



## LICENSING AND PLANNING POLICY COMMITTEE

Tuesday 23 September 2025 at 7.30 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

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

Councillor Peter O'Donovan (Chair)  
Councillor Neil Dallen (Vice-Chair)  
Councillor Steve Bridger  
Councillor Alex Coley  
Councillor Julian Freeman

Councillor Rob Geleit  
Councillor Shanice Goldman  
Councillor Phil Neale  
Councillor Humphrey Reynolds  
Councillor Clive Woodbridge

Yours sincerely

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

Chief Executive

For further information, please contact [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk) or tel: 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 using free YouTube software.**

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. 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 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](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 Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

## Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk)

Questions must be received in writing by Democratic Services by noon on the fifth working day before the day of the meeting. For this meeting this is **Noon, Tuesday 16 September**.

A written copy of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, Monday 22 September**.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

## Filming and recording of meetings

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Members of the Press who wish to film, record or photograph a public meeting should contact the Council's Communications team prior to the meeting by email at: [communications@epsom-ewell.gov.uk](mailto:communications@epsom-ewell.gov.uk)

Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

## **AGENDA**

### **1. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

To take any questions or statements from members of the Public.

### **2. DECLARATIONS OF INTEREST**

To receive declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests from Members in respect of any item to be considered at the meeting.

### **3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 10)**

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 3 July 2025 (attached) and to authorise the Chair to sign them.

### **4. MINUTES OF LICENSING SUB-COMMITTEE (Pages 11 - 24)**

To receive the Minutes of the Meeting of the Licensing Sub-Committee held on the 16 July 2025.

### **5. REVIEW OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005 (Pages 25 - 82)**

The Statement of Principles under the Gambling Act 2005, constitutes the Council's policy on how applications for Gambling Premises licences are considered and regulated. The Act requires the Council to review and readopt a statement of principles at least once every three years and to consult on the draft before it is adopted. This report seeks the Committee's approval to go out to consultation on an updated draft Statement of Principles.

### **6. REVIEW OF STATEMENT OF POLICY LICENSING ACT 2003 (Pages 83 - 158)**

The Statement of Policy under the Licensing Act 2003, constitutes the Council's policy on how authorisations for alcohol, regulated entertainment, and late-night refreshment is considered and regulated. The Act requires the Council to review and readopt a statement of policy at least once every five years and to consult on the draft before it is adopted. This report seeks the Committee's approval to go out to consultation on an updated draft Statement of Policy.

### **7. URGENT DECISIONS (Pages 159 - 162)**

To report to the committee a decision taken by one of the Directors and / or Chief Executive on the grounds of urgency, in compliance with the requirements of the Constitution.

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**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE  
held at the Council Chamber, Epsom Town Hall on 3 July 2025**

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**PRESENT -**

Councillor Peter O'Donovan (Chair); Councillor Neil Dallen (Vice-Chair); Councillors Steve Bridger, Julian Freeman, Rob Geleit, Julie Morris (as nominated substitute for Councillor Alex Coley), Phil Neale, Humphrey Reynolds and Clive Woodbridge

Absent: Councillor Alex Coley and Councillor Shanice Goldman

Officers present: Ian Mawer (Planning Policy Manager) and Phoebe Batchelor (Democratic Services Officer)

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**1 QUESTIONS AND STATEMENTS FROM THE PUBLIC**

No questions or statements were received from Members of the Public.

**2 DECLARATIONS OF INTEREST**

No declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests were made by Members with respect to any items to be considered at the meeting.

**3 MINUTES OF THE PREVIOUS MEETING**

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on 11 March 2025 and authorised the Chair to sign them.

**4 MINUTES OF LICENSING SUB-COMMITTEE**

To receive the Minutes of the Meeting of the Licensing Sub-Committee held on 22 January 2025.

Following consideration, the Committee unanimously resolved to:

- (1) Receive the Minutes of the Meeting of the Licensing Sub-Committee held on 22<sup>nd</sup> January 2025 and authorise the Chair of the Sub-Committee meeting to sign them as a true record of that meeting.**

## 5 PROPOSED REFORM OF PLANNING COMMITTEES: TECHNICAL CONSULTATION

The government has launched a consultation on the reform of Planning Committees, which opened for comments on 28th May 2025.

The key areas the consultation is seeking views on are:

- introducing a national scheme of delegation so there is greater consistency and certainty about which decisions go to committee;
- introducing rules regarding the size and composition of planning committees; and
- introducing a requirement for mandatory training for all planning committee members so they are more informed about key planning principles.

The Committee received a report setting out the Council's draft consultation response for their approval.

The following matters were considered:

- a) **Planning reporting.** A Member of the Committee suggested that a quarterly report on Planning and Appeals performance is made available. The Democratic Services Officer explained that quarterly Planning, Appeals, and Enforcement reports are received by the Planning Committee, and agreed to share the latest reports with the Member.
  - b) **Mandatory Training.** A Member of the Committee raised that they believed the response to Question 15 could be clearer, to highlight the agreement that Planning Committee Training should be mandatory nationally but administered locally.
  - c) **Local Training.** The Vice Chair asked if there is a commitment for Council's to hold local training for Planning Committee Members. The Planning Policy Manager explained that there is currently no national requirement for Council's to hold mandatory training.
  - d) **EEBC Training.** A Member of the Committee asked why training has to be repeated annually if the membership of the Planning Committee does not materially change. The Planning Policy Manager informed the Committee that it is good practice to refresh training, and new national planning policy documents or updated guidance being published means training is recommended to be maintained annually.
- Councillor Woodbridge proposed a motion to amend the response to Question 15 to state that the Council does agree there should be mandatory training for Planning Committee Members, but it should not be administered at a National level, it should be administered locally and

tailored to local requirements, as is currently done at Epsom and Ewell Borough Council.

