luminar Leisure Ltd vs Wakefield Magistrates' Court & ORS*), where they are relevant to the application.
- 6.8 In the High Court case of *Luminar Leisure Ltd v Wakefield Magistrates' Court* [2008] EWHC 1002 (Admin) it was determined that it was open to a court (and thus a Sub-Committee) to take into account evidence of crime and disorder in areas beyond the operator's control and that it could be reasonable to conclude that a premises would give rise to such problems and thereby undermine the licensing objectives and that it could be a proportionate response to refuse the licence rather than impose conditions on it.
- 6.9 The Council's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

7 Legal Implications

- 7.1 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 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.
- 7.2 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. The nine protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.3 All applications for new or varied Premises Licences or Club Premises Certificates must be advertised by the display of a notice at the premises and by a public notice in the local newspaper. Pursuant to the Council's constitution the Council's licensing department has determined that there is a valid application that complies with the requirements of the Licensing Act 2003.

8 Background papers

- 8.1 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](#)
- [The Licensing Act 2003](#)
- [The Licensing Act 2003 \(Hearings\) Regulations 2005](#)

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

Premises licence number EEBC/11/00232/LAPRE

Part 1 - Premises details

Postal address of premise, or if none, ordnance survey map reference or description	
EPSOM GRILL, 3 WATERLOO ROAD,	
Post town EPSOM	Post code KT19 8AY.
Telephone number 01372 749561.	

Where the licence is time limited the dates	NONE
Licensable activities authorised by the licence	
SALE OF ALCOHOL BY RETAIL PROVISION OF LATE NIGHT REFRESHMENT	

The times the licence authorises the carrying out of licensable activities
PROVISION OF LATE NIGHT REFRESHMENT MONDAY TO SUNDAY 23.00 HOURS UNTIL 02.00 HOURS
<u>NOTE: PLANNING PERMISSION RESTRICTS THE OPENING HOURS, "THE PREMISES MAY ONLY BE USED FOR THE PURPOSES HEREBY PERMITTED BETWEEN THE HOURS OF 07.00 HOURS AND 01.00 HOURS AT ANY TIME FOLLOWING MONDAY - THURSDAY. 07.00 HOURS AND 02.00 HOURS AT ANY TIME FOLLOWING FRIDAY AND SATURDAY, AND BETWEEN THE HOURS OF 07.00 HOURS AND MIDNIGHT ON ANY SUNDAY INCLUDING BANK HOLIDAYS OR PUBLIC HOLIDAYS"</u>
The opening hours of the premises
MONDAY - SUNDAY, 07.00HRS UNTIL 02.30HRS
<u>NOTE: PLANNING PERMISSION RESTRICTS THE OPENING HOURS, "THE PREMISES MAY ONLY BE USED FOR THE PURPOSES HEREBY PERMITTED BETWEEN THE HOURS OF 07.00 HOURS AND 01.00 HOURS AT ANY TIME FOLLOWING MONDAY - THURSDAY. 07.00 HOURS AND 02.00 HOURS AT ANY TIME FOLLOWING FRIDAY AND SATURDAY, AND BETWEEN THE HOURS OF 07.00 HOURS AND MIDNIGHT ON ANY SUNDAY INCLUDING BANK HOLIDAYS OR PUBLIC HOLIDAYS"</u>

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

Part 2

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

MR BILAL GILGIL
FLAT 13 CUMBERLAND HOUSE
CUMBERLAND ROAD
EDMONTON
N9 8LY

TELEPHONE 01372 749561 MOBILE 07796 564932

Registered number of holder, for example company number, charity number (where applicable)

NOT APPLICABLE.

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

N/A

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

N/A

Dated 13 July 2022



For The Licensing Authority

Annex 1 – Mandatory conditions

Mandatory Condition: where licence authorities supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions

1. No supply of alcohol may be made under the premises licence
 - (a) at a time when there is not designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition: exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection 3(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where:
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
 Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Children means persons aged under 18; and

Film classification body means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification)

Mandatory Condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
2. But nothing requires a condition to be imposed in respect of:
 - (a) paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) any occasion mentioned in paragraph 8(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

Security activity means an activity to which paragraph 2(1)(a) of that Schedule applies, and Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Conditions 1, 2 and 3 below came into force on 6th April 2010, and 4 and 5 came into force on 1st October 2010 (as amended 1 October 2014).

