

Minutes of the Meeting of the LICENSING (HEARING) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 20 March 2023

PRESENT -

Councillor Liz Frost (Chair); Councillors Steven McCormick and Phil Neale

In Attendance: Jasmit Nagpal (Applicant), Mr S Panchal (Applicant's Agent)

Officers present: Lidia Harrison (Principal Solicitor), Oliver Nelson (Public Protection Manager), Angela Slaughter (Licensing Officer) and Dan Clackson (Democratic Services Officer)

9 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.

10 EWELL LOCAL 178 KINGSTON ROAD EPSOM KT19 0SF

The Licensing (Hearing) Sub-Committee ("the Sub-Committee") was asked to determine an application for a premises licence made under the Licensing Act 2003 sections 17 and 18 for the premises known as: Ewell Local, 178 Kingston Road, Epsom, KT19 0SF.

The Licensing Officer introduced the report.

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

The Licensing Officer responded to questions from the Sub-Committee, and the following was confirmed:

- a) The Licensing Officer confirmed that no applications had been received to date for amendment to conditions or variation to hours for the two premises as referred to in paragraph 4.5 of the report.
- b) The Licensing Officer confirmed that it is the free choice of any applicant to determine what hours they wish to apply for.
- c) The Licensing Officer confirmed that one of the two premises, as referred to in paragraph 4.5 of the report, was on other side of busy dual carriageway in relation to Ewell Local, 178 Kingston Road, Epsom, KT19 0SF.

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

- a) The applicant has a personal license, knowledge of the four licensing objectives, an understanding of how to run a premises, and is familiar with the licensing policy of the Council.
- b) The applicant will keep a refusals book in which any refusals to sell alcohol will be recorded and will keep an incident book to keep a log of any incidents that may occur.
- c) The applicant will not serve alcohol if the premises' CCTV is not in operation and will not serve alcohol to intoxicated patrons.
- d) The applicant will display posters at the premises promoting orderly behaviour from patrons in order to reduce potential public nuisance and will display posters confirming the use of CCTV at the premises.
- e) The applicant will provide a training manual to staff and ensure that all staff employed at the premises have a legal right to work in the UK.
- f) The applicant will ensure that all staff will receive training every 3 months and keep a record of said training. The applicant will provide a book to staff in order for them to study the four licensing objectives.
- g) The Agent stated that the grounds for objections A and C in the petitions (seen at appendices 3 and 4 of the report) were not related to the licensing objectives.
- h) The Applicant will communicate to patrons that they will be required to move their cars before being served, in the event that they park their cars in front of the premises.

The Chair confirmed that the Sub-Committee was aware that points A and C of the petitions were not related to the licensing objectives.

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

- a) The Applicant's Agent confirmed that the Applicant will commute to the premises 5 days a week and will appoint fully trained staff with personal licenses.

The Sub-Committee and their legal advisor retired from the Council Chamber to consider the application. The meeting was adjourned at 12:22, and.

The Sub-Committee and their legal advisor returned to the Council Chamber, and the meeting resumed at 12:44. The Chair relayed the Sub-Committee's decision (as detailed below).

Having considered the material presented in the agenda and the written representations made, having listened to all the evidence and submissions presented at the Hearing, and having regard to the Statutory Guidance and the Licensing Policy of the Council, the Sub-Committee resolved to:

GRANT the application applied for Ewell Local, 178 Kingston Road, Epsom, KT19 0SF, for the following reasons:

- (1) No responsible authorities put forward any representations or objections.**
- (2) The Applicant provided evidence of how they intend to comply with the licensing conditions.**
- (3) The Sub-Committee considered the petitions, but only one of the three points of objection contained within both petitions related to the licensing regime. The Applicant gave evidence to reassure their compliance with the conditions set out in the application.**

The Chair confirmed that the decision of the Sub-Committee would be followed by a written confirmation. The Chair advised that the applicant and representors have a right of appeal against the decision of the Sub-Committee, within 21 days of the notification in writing to the applicant, to the Magistrates Court.

The meeting began at 12.00 pm, was adjourned at 12:22, resumed at 12:44, and ended at 12.45 pm

COUNCILLOR LIZ FROST (CHAIR)