Councillor Geleit seconded the motion.

The Committee resolved (7 for and 1 abstaining) to support the amendment.

Following consideration, the Committee unanimously resolved to:

- (1) **Note the contents of the consultation**
- ~~(2) **Approve the draft response (Appendix 1) or;**~~
- (3) **Agree amendments and nominate and authorise the Head of Place Development, in consultation with the Chair of this Committee, to finalise and submit the response**

## 6 AUTHORITY MONITORING REPORT 2024/25

The Authority Monitoring Report (AMR) is a factual report that has two purposes; to monitor progress towards new Local Development Documents and to monitor the effectiveness of key policies set out in Local Development Documents.

The following matters were considered:

- a) **Affordable Housing.** A Member of the Committee expressed their disappointment in affordable housing numbers and kind of affordable housing provided (1-beds). The Chair noted the comments.
- b) **CIL pots.** A Member of the Committee asked how much is currently in the Strategic and Neighbourhood CIL pots. The Planning Policy Manager informed the Member, that they would send the figures following the meeting.
- c) **Infrastructure statement.** A Member of the Committee asked where the infrastructure statement could be found. The Planning Policy Manager explained that it is a legal requirement to publish the infrastructure funding statement, which is done annually, and can be found on the Council's Website. The Planning Policy Manager informed the Committee that the infrastructure funding statement for the 2024/2025 monitoring year must be published by the end of December 2025.
- d) **Local Plan.** A Member of the Committee raised how important it is to get the new Local Plan in place, as it can be seen in the report, the positive effect of the last Local Plan, when it comes to delivery much needed housing. The Chair noted the comments.
- e) **Town and Country Housing.** A Member of the Committee spoke about the Member Briefing they attended from Town and Country Housing. The

Member explained it was immensely helpful to hear Town and Country Housing's approach to the housing situation in Epsom and Ewell. The Member explained that the future investment in Epsom and Ewell is going to be aimed at affordable housing.

Following consideration, the Committee unanimously resolved to:

**(1) Note the content of the Authority Monitoring Report for the 2024/25 Monitoring year and agree to it being published**

**7 RESPONSE TO STONELEIGH AND AURIOL SUBMISSION NEIGHBOURHOOD PLAN (REGULATION 16)**

This report considered the Council's proposed response to the Stoneleigh and Auriol Neighbourhood Plan that was published for consultation between 20 June 2025 and 1 August 2025 under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

The Neighbourhood Plan has been prepared by the Stoneleigh and Auriol Neighbourhood Forum following consultation on a draft Neighbourhood Plan (Regulation 14) that was undertaken between 9 September 2024 and 27 October 2024.

The Council is a statutory consultee on neighbourhood plans, and it is important that the council provides detailed responses on neighbourhood plans at the formal consultation stages.

Once adopted the neighbourhood plan becomes part of the boroughs statutory development plan and will therefore be used in the determination planning applications in the Stoneleigh and Auriol Neighbourhood Forum Area.

The following matters were considered:

- a) **Adoption of the Plan.** A Member of the Committee asked for clarification as to whether the Stoneleigh and Auriol Neighbourhood Plan would be adopted even if the Local Plan does not pass its inspection. The Planning Policy Manager explained that the Neighbourhood Plan will be assessed against its conformity with the National Planning Policy Framework and the current strategic policies of the Council's current development plan, which is the core strategy. The Planning Policy Manager explained if there is any conflict between plans, the most recently adopted document will take precedence. The Planning Policy Manager informed the Committee that the adoption of the Stoneleigh and Auriol Neighbourhood Plan will not be delayed or affected by the Local Plan process.
- b) **Paragraph 0.** A Member of the Committee raised that they had not been able to find paragraph 0 in the Neighbourhood Plan document. The Planning Policy Manager confirmed that there is no paragraph 0 and this has been picked up on and written into the consultation response.

- c) **Thanks.** A Member of the Committee expressed their thanks to all those who have input into and worked on the Stoneleigh and Auriol Neighbourhood Plan.

Following consideration, the Committee resolved with 7 votes for and 1 abstention to:

- (1) **Approve the Councils response to the Stoneleigh and Auriol Neighbourhood Plan (Regulation 16) set out in Appendix 1 that is currently subject to public consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.**

*The meeting began at 7.30 pm and ended at 8.01 pm*

COUNCILLOR PETER O'DONOVAN (CHAIR)

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## MINUTES OF LICENSING SUB-COMMITTEE

<b>Head of Service:</b>	Piero Ionta, Head of Legal and Monitoring Officer
<b>Report Author</b>	Phoebe Batchelor
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	N/A
<b>Appendices (attached):</b>	<b>Appendix 1</b> – Minutes of the Licensing Sub-Committee – 16 July 2025

### Summary

To receive the Minutes of the Meeting of the Licensing Sub-Committee held on the 16 July 2025.