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

The Licensing Act 2003 (Mandatory Conditions) Order 2014 came into force on May 2014.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$
 where—
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph)

not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the

price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

1. The operation of the premises shall comply with all existing planning permission restrictions.
2. Waste bins shall be provided at the premises for customer food packaging.
3. All mandatory conditions set out in the Licensing Act 2003 will be obeyed.
4. A refusal book will be maintained and details of refusals of sales will be entered and made available to the Police and Local Authorities upon request. Details of time, date, staff member and reason for refusal must be recorded.
5. An incident log shall be kept at the premises, and made available immediately upon request by an Authorised Officer of the Council or the Police, which will record the following;
 - a. All crimes reported to the venue.
 - b. All ejections of patrons.
 - c. Any incidents of disorder.
 - d. Any faults in the CCTV system.
 - e. Any visit by a relevant authority or emergency service.
 - f. The supply of alcohol by off sales shall only be to a person purchasing a takeaway whether for collection or delivery.
6. Deliveries and collections will be kept within the operating hours of the business.
7. The person making the delivery must require the recipient to provide their name and to produce an acceptable form of photographic ID proving that they are 18 years of age or over. The order will not be supplied if the recipient fails to provide suitable ID confirming they are aged 18 years or older.
8. Deliveries will not be made to public places such as parks, road sides or landmarks. Deliveries can only be made to a home or business address given at the time of the order. Deliveries will be refused if the recipient appears to be under the influence of either drugs or alcohol. The delivery will

be refused if the driver believes the alcohol is being purchased on behalf of another person aged under 18 years. At the time an order with an alcoholic drink is placed, a declaration will be required from the person placing the order confirm that they are 18 years or older. Service must be declined to any person who does not confirm the declaration. Prior to accepting the order, the customer is informed that on delivery an acceptable form of photographic ID proving that they are 18 years of age or over will be required. An acceptable form of ID being Passport, Photographic Drivers Licence and PASS Accredited Scheme (ie validated UK scheme).

9. The Premises Licence Holder or Designated Premises Supervisor to ensure that all staff shall receive refresher training twice a year in accordance with training materials provided by Trading Standards relating to the Challenge 25 policy which shall be in force at the premises. All staff training shall be recorded and made available if requested by the Police or any authorised person. This is to be documented in such a way that it can be given to an authorised officer on request. Staff should also sign and document confirming the training has taken place and the date.
10. The Designated Premises Supervisor fully understands his role and responsibilities concerning the four licensing objectives obtained within the Licensing Act 2003.
11. In the event that serious crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that;
 - a. The Police and where appropriate, Ambulance Service are called immediately.
 - b. As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police.
 - c. As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police.
 - d. Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours.
12. The Premises Licence Holder shall endeavour to eliminate or minimise any nuisance or antisocial behaviour arising out of its licensable activities. In doing so the Premises Licence Holder will work with all Responsible Authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary.
13. As the premise are located within a Cumulative Impact Zone (red zone in the Licensing Policy), staff will be trained to be alert to any potential danger to customers and react accordingly.
14. Appropriate digital CCTV equipment and a sufficient number of cameras shall be installed and maintained at the premises to record colour images that are clear enough to allow the Police to use them to investigate any crimes that are committed on the premises. The areas covered by the cameras will be all

areas that the public have access and this will include the outside area. A camera will be positioned to obtain images of persons entering the building by the main entrances.

15. A digital CCTV system will be installed at the premises ensuring the following;

- a. It is maintained in good working order and faults are repaired without delay.
- b. All entry and exit points must be covered to enable frontal identification of every person entering the premises in any light condition.
- c. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises.
- d. A minimum of 2 notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size.
- e. The CCTV shall cover clearly any area where alcohol is on display.
- f. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or Authorised Officer throughout the preceding 28 day period.
- g. The DPS and other key staff will be trained in the use of the CCTV system and shall be on the premises at all times when the premises are open to the public and the DPS and other key staff must be able to show or supply if requested by a Police or Authorised Officer.
- h. No persons other than the Police, the Licensing Authority, the Premises Licence Holder or the Managers/DPS shall have access to the CCTV recording equipment or the recordings made from such equipment.
- i. If an incident occurs at the premises then the footage on the CCTV system shall be made available to view by Police Officers on request. If a copy is requested then it must be available within 24 hours of the request.

16. The Premises Licence Holder will ensure that the appropriate fire safety and health and safety regulations are applied at the premises.

17. Where a takeaway service is provided for the supply of alcohol the licensee shall take appropriate steps to ensure the local area is not adversely affected by such supply.

18. A first aid kit will be kept and maintained at the premises.

19. Customers will be reminded by way of a notice at the entrance / exit door to please leave the premises quietly and have consideration for the neighbouring properties. This will include an instruction that no loitering is permitted outside the premises once a purchase is made.

20. All deliveries and waste collections to the premises will take place at a time as to not cause a disturbance to the nearby residents.

