

**Minutes of the Meeting of the LICENSING (HEARING) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 24 November 2022**

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**PRESENT -**

Councillor Liz Frost (Chair); Councillors Rob Geleit and Phil Neale

In Attendance: Idris Gungor (Applicant), M. W. Khan-Sherwani (Applicant's Agent), Tuncay Gok ('Koza Bar and Kitchen' Manager)

Officers present: Paul Holliday (Principal Licensing Officer), Lidia Harrison (Principal Solicitor) and Dan Clackson (Democratic Services Officer)

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**3 DECLARATIONS OF INTEREST**

No declarations of any Disclosable Pecuniary Interests were made by Members in respect of any items to be considered at the meeting.

**4 GRANT OF PREMISES LICENCE - KOZA BAR AND KITCHEN 30 SOUTH STREET EPSOM KT18 7PF**

The Licensing (Hearing) Sub-Committee ("the Sub-Committee") was asked to determine the substantive application made by Mr Idris Gungor for a premises licence under the Licensing Act 2003 – for the premises known as: Koza Bar and Kitchen, 30 South Street, Epsom, KT18 7PF.

The Objector, Mr. John Martin, was not present at the meeting. The Principal Licensing Officer confirmed that Mr. Martin had responded to the notice of the Hearing and was aware of the meeting's proceedings. Mr. Martin had not confirmed he would be attending the meeting but had confirmed that he wished for his representation to be considered.

The Principal Licensing Officer introduced the report.

The Applicant and his Agent had no questions to ask of the Principal Licensing Officer.

The Sub-Committee had no questions to ask of the Principal Licensing Officer.

The Sub-Committee received a verbal representation from the Agent (on behalf of the Applicant):

- a) The Agent confirmed that the premises used to be a pub but is now a Mediterranean restaurant. He stated that any past issues of public

nuisance in relation to the premises as a pub are no longer relevant to the premises as a restaurant.

- b) The Agent confirmed that the premises is not intended as a drinking venue, but as a venue for the serving of food, with alcoholic drinks offered as part of a table meal.

The Applicant and his Agent responded to questions from the Sub-Committee, and the following was confirmed:

- a) The Agent confirmed that there are no bar stools at the bar, and that the diagram appearing on pages 15 and 35 of the agenda, showing stools at the bar, is inaccurate.
- b) The Applicant confirmed that the outside area provides no seating or tables for patrons and that no drinking takes place in the outside area of the premises.
- c) The Applicant confirmed that the premises is air conditioned for ventilation.
- d) The Applicant confirmed that the side entrance is designed as an entrance for wheelchair users, and that the area outside the side entrance is not intended as a smoking area. He confirmed that the door is also a fire exit and does not automatically open. He explained that staff offer assistance to disabled patrons wishing to enter through the door and confirmed that there is a need to install a self-closing mechanism to ensure that the door automatically closes after use.
- e) The Applicant confirmed that the bar area is not intended as an area for patrons to drink as they wait for a table, and that they will be shown by staff to a table immediately upon arrival.

The Chair confirmed that notice of the application was given to responsible authorities, and that no objections were received from those authorities that responded.

The Chair confirmed that she had read every single representation found in the report and that the questioning of the Applicant had been concluded.

The Agent (on behalf of the Applicant) provided a closing submission:

- a) The Agent stated he was confident that the application dealt with as many points as possible to cover the issues of crime and disorder and public nuisance.

The meeting was adjourned at 14:34, and the Sub-Committee and their legal advisor retired from the Council Chamber to consider the application.

the Sub-Committee and their legal advisor returned to the Council Chamber, and the meeting resumed at 15:01. The Chair relayed the Sub-Committee's decision

(as detailed below) and advised that the decision would be followed by a written confirmation.

Following consideration of the material presented in the agenda and the written and verbal representations made, having regard to the Statutory Guidance and the Licensing Policy of the Council, and in the interest of the prevention of crime and disorder and the prevention of public nuisance, the Sub-Committee resolved to:

**GRANT the application (subject to relevant mandatory conditions and modified with the conditions set out below) for a premises licence.**

**Conditions:**

- (1) Licensable activities to be restricted to inside the building, and not to extend to the outside areas of the premises.**
- (2) Opening hours up to 00:00 on Thursday-Saturday, with the serving of alcohol up to 23:30.**

*The meeting began at 2.00 pm, was adjourned between 2.34pm - 3.01pm, and ended at 3.03 pm*

COUNCILLOR LIZ FROST (CHAIR)