### Recommendation (s)

#### The Committee is asked to:

- (1) **Receive the Minutes of the Meeting of the Licensing Sub-Committee held on the 16 July 2025 and authorise the Chair of the Sub-Committee meeting to sign them as a true record of that meeting.**

## 1 Reason for Recommendation

- 1.1 The Draft Minutes of meetings of the Licensing Sub-Committees are presented to the Committee for information and to authorise their signature by the Sub-Committee Chair as a true record of the meeting.

## 2 Background

- 2.1 CPR 10.4 of Appendix 5 of the Constitution (Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels) set out a procedure for the signature of minutes should a committee, subcommittee or advisory panel not be scheduled or likely to meet again in the foreseeable future.
- 2.2 In such instances the minutes are presented to the parent committee or Full Council to authorise their signature as a true record, subject to the resolution of all questions of accuracy raised by members who were present at the meeting.

- 2.3 As meetings of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee do not have an annual schedule (they are arranged as required) or static membership, it is necessary to present their minutes to the Licensing and Planning Policy Committee (as parent Committee) for approval.
- 2.4 The below procedure is followed for Minutes of Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee:
- 2.4.1 Following each meeting of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee the draft minutes will be provided by officers to all three sub-committee members for comment and agreement via email. Any questions of accuracy will be resolved to the agreement of all three members.
- 2.4.2 Once all three members have expressed their agreement to the minutes, a copy will be provided to the next ordinary meeting of the Licensing and Planning Policy Committee to receive and authorise a signature.
- 2.4.3 Following receipt and authorisation by the Licensing and Planning Policy Committee, a hard copy of the Minutes will be provided to the Chair of the Sub-Committee for signature.
- 2.5 This report presents the draft Minutes from the Meeting of the Licensing Sub-Committee held on:
- 16 July 2025
- 2.6 All members of each Sub-Committee meeting have expressed their agreement to the draft minutes, and any questions of accuracy raised by members of the Sub-Committee have been resolved to the satisfaction of all members of that meeting.

### **3 Risk Assessment**

#### Legal or other duties

- 3.1 Equality Impact Assessment
- 3.1.1 None arising from this report.
- 3.2 Crime & Disorder
- 3.2.1 None arising from this report.
- 3.3 Safeguarding
- 3.3.1 None arising from this report.
- 3.4 Dependencies



3.4.1 None arising from this report.

3.5 Other

3.5.1 None arising from this report.

#### **4 Financial Implications**

4.1 None for the purposes of this report.

4.2 **Section 151 Officer's comments:** None for the purposes of this report.

#### **5 Legal Implications**

5.1 None for the purposes of this report.

5.2 **Legal Officer's comments:** None for the purposes of this report.

#### **6 Policies, Plans & Partnerships**

6.1 **Council's Key Priorities:** Not relevant to this report.

6.2 **Service Plans:** Not relevant to this report.

6.3 **Climate & Environmental Impact of recommendations:** None

6.4 **Sustainability Policy & Community Safety Implications:** None.

6.5 **Partnerships:** None.

6.6 **Local Government Reorganisation Implications:** None.

#### **7 Background papers**

7.1 The document referred to in compiling this report are as follows:

**Other papers:**

- [Appendix 5 – Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels](#)

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**Minutes of the Meeting of the LICENSING (HEARING) SUB-COMMITTEE held at  
the Council Chamber, Epsom Town Hall on 16 July 2025**

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**PRESENT -**

Councillor Julian Freeman (Chair); Councillors Alex Coley and Clive Woodbridge

In Attendance: Stewart Gibson (Applicant's Representative) (Licence Consultant, SG Licensing Ltd.), Narinder Marwa (Applicant's Representative) (Company Director), Pawan Marwa (Applicant's Representative) (Sales Manager), Hassan Ahmed (Objector #3), Vinod Sachdev (Objector #2), Maninder Kaur (Objector #2's Representative) (Personal Licence Course UK Ltd.), and Max Burden (Objector #1)

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

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**1 APPOINTMENT OF THE CHAIR**

The Sub-Committee unanimously agreed that Councillor Julian Freeman be appointed as Chair of the meeting.

**2 DECLARATIONS OF INTEREST**

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

**3 DETERMINATION OF APPLICATION FOR PREMISES LICENCE**

The Sub-Committee received a report to determine an application for a premises licence where the licensing authority had received relevant representations.

The Principal Licensing Officer introduced the report. Within his introduction, he stated the following:

- a) He stated that, in response to a query from a Member, a summary of nearby off-licences had been provided to Members, as it was considered relevant information in order to provide a general picture of the number of licensed premises in the area and their operating hours, due to objections being raised in respect of cumulative impact. He stated that the information was also thought relevant due to one of the objectors being a premise license holder on the list. In light of this information, he pressed that each application must be considered on its own merits and that the only consideration that should be given to an application is the promotion

of the licensing objectives, and no account should be taken of other establishments' licensing hours or conditions.

- b) He stated that any decision made by the Sub-Committee may be appealed in the courts.