21. Waste will be kept securely in a designated area and the movement of bins and rubbish shall be kept to a minimum at all times to reduce the levels of noise produced by the premises.
22. The management fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses. They will monitor the external area in relation to any anti-social behaviour or public nuisance.
23. The management shall adopt the Challenge 25 policy. Any person who appears to look under the age of 25 years shall be challenged and asked for identification to prove that they are over the age of 18 in accordance with the Challenge 25 policy.
24. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved ID cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their age and identity when purchasing alcohol.
25. Signs will be displayed informing customers that a Challenge 25 policy is in operation at the premises.
26. The sale of alcohol will be refused if a member of staff (or driver for delivery) believes the alcohol is being purchased on behalf of another person aged under 18 years.

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

NONE

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a discrepancy, a problem is identified.

2. The second step is to define the problem. This involves determining the scope of the problem, the resources available, and the constraints that may affect the solution. A clear definition of the problem is essential for developing an effective solution.

3. The third step is to analyze the problem. This involves identifying the causes of the problem and the factors that contribute to its persistence. A thorough analysis is necessary to understand the underlying issues and to develop a targeted solution.

4. The fourth step is to develop a solution. This involves brainstorming potential solutions, evaluating their feasibility, and selecting the most appropriate one. A well-developed solution is one that addresses the root cause of the problem and is sustainable over time.

5. The fifth step is to implement the solution. This involves putting the solution into action and monitoring its progress. It is important to track the results of the solution and to make adjustments as needed to ensure that the problem is effectively resolved.

6. The final step is to evaluate the solution. This involves assessing the effectiveness of the solution and determining whether the problem has been fully resolved. A final evaluation is necessary to ensure that the solution is sustainable and that the problem does not recur.

2000-2001

[illegible]

BOTAN KESAB, EP50M
PROPOSED EXTRACTOR
HOOD LOCATION
BOTAN KESAB

G. Williams
Secretary
10000A KINGS SW. Center

DATE	TIME	BY	REMARKS
11/10/2023	14:30	123456789	1:100@A3 BOT/01



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We BILAL GILGIL

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

EEBC/11/00232/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

**EPSOM GRILL
3 WATERLOO ROAD**

Post town	EPSOM	Postcode	KT19 8AY
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Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 22,500

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)		info@perasolutions.co.uk	
Current postal address if different from premises address		PERA SOLUTIONS LIMITED 105 SUMATRA ROAD, WEST HAMPSTEAD	
Post town	LONDON	Postcode	NW6 1PL

Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We would like to extend late night refreshment hours and amend the floor plan

Removal of below conditions because licensable activity sale of alcohol has been removed by a recent minor variation.

Removal of Condition 4, 5(f), 7, part of condition 8, 9, 10, 17, 23, 24, 25,26 from Annex 2.

Part of condition 8 to be removed: The Delivery will be refused if the driver believes alcohol is being purchased on behalf of another person aged under 18 years. At the time an order with an alcoholic drink is placed, a declaration will be required from the person placing the order confirm that they are 18 years or older. Service must be declined to any person who does not confirm the declaration. Prior to accepting the order, the customer is informed that on delivery an acceptable form of photographic ID providing that they are 18 years of age or over will be required. An acceptable form of ID being Passport, Photographic Drivers Licence and PASS Accredited Scheme (ie validated UK scheme)

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

10

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Supply of alcohol (if ticking yes, fill in box J) ☐

In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>			
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon	23:00	04:00				
Tue	23:00	04:00				
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) We would like to work on bank holidays. Same hours			
Wed	23:00	04:00				
Thur	23:00	04:00				
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)			
Fri	23:00	04:00				
Sat	23:00	04:00				
Sun	23:00	04:00				

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue					
Wed					
Thur			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	07:00	04:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) We would like to be open on bank holidays same hours
Tue	07:00	04:30	
Wed	07:00	04:30	
Thur	07:00	04:30	
Fri	07:00	04:30	
Sat	07:00	04:30	
Sun	07:00	04:30	

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

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

SAME LICENSING CONDITIONS CAN BE IMPOSED

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I understand that I must now advertise my application. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	12.10.2022
Capacity	AGENT

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

PERA SOLUTIONS LIMITED
105 SUMATRA ROAD
WEST HAMPSTEAD

Post town	LONDON	Post code	NW6 1PL
-----------	--------	-----------	------------

Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

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.

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give 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.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give 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 or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



FIRE EXIT



SMOKE DETECTOR



SECURITY CAM

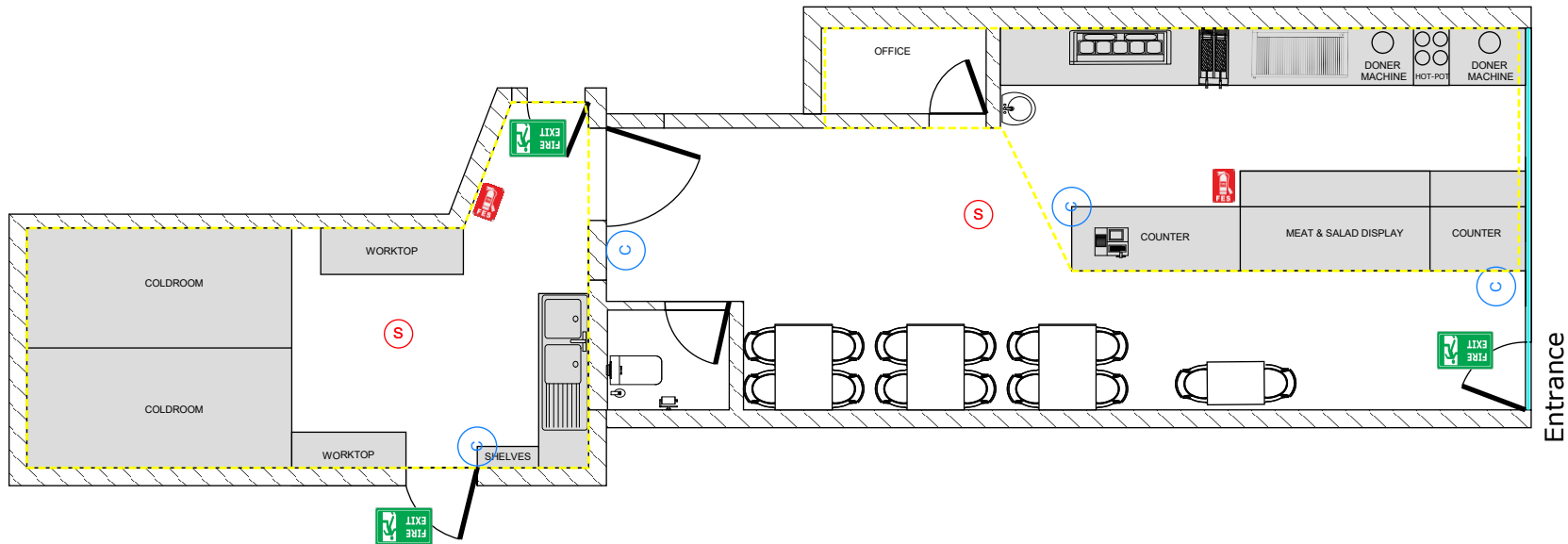


FIRE EXTINGUISHER STATION



WINDOW

--- Kitchen and Staff Only Area



NOT FOR CONSTRUCTION



5 Francis Road
Harrow HA1 2QZ
M: 0740 522 65 76

E-Mail : info@ucmechanicalengineering.com
<http://www.ucmechanicalengineering.com/>

CLIENT
BILAL BILGIN

PROJECT
EPSOM GRILL PROJECT

DATE
05.10.2022

DRAWN BY
UMUT CAN

DESCRIPTION
FLOOR PLAN

CLIENT ADDRESS
3 Waterloo Road,
Epsom
KT19 8AY

Appendix
A

1/1 - A4

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**SURREY
POLICE**

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.

Name of Premises or Club Epsom Grill	
Address of Premises or Club 3 Waterloo Road	
Post town Epsom	Post code (if known) KT19 8AY

Type of application

Please tick

Premises Licence application	X
Variation to a Premises Licence	
Club Premises Certificate application	
Variation of a Club Premises Certificate	
Temporary Event Notice	

Representor's Details

I am

Please tick one only

1) A person who is not a responsible authority (please complete section (A) below)	
2) A responsible authority (please complete section (B) below)	X

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 N/A
Forenames N/A
Address of where you live (you can give an alternative address for correspondence later in this form) N/A
DaytimeTelephone N/A
E-mail address (optional) N/A

Section B - DETAILS OF RESPONSIBLE AUTHORITY

Name of contact: Borough Commander Insp Jon Vale 40537
Name of Authority: Surrey Police
Address of Authority: PO Box 101 Guildford Surrey GU1 9PE

Telephone number of contact person
01483 638476 / 07967986441

E-mail address of contact person (optional)

Jenny.billin@surrey.police.uk / licensingeastern@surrey.police.uk



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 have received an application to extend the hours of the current premises licence of Epsom Grill, Waterloo Road, Epsom.

The licence currently allows the premises to have late night refreshment till 02:00 Monday to Sunday. Although there is planning permission restrictions on the property that the premises may only be used to the purpose hereby permitted between the hours of 07:00 and 01:00 Monday to Thursday. Then 07:00 hours and 02:00 hours at any time following Friday and Saturday, and between the hours of 07:00 hours and midnight on any Sunday including bank holidays or public holidays.

The sale of alcohol was removed when the licence was transferred to the current licence holder Mr GILGIL. Therefore, we agree to the removal of Conditions: 4, 5(f), 7, part of condition 8, 9, 10, 17, 23, 24, 25,26 from Annex 2.