The Sub-Committee invited the Applicant and Objectors to ask questions of the Principal Licensing Officer. Neither the Applicant nor the Objectors had any questions to ask of the Principal Licensing Officer at this time. The Sub-Committee had no questions to ask of the Principal Licensing Officer at this time.

The Sub-Committee invited the Applicant to make an opening submission. The Applicant's representative (Licence Consultant) provided an opening submission on behalf of the Applicant:

- a) He stated that the Friday and Saturday hours applied for were the same as those granted to two other off-licences on Epsom high street.
- b) He stated that the premises at 31 High Street was small, at c.54m<sup>2</sup>, and, along with alcohol, would sell other goods such as vapes, phone accessories, and various convenience items. He stated that the alcohol on the shop floor would be kept behind and directly opposite the sales counter, in full view of counter staff.
- c) He stated that a number of robust conditions had been offered as part of the application within the operating schedule.
- d) He stated that the two other representatives of the Applicant present at the meeting – the Sales Manager and Company Director – had been operating a vape shop in the town for over a year and, though the shop in question did not sell alcohol, they were already experienced retailers.
- e) He addressed the written representations provided by objectors:
  - i. He stated that within the written objections there were claims there was no need for another off-licence in town – he stated that 'need', however, was not a relevant consideration for licensing.
  - ii. He stated that within the written objections there were claims that another off-licence in town would have a negative cumulative impact – he stated that Epsom & Ewell Borough Council, however, did not currently have a Cumulative Impact Policy in place.
  - iii. He stated that two of the written objections had been made by would-be-competitor off-licence retailers on the High Street – he stated that, in his view, the true reason behind their objection to the application was on account of the competition to their business that the new shop would bring.
  - iv. He stated that within the written objections there were claims that another off-licence would increase the number of people in the

town centre and consequently increase the chance of crime and public nuisance – he stated that the new shop would not draw large numbers of additional people to the town centre, and that it would simply offer more choice for the people already visiting the town centre.

- v. He referred to the revised guidance issued under section 182 of Licensing Act 2003 and stated that the guidance advised that permission to sell alcohol should be granted to a premises for all opening hours unless relevant representations are received from responsible authorities. He stated that the Police nor Environmental Health had placed any objection to the application with regard to any of the licensing objectives, and that heavy weight should be placed on the fact that said responsible authorities had taken no issue with the application.
- vi. He stated that the written objections equated the sale of alcohol to causing underage drinking and criminal behaviour – he stated that in both cases it is the only small minority of instances where alcohol sales leads to such activity. He stated that the vast majority of alcohol sales do not lead to any trouble, but people focus on the small minority of times where things go wrong. He stated that the Sales Manager and Company Director, through their vape shop in town, had had no issues since its opening in relation to the sale of age-restricted items (vapes). He asserted that, should the application under consideration be granted, children would not be placed at risk and great care would be taken over who age-restricted items were sold to at the shop.
- vii. He stated that the objectors, nor the Police or Environmental Health, had provided any evidence to support any of the claims set out within the written objections, and that the written objections put forward opinions only.

The Applicant's representatives responded to questions from the Sub-Committee:

- a) The Licence Consultant stated that the Sales Manager was currently undergoing personal licence training, and that he was aware the off-licence could not operate until such a time as he had received said licence. He stated that, as set out in the submitted operating schedule, a record of training would be kept on site, with refresher training to be received by staff within every 12-month period. He stated that the training would be level 1 (covering the basics of alcohol sales) and would be provided via an App produced by CPL Learning – he stated that provision of training via an app would allow for standardisation, ensuring everyone receives the same training, and that a certificate would be provided upon completion of the training. The Sales Manager stated that two staff members would be level 1 trained, and that whilst open the shop would always have someone level 1 trained present at the premises.

- b) The Licence Consultant stated that the Applicant had applied to stay open until 01:00am on Fridays and Saturdays in order to capture the late-night market that exists on those days, with the intention of closing at 22:00pm the other days of the week due to those days being quieter. He stated that he had recently spoken with local businesses in the area and enquired as to whether they experience any trouble in the evenings/night to which, he stated, the ones who responded said they did not, with any trouble they were aware of usually happening around 02:00 – 03:00am. The Sales Manager stated that he wanted the shop to stay open until 01:00am in line with the opening hours of the two competitor off-licences on the high-street in order for the business to not be disadvantaged.
- c) The Sales Manager stated that all alcohol sales would take place at the premises and would not be made available via delivery service.

The Sub-Committee invited the Objectors to ask questions of the Applicant. None of the Objectors had any questions to ask of the Applicant at this time.

The Principal Licensing Officer made a point of clarification in response to the Applicant's opening submission:

- a) He clarified that at page 29 of the agenda pack, the submitted operating schedule set out the steps that the Applicant would take in respect of the prevention of crime and disorder and included details surrounding training. He explained that, should the Sub-Committee grant the licence, those steps would become conditions of the licence as set out in the operating schedule, unless otherwise modified by the Sub-Committee. He explained that those conditions would be enforceable by the Council.
- b) He clarified that paragraph 10.15 of the 'revised guidance issued under section 182 of Licensing Act 2003', the content of which was referred to by the Applicant's Representative (License Consultant), advised that 'shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours', and that the guidance was not saying that permission to sell alcohol should only be restricted where objections are received from responsible authorities. He suggested that the intent of the guidance was to prevent instances where a shop's opening hours do not correlate with the hours permitted to sell alcohol, causing the shop to have to obscure its alcohol from view during portions of its operating hours.