The hours that the applicant is requesting, 04:00 for licensable activities and 04:30 for premises closure, is very likely to exacerbate current crime and disorder in the immediate vicinity. Epsom Town Centre continues to suffer from increased levels of violence associated with the night time economy. There have been a number of serious assaults in the near vicinity resulting in serious injury being caused. Other crime and anti social behaviour continues to give cause for concern, including robberies knife crime, and drug dealing.

Waterloo Road is one of the most reported roads in Epsom town centre for crimes. In the past year (November 2021 – November 2022) 144 calls were made to the Police involving Waterloo Road, of the 144 calls 55 were made after 23:00. Although only 2 of these 55 calls relate directly to the premises, it shows the volume of crime within the vicinity of the premises. The concern that opening the premises for longer, then allows persons to congregate in the area for more. With persons lingering in the area opens the opportunity for more violence and anti-social behaviour.

The premises was served a warning by Officers on 9th July 2022 at 02:39 for serving beyond the hours of the licence. Body Worn Video is available for the committee should they wish. Although the premises has not been documented as being open past hours since, information received by passing officers and other residents say that occasionally the premises allows people to purchase hot food after 02:00. This has not been corroborated by the licensing officer or CCTV.

Increasing the hours that persons can congregate in the area for and extend the time where intoxicated violence can take place does not uphold the Licensing Objectives of Prevention of Crime and Disorder, Public Safety or Public Nuisance.

Therefore, Surrey Police request that the committee do not grant the extended hours of the licence.

Should the committee be minded to grant the licence, please may they consider the following suggestions made by Surrey Police.

Keep all existing conditions as per current licence (with amended removable conditions as above) with the below added.

1. The licensable activities cease at 03:00
2. Deliveries ONLY after 02:00 made to a home or business address with a valid postcode and not made to places such as parks, roadsides, or landmarks (in keeping with existing Condition 8 Annex 2)
3. The management and staff will make all reasonable attempts to ensure that the premises is not open to members of public after 02:00.
4. All deliveries will be made from the rear of the premises.
5. At least one SIA door staff employed every Thursday, Friday and Saturday night from 23:00 till 02:30
6. The SIA security staff employed at the premises shall be responsible for maintaining order and minimising noise and anti-social behaviour to the front of the premises
7. Door staff will proactively encourage customers to leave the area after being served.
8. Management and staff will be responsible for ensuring that a noise nuisance is not created to the rear of the premises, from either people or vehicle noise, during home delivery operations.

This representation relates to the following licensing objectives(s)

Please tick one or more boxes

- | | |
|---|---|
| 1) the prevention of crime and disorder | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | |

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

Please tick ✓

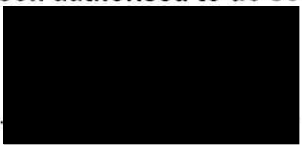
- | | |
|---|---|
| • I understand that this representation may result in a hearing before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing in the Magistrate's Court. | X |
| • I understand that this representation will become a public document and will be included in the agenda for any Licensing Sub-Committee hearing that may be held as a result of this representation. | X |

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.

Signed  40577 VALVE Date 05/11/2022

Address for correspondence

Contact address for correspondence if different from that given in Sections A or B, above.	
Jenny Billin Licensing Enforcement Officer Epsom Town Hall The Parade	
Post town Epsom	Post code KT17 9SD
Daytime Telephone number (if any) 01483 638476 / 07967986441	
e-mail address (optional) licensingeastern@surrey.police.uk OR jenny.billin@surrey.police.uk	

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



EEBC/11/00232/LAPRE
Epsom Grill license

I would like to strongly object to the application to vary the licence for Epsom Grill on the following grounds.

I would also like to speak at the sub committee hearing if I am available.

Prevention of Crime and Disorder

Epsom is one of the worse places in Surrey for late night ASB. A large number of incidents are caused when licensed premises close and the revellers spill into and around the High Street.

The biggest challenge is to get the revellers out of town and on their way home. While they 'hang around' there is a greater chance that trouble will start.

By providing an opportunity to purchase take away food the revellers are likely to stay in town, causing noise, mess (vomiting), urination in public, litter (including broken glass bottles), starting arguments and shouting comments all leading to ASB.

Public safety

For the same reasons above, public safety is an issue.

Prevention of Public Nuisance

Town Centre residents generally accept that there will be some noise and disturbance but there are limits.

Being kept awake after 2pm due to revellers walking home (or just walking around) is unacceptable. Even those people who live under flight paths are allowed a night sleep.

By providing take away food until 4am just exacerbates the problem, extending unacceptable noise and disturbance until 4.30am.

Protection of Children from harm

There are now many children living in and around the town centre. To deprive them of sleep until after 4am is not acceptable and detrimental to their health.