The Sub-Committee invited the Objectors to provide an opening submission. Objector #2's representative provided an opening submission on behalf of Objector #2:

- a) She stated that the concerns of Objector #2 were based on the wider impact on the local community and not based on matters relating to business competition or commercial interests.

- b) She stated that Epsom High Street experiences a significant level of street-drinking, groups loitering and violent crime. She stated a recent BBC news article reported that Police had been speaking with pedestrians on Epsom High Street with respect to crime taking place there. She stated that the late-night sale of alcohol contributes to such crime and disorder. She stated that it was acknowledged that the Sales Manager and Company Director present at the meeting had been running a vape shop for the past year, and that vapes were an age-restricted item, but stated that alcohol is different to vapes in that alcohol affects one's judgement and behaviour when consumed. She stated that increasing late-night alcohol availability would likely lead to an increase in disorder.
- c) She stated that the part of the High Street the shop would be located was regularly used by young people and that an additional off-licence would increase the visibility and availability of alcohol – she stated that this could give rise to issues in respect of crime and disorder and children's safety by providing more opportunity for attempted underage purchases.
- d) She acknowledged that the Council did not currently have a Cumulative Impact policy in place – she referred to the revised guidance issued under section 182 of Licensing Act 2003 and stated that paragraph 14.41 (later in the hearing confirmed to be 14.42) set out, however, that cumulative impact can be considered without a formal policy where evidence shows there are problems in the area. She stated that she had spoken with a resident who had told her of a recent stabbing in the area, referred again to the aforementioned BBC article, and stated that Epsom & Ewell had one of the highest crime rates in Surrey. She stated that the addition of a new off-licence would increase density and intensify existing issues.
- e) She referred to the proposed condition listed at page 30 of the agenda pack setting out that the number of people on the premises would not exceed 30 – she stated that 30 people was too many for the size of the shop and suggested that the Sub-Committee should modify the condition to a lower number in the event that the licence is granted, for reasons of public safety.
- f) She stated that, as seen on page 25 of the agenda pack, the proposed designated premises supervisor was currently in the process of applying for a personal licence indicating that they lacked prior experience in selling alcohol. She stated that the level 1 training provided through the aforementioned app would be too basic and that the level of training provided to staff should be to a higher level.
- g) She stated that the application ought to be refused. She requested, should the Sub-Committee decide to grant the licence, that more robust stricter and stricter conditions be applied to it.

Objectors #1 and #3 declined to provide an opening submission.

The Sub-Committee invited the Applicant to ask questions of the Objectors. The Applicant had no questions to ask of any of the Objectors at this time.

The Applicant's representatives responded to a question from the Sub-Committee:

- a) The Sales Manager stated that he would be happy to take part in additional training opportunities, such as training offered by the Police through their Safer Streets initiative.
- b) The Licence Consultant reiterated that the shop was c.54m<sup>2</sup>. He stated that he did not consider it necessary to have a condition outlining a maximum capacity of people, suggesting that the shop would be unlikely to have more than a few people in it at a time. He stated that the proposed condition ought not to have been included within the application, advising that it would not be practical or reasonable to enforce it. He stated, however, that the Applicant would be content should the Sub-Committee wish to modify the condition to a capacity of fewer than 30 people.

The Principal Licensing Officer made a point of clarification in response to the opening submission made on behalf of Objector #2:

- a) It was clarified that the paragraph of the 'revised guidance issued under section 182 of Licensing Act 2003' referred to by Objector #2's Representative was 14.42. The Principal Licensing Officer explained that said guidance advised that 'the absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact'.

Objector #2's representative responded to questions from the Principal Licensing Officer:

- a) The Officer referred to the comment made by Objector #2's representative, in which she requested that, should the Sub-Committee decide to grant the licence, they apply more robust and stricter conditions. He enquired as to what additional conditions she had in mind when making the request. She stated that level 1 training would be insufficient and that there should be a condition requiring a higher level of training, chiefly in the interest of children's safety.

The Principal Licensing Officer and Legal Advisor responded to questions from the Sub-Committee:

- a) The Principal Licensing Officer explained that, unless an application specifies a duration for the premises licence, the licence upon being granted lasts indefinitely, subject to the payment of an annual maintenance fee or until such a time as the licence is



surrendered/revoked/etc. The Sub-Committee's Legal Advisor advised that there were provisions under sections 51 – 53 of the Licensing Act 2003 for applications for reviews of licences to be made at any time on the grounds of concerns with respect to the licensing objectives.