Summary

To extend the known ASB, noise and disturbance in and around the town centre is unacceptable.

We already have issues with litter, urine, vomit and other mess following late night trading, especially after Friday and Saturday nights.

Police have not got the resources to patrol the town centre at the moment with the last licensed premises closing at 3am on Thursday, Friday and Saturday nights.

There will be no additional police resources to control or react to the ASB, they cannot currently respond to all calls due to shortage of staff.

Conditions

If you are minded to approve the later opening of Epsom Grill can conditions below be considered.

1. At least 4 Qualified and fully trained SIA staff to be present from 23.00hrs until 5am. every day
Reason - to ensure any ASB in the locality is properly dealt with.
2. At least 2 cleaners as paid to clean up the litter, urine, vomit and other mess from the surrounding area between the hours of 04.00hrs – 06.00hrs.
Reason – to ensure that the town centre is a fit and healthy place for early morning commuters, children and residents.
3. The provision of, or payment for, 2 additional trained staff to enable the town CCTV to be manned between the hours of 03.00hrs – 06.00hrs.
Reason – to ensure there can be an appropriate response to any incidents endangering the safety of visitors, residents and employees. These range from ASB to Medical emergencies.

Councillor Neil Dallen MBE
Town Ward, Epsom

2nd November 2022



Representations re application to vary the Premises Licence to extend Late Night Refreshment hours from Monday to Sunday 23:00 - 04:00 & opening times Monday - Sunday 07:00 - 04:30 re Epsom Grill 3 Waterloo Road, KT19 8AY (the premises)

Agenda Item 2
Appendix 6
Remove Watermark Now

Dear Sirs

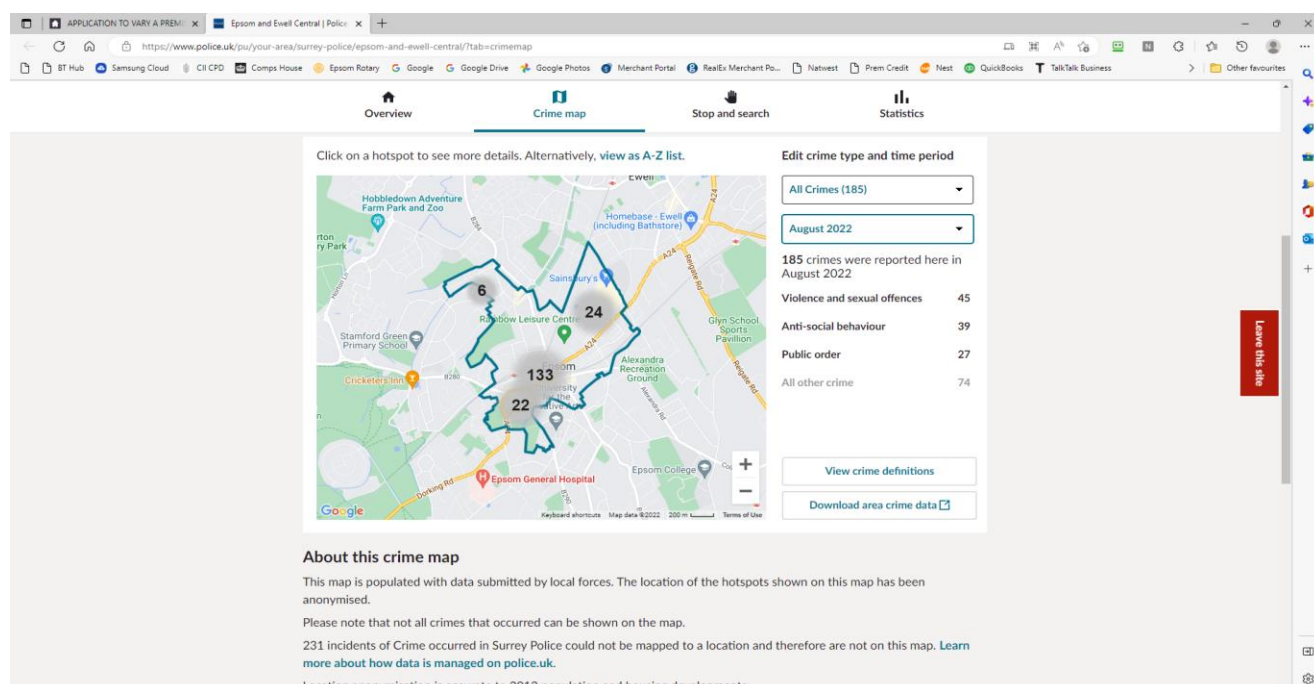
I wish to make representations in this application.