- b) The Principal Licensing Officer clarified that in order to sell alcohol, two licences are required - a premises licence and a personal licence – with a personal licence holder specified as a designated premises supervisor ('DPS') on said premises licence. He explained that level 2 training was required in order to obtain a personal licence. He stated there was no legal requirement for there to be a DPS or other personal licence holder on site during hours permitted for alcohol sales, nor any legal requirement for non-DPS staff to receive any level of training with respect to selling alcohol, with said staff only requiring authorisation from the DPS to sell alcohol. He stated that the application under consideration had gone beyond legal requirement in the sense that it was proposing a condition that all non-DPS staff selling alcohol would receive level 1 training. He advised that the Sub-Committee could add a condition requiring a personal licence holder to be on site at all times during hours permitted for alcohol sales but advised that such a condition would normally be attached only to premises deemed as high-risk, and that it was highly unusual for off-licences to receive such conditions.

The Sub-Committee invited the applicant to ask questions of the Objectors. The Applicant had no questions to ask of any of the Objectors at this time.

The Sub-Committee invited the Objectors to provide a closing submission. Objector #2's representative provided closing submission on behalf of Objector #2:

- a) She stated that the representation she was putting forward was not about stopping a new business, but rather about ensuring the licensing objectives were upheld.
- b) She reiterated the views that the proposed DPS did not have enough prior experience in selling alcohol, and that the proposed training to be received by the shop's staff would not be robust enough.
- c) She reiterated the request that the application be refused, and if granted, that the licence have stricter conditions applied to it.

Objectors #1 and #3 declined to provide a closing submission.

The Sub-Committee invited the Applicant to provide a closing submission. The Applicant's representative (Licence Consultant) provided a closing submission on behalf of the Applicant:

- a) He stated that the Police had placed no objection to the application, stating that this indicated they had no concerns in respect of crime and disorder in relation to the application.

- b) He stated that there was no evidence to suggest that the proposed DPS – the Sales Manager – would not be capable of selling alcohol on account of not having sold it previously. He stated that the Sales Manager had already been selling age-restricted items in the form of vapes for the past year and had had no issues. He stated that in the event that any issues did arise, the licence review process was available.
- c) He stated that there was no evidence to suggest that there would be an increase in crime and disorder as a result of the licence in question being granted.
- d) He stated that there was no evidence to suggest that the application should be refused for cumulative impact reasons.
- e) He stated that, whilst it was the intention that a member of staff trained in alcohol sales would always be on site during opening hours, it would not be the case that there would always be a personal licence holder on site. He stated that it would be unreasonable and cost-restrictive for a condition to be imposed requiring that a personal licence holder be on site in order for alcohol to be sold. He stated that such a condition would also be to the detriment of the customer experience as it would result in cases where one day a customer can buy alcohol, and the next day they can't, on account of staff absence.

The Sub-Committee made a comment in response to the Applicant's closing submission:

- a) A Member stated that customer experience was not a material consideration that the Sub-Committee could take into account as part of its decision-making.

The meeting was adjourned at 12:01 and the Sub-Committee retired from the Council Chamber with their legal advisor to consider the application.

The Sub-Committee and their legal advisor returned to the Council Chamber and resumed the meeting at 12:24. The Chair relayed the Sub-Committee's decision (as detailed below).

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

**“Grant the licence as applied for.** We have heard from the applicant and have taken into account both the oral and written representations received. Whilst we understand the concerns raised by objectors, we do not feel there are sustainable grounds to show that the licensing objectives will be undermined by the granting of the licence. The applicant provided reasonable conditions as part of their application. It is notable that no objections from responsible authorities, including the Police, have been received. We are satisfied that the level of training detailed in the

operating schedule is sufficient and enforceable. We therefore grant the premises licence and impose the conditions in the operating schedule, which we feel are reasonable and proportionate.”

*The meeting began at 11.11 am and ended at 12.26 pm*

COUNCILLOR JULIAN FREEMAN (CHAIR)

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## **REVIEW OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005**

<b>Head of Service:</b>	Rod Brown, Head of Housing & Community
<b>Report Author</b>	Paul Holliday
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	<b>Appendix 1 - Revised Statement of Principles</b>

### **Summary**

The Statement of Principles under the Gambling Act 2005, constitutes the Council's policy on how applications for Gambling Premises licences are considered and regulated. The Act requires the Council to review and readopt a statement of principles at least once every three years and to consult on the draft before it is adopted. This report seeks the Committee's approval to go out to consultation on an updated draft Statement of Principles.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) The Committee is asked to approve the draft Statement of Principles under the Gambling Act 2005 for public consultation.**

## **1 Reasons for Recommendation**

- 1.1** The current Statement of Licensing Principles has passed its renewal date and must be reviewed, and a revised draft consulted on prior to adoption for a further 3-year period. This is a statutory requirement, and as such there is no alternative option.