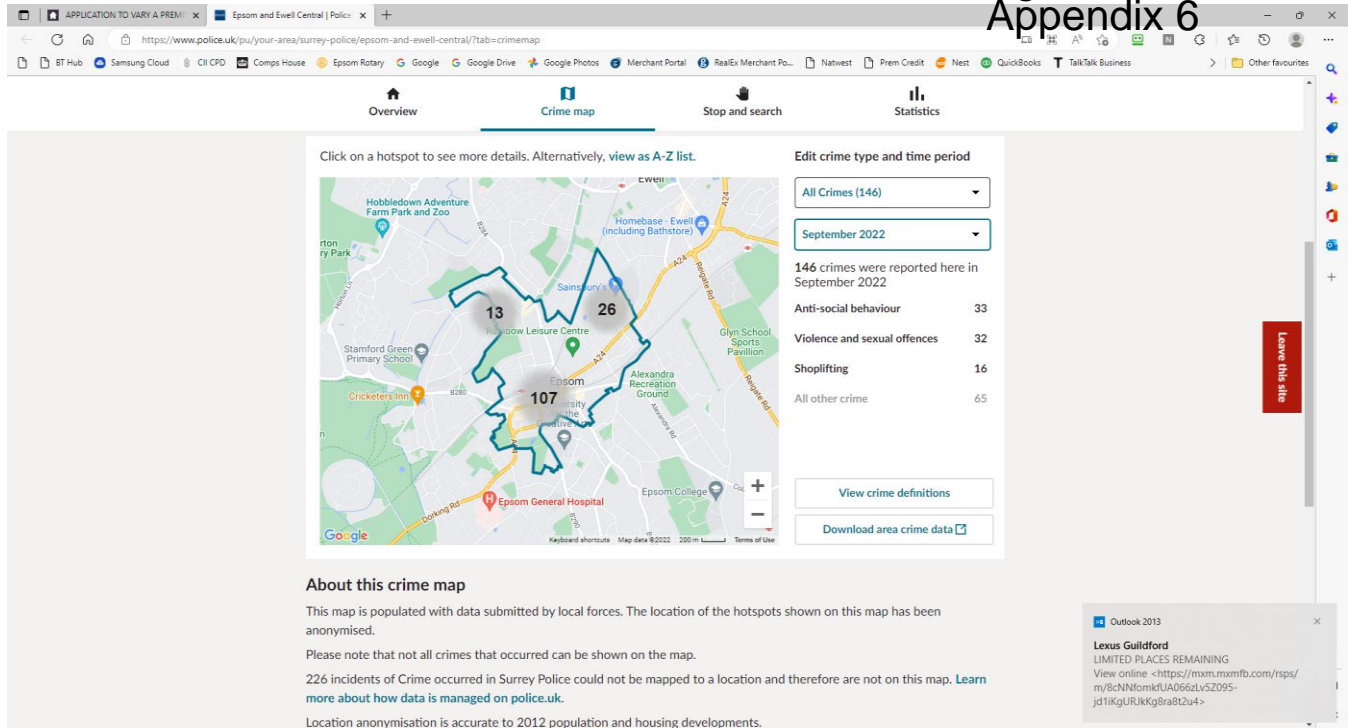
████████ Hudson House ██████████ comprises 111 residential flats over 6 floors fronting both Waterloo Road and Station Approach Epsom, providing homes for professionals, key workers, young families and the elderly. I am ██████████ chairman of the management company responsible for Hudson House. The premises is in close proximity to Hudson House and is also directly opposite the block of residential flats the Oaks Square. Waterloo Road is used by people travelling to and dispersing from nearby late night licensed premises and clubs and public houses within the town and for the purposes of being collected by taxis/cabs.

I receive many complaints from residents as to noise nuisance and the perceived high levels of crime and disorder in the town in the early mornings, particularly over weekends, when the late night clubs in the town centre are operating. Boogie Lounge operate until 2am on Saturday and Sunday mornings and Fever operates until 3am on these nights and on Thursday nights. They do not usually operate on other nights of the week and I believe that there are no other licensed premises that operate beyond 12 midnight within the town during weekdays.

Grounds of Prevention of crime and disorder

For its size and residential makeup Epsom Town Centre has a high incidence of crime and disorder, much of which it is submitted is alcohol related. There are serious issues on the streets, much of which being in Waterloo Road and Station Approach which includes, fighting, anti-social behaviour and urinating in public areas. Many incidents take place in the early hours of the morning on Saturdays and Sundays. I set out below the crime statistics relating to crime for Epsom town centre for both August and September this year taken from the Police UK web site.





The high levels of crime in the centre of the town and in the and around the area where the premises is located is clearly evident. The concern that residents and the police have is to disperse those leaving late night premises swiftly and in an orderly fashion, so as to limit the number of flashpoints, disturbances and anti-social behaviour. The problem has become of such a concern that Surrey Police have recently resorted to obtaining Section 35 Dispersal Orders in an effort to try and disperse and break up revellers. At present the town centre is subject to such an order from 6th September to 20th November.