## **2 Background**

- 2.1 The Council is the licensing authority (LA) for certain prescribed gambling activities in the Borough, which covers licensing gambling premises; considering temporary use notices for gambling at premises; granting permits for gaming and gaming machine in clubs and premises licensed for the supply of alcohol; granting permits to family entertainment centres for the use of certain lower stake gaming machines; granting permits for prize gaming; considering occasional use notices for betting at tracks and registering small lotteries that fall below certain limits. Currently in the Borough there are seven licensed betting shops and 42 small society lottery registrations. Other non-premises-based gambling is regulated by the Gambling Commission (the Commission).
- 2.2 There are three licensing objectives under the Gambling Act 2005 (the Act) which guide the way that the Commission and LAs perform their functions and the way that gambling businesses carry on their activities. These 3 objectives are:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
  - ensuring that gambling is conducted in a fair and open way
  - protecting children and other vulnerable persons from being harmed or exploited by gambling

### **3 Review of the Statement of Principles**

- 3.1 The Statement of Principles under the Act constitutes the Council's policy on how applications for gambling premises licences are considered and regulated. It provides guidance to applicant's, objectors and responsible authorities on Epsom & Ewell Borough Council's approach to the licensing of gambling premises in the Borough. Under the Act the Council is required to review and readopt a statement of principles at least once every three years and to consult on the draft before it is adopted.
- 3.2 The Council's current Statement of Principles was last reviewed more than three years ago, and as such it has been reviewed and redrafted, including updating the Local Area Profile. Since the publication of the previous policy, the Council has not been informed of or identified any issues associated with the Statement's content or its interpretation and there have been no significant changes to gambling legislation or to the Commission Licence conditions, codes of practice or guidance to LAs.
- 3.3 There have been no reported issues in relation to the gambling activities currently licensed by the Council in the Borough.

#### **4 Local Area Profile**

- 4.1 Gambling premises operators are required to prepare a gambling harm risk assessment for their business when applying for a new licence or varying an existing licence, which considers the nature and characteristics of the locality in which they are situated. For example, the proximity of schools, places of worship and/or whether the business is located on a walking route for local schools.
- 4.2 Current Commission guidance, states that licensing authorities may find it useful to complete their own local area profiles with regard to gambling, which can be reviewed and updated to reflect any relevant local changes.
- 4.3 The Local Area Profile (LAP) for Epsom & Ewell has been redrafted as part of the updated Statement of Principles. The LAP provides operators with relevant information about the Borough for their consideration when preparing their risk assessments.

#### **5 Consultation**

- 5.1 A twelve-week consultation exercise on the revised draft Statement and the LAP will be undertaken, and the results of the consultation will be reported back to the 10 March 2026 meeting of this Committee.
- 5.2 The Act sets out statutory consultees as follows:
  - The Chief Officer of Police for Surrey;
  - One or more persons who appear to be the authority to represent the interest of persons carrying on gambling businesses in the authority's area;
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act;
- 5.3 The list of consultees is deliberately wide as it enables licensing authorities to consult with anyone who may be affected by or otherwise have an interest in the Statement of Principles.
- 5.4 In addition to the statutory consultees, we are proposing to consult with the following:
  - Ward Councillors
  - Surrey County Council Children's, Adult Social Care, and Public Health Services
  - Citizen Advice Bureau
  - Gamcare
  - Epsom Business Improvement District ('Go Epsom')

#### **6 Risk Assessment**

Legal or other duties

6.1 Equality Impact Assessment

6.1.1 The draft Statement of Principles considers the duties imposed by the Equalities Act 2010. It is not considered necessary for a separate Equalities Impact Assessment to be documented.

6.2 Crime & Disorder and Safeguarding

6.2.1 The Act places a duty on both the Council to aim to permit gambling, in so far as it is reasonably consistent with the pursuit of the licensing objectives.

6.2.2 The licensing objectives include the objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, as well as protecting children and other vulnerable persons.

6.2.3 The draft Statement of Principles sets out how the Council will seek to fulfil its duties under the Act in pursuit of these objectives.

**7 Financial Implications**

7.1 The costs associated with consulting on the revised policy will be contained within existing budgets. The maximum fees chargeable by LAs for gambling licences, permits and registrations are set by Commission and have not been reviewed since their introduction in 2007. The Council charges the maximum fees permissible.

7.2 **Section 151 Officer's comments:** None arising from the contents of this report.

**8 Legal Implications**

8.1 Under the Gambling Act 2005 the Council is required to review and readopt a statement of principles at least once every three years and to consult on the draft before it is adopted. Adoption of the Council's gambling policy is a function of Full Council.

8.2 **Legal Officer's comments:** Section 349 of the Act requires each licensing authority to prepare and publish a statement of licensing policy that they propose to apply in exercising their functions under the Act.

**9 Policies, Plans & Partnerships**

9.1 **Council's Key Priorities:** The review of the Statement of Principles is a statutory requirement and does not engage with any of the Key Priorities.

9.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.



9.3 **Climate & Environmental Impact of recommendations:** Climate & Environmental Impact are not licensing objectives under the Gambling Act 2005, and as such to the Council's Statement of Principles is neutral with respect to these matters.

9.4 **Sustainability Policy & Community Safety Implications:** The Act places a duty on both the Council to aim to permit gambling, in so far as it is reasonably consistent with the pursuit of the licensing objectives.

The licensing objectives include the objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, as well as protecting children and other vulnerable persons.

The draft Statement of Principles sets out how the Council will seek to fulfil its duties under the Act in pursuit of these objectives.

9.5 **Partnerships:** The draft Statement of Principles sets out how the Council will work in partnership with the Gambling Commission to regulate gambling.

9.6 **Local Government Reorganisation Implications:** It is a statutory requirement that each Licensing Authority publishes a Statement of Principles. If a new LA is created as a result of the Local Government Reorganisation then it will be necessary for a new Statement of Principles to be published in due course.