Grounds of prevention of public nuisance

The granting of this application would lead to those frequenting late night clubs staying in the town in the very area where there is a high incidence of crime and disorder until potentially 4.30am/5am. In addition people would be encouraged to travel into town from other areas until 4am during weekdays which will lead to a further increase in crime disorder and public nuisance at additional times. The town centre has become residential in nature, with many flats constructed above shops, in addition to the large blocks of flats located there.

Epsom and Ewell Borough Council's Licensing Policy and actions

The Council's own licensing policy recognises the issues and designates zoning. The premises is in the **red zone**, where there is a concentration of licensed premises and where their impact may be detrimental to public safety, confidence and the wellbeing of residents, business and/or other users. Within such policy an application for a takeaway open beyond 1am and other food led establishments open beyond midnight should be refused, unless the applicant can clearly demonstrate that the premises will not add to the cumulative impact for the area.

At the meeting of Epsom and Ewell Borough Council's Environment and Safe Communities Committee on the 18th October 2022 the item on the SAFER STREETS GRANT AND CCTV refers to the Council's bid for the grant at appendix 3. This bid prepared by the Council confirms the high incidence of crime, particularly at times of dispersal and how unsafe and intimidating the streets on the town centre

are, particularly in the area where the premises are located. The bid cites the late night food offering at dispersal as one of the causes of anti-social behaviour, crime and disturbance ("We believe the primary causes of the issues seen in Epsom include: Pinch points, especially after venues close, which are a catalyst to violence and ASB. This includes a lack of late-night transport provision and availability of food/refreshments.") and that "the peak in violence and disorder is between midnight and 5am, particularly between 3am and 4am".

Conclusion

It is submitted that this application if granted would lead to people congregating in the Waterloo Road in the early hours of the morning on a daily basis. It would substantially increase the cumulative impact of licensed premises and would lead to additional incidence of crime violence and anti-social behaviour, which is already at exceptionally high levels for a small town of the size of Epsom and where the Council and Police clearly see that there is a major problem that needs addressing. On any reasonable view this application should be refused.

Anthony J Axelrod

[REDACTED]

Station Approach

Epsom KT19 8 [REDACTED]

 pdfelement

I am submitting these representations both as a resident of Town Ward and a committee member of Epsom Town Residents Association, on behalf of ETRA.

Prevention of crime and disorder

Extending the licence to opening hours till 04.30 (serving till 04.00) daily provides the opportunity to attract customers to remain in the town centre once other venues have closed, rather than to disperse, extending the hours and opportunities for the associated ASB issues and disturbance to residents living nearby. There is already a dispersal problem causing late night disturbance which this will exacerbate.

It also would set a precedent for other premises to follow.

Grounds of prevention of public nuisance and public safety and Town Planning

The premises is adjacent to 2 residential areas (Station Approach and Oaks Square). Residents already suffer from considerable noise and disturbance from the late night economy in Waterloo road and Epsom Square, and an extension of operational hours would unnecessarily exacerbate this.

We need the town centre to be sustainable for the large numbers of residents and families are already trying to live there but for the future residents and families who will make the town centre their home as it is further developed to meet our housing needs.

Granting this application would contravene Licensing Policy by reducing the sense of safety and security for all town centre users at all times of the day and night, and is likely to lead to an increase in anti-social behaviour at hours which are very hard to monitor or control. If the town centre is not safe for all users, particularly women and girls, this damages the quality of life for residents but also the overall late night economy.

Conclusion

The Environment Committee (18/10/22) item on the SAFER STREETS GRANT AND CCTV, the bid for the grant cites the late night food offering at dispersal as one of the causes of asb, crime and disturbance ("We believe the primary causes of the issues seen in Epsom include: Pinch points, especially after venues close, which are a catalyst to violence and ASB. This includes a lack of late-night transport provision and availability of food/refreshments.") and that "the peak in violence and disorder is between midnight and 5am, particularly between 3am and 4am".

Extending the license will in make it more likely that the peak in violence and disorder extends later and would be disregarding elements of the case made for the Safer streets funding.

The application for Safer Streets funding was intended to help the Community Safety Partnership to deliver its commitment to making the town centre safer for women and girls, and to reduce violence and ASB and the fear of such generated by the late night economy. The hours of operation applied for will undermine achievement of that aim and should be refused.

Tella Wormington

Epsom Town Residents' Association (ETRA)

██████████ Epsom, KT171██████████

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Waterloo Road

Agenda Item 2
Appendix 7

Hudson House

The Oaks Square

Shelter

Epsom Grill, 3
Waterloo Road,
Epsom, KT19 8AY

45.7m

PH

High Street

Bank



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