## 10 Background papers

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

### Other papers:

- [Gambling Commission guidance to local authorities](#)
- [EEBC current Statement of Principles](#)

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## **Statement of Principles made under the Gambling Act 2005**

Setting out how Epsom & Ewell Borough Council proposes to exercise its functions under the Gambling Act 2005.

This policy is in force between [TBC], unless revised beforehand.

Issued in accordance with section 349 of the Gambling Act 2005.

Draft version number 1  
Date [TBC]

Document history

Date	Key Changes Made	Approved by

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## Definitions Used in this Policy

'the Act' means the Gambling Act 2005

'the Council' means Epsom & Ewell Borough Council

'the Commission' means the Gambling Commission established under the Gambling Act of 2005

'the Guidance' means the Guidance to Licensing Authorities published by the Gambling Commission

'Licensing Authority' means Epsom & Ewell Borough Council

'Licensing Committee' refers to the Committee of Epsom & Ewell Borough Council with responsibility for licensing matters

'licensable activities' means those activities that are required to be licensed by the Council under the Gambling Act 2005

'Licensing Sub Committee' refers to a Sub Committee of the Licensing Committee to consider licence applications

'relevant representations' means a representation conforming to the legal requirements of the Gambling Act 2005

'Regulations' refers to Regulations under the Gambling Act 2005 issued by the Secretary of State

'responsible authorities' means the bodies designated under section 157 of the Gambling Act 2005. A list of the responsible authorities is published on the [Council's website](#).

'the Statement' refers to this Statement of Principles for Gambling

## Part A Introduction and Overview

### 1. General

- 1.1 Councils when acting as Licensing Authorities are required under the Gambling Act 2005 (the Act) to:
- licensed premises where gambling activities are to take place by issuing Premises Licences
  - issue Provisional Statements
  - regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
  - issue Club Machine Permits to commercial clubs
  - grant permits for the use of certain lower stake gaming machines at licensed and unlicensed Family Entertainment Centres
  - receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
  - issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
  - register small society lotteries below the prescribed thresholds
  - issue Prize Gaming Permits
  - receive and endorse Temporary Use Notices
  - receive Occasional Use Notices for betting at tracks
  - provide information to the Gambling Commission regarding details of licences, permits and other permissions issued
  - maintain registers of the permits and licences that are issued under these functions.
- 1.2 Epsom & Ewell Borough Council ('the Council') is a LA for the purposes of the Act. In exercising our statutory functions, we have broad discretion in regulating the local provision of gambling through a wide range of powers, including
- Requirement to issue a statement of principles (licensing policy), setting expectations about how gambling will be regulated in our area
  - Granting, refusing, and attaching conditions to premises licences
  - Reviewing premises licences and attaching conditions or revoking them as a result.
- 1.3 The Gambling Commission (the Commission) has responsibility for dealing with personal licences, online gambling and operating licences.
- 1.4 We will work in partnership with the Commission to regulate gambling. The Commission tends to focus on operators and matters of national or regional significance and LAs take the lead on regulating gambling locally.

## 2. Licensing Objectives

- 2.1 The Act places a duty on both the Commission and LAs to aim to permit gambling, in so far as it is reasonably consistent with the pursuit of the licensing objectives.
- 2.2 In exercising our functions under the Act, particularly in relation to premises licences, temporary use notices and some permits we must have regard to the licensing objectives as set out in section 1 of the Act.
- 2.3 The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
  - Ensuring that gambling is conducted in a fair and open way;
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.4 The Licensing Authority is required by virtue of section 153 of the Gambling Act 2005 to aim to permit gambling in so far as it is:
- (a) in accordance with the Gambling Commission's Licence Conditions and Codes of Practice under section 24 of the Act;
  - (b) in accordance with the Gambling Commission's Guidance to Licensing Authorities that is in effect at the time the application is considered;
  - (c) reasonably consistent with the licensing objectives (subject to (a) and (b) above), and
  - (d) in accordance with this Statement of Principles.
- 2.5 The Gambling Commission issues Licence Conditions and Codes of Practice for gambling operators. Social Responsibility Codes have the force of a licence condition. The Gambling Commission also issue Ordinary Codes, which set out best industry practice. They are not licence conditions, but operators are expected to follow them unless they have alternative arrangements in place which they can demonstrate are equally as effective.
- 2.6 The Licensing Authority, when carrying out inspections of gambling operators, reserves the right to assess compliance with such matters set out in the Gambling Commission's Licence Conditions and Codes of Practice as it sees fit, and will share intelligence with the Gambling Commission about any issues of non-compliance in this respect.
- 2.7 The Council's statement of principles is intended to be reasonably consistent with the three licensing objectives set out in section 1 of the Act.



- 2.8 Nothing in this Statement of Principles overrides the right of any person to make an application, make representations about an application or apply for a review of a licence. Each will be considered on its own merits and in accordance with the statutory requirements of the Act.

### 3. Review and Consultation

- 3.1 The Statement of Principles will be reviewed as necessary, and in any case subjected to a formal review at least every three years or in accordance with any revised legislation.
- 3.2 The Council consulted on the revision to the statement of policy, as detailed in Appendix One. In reviewing this Statement of Principles, the Council has had regard to the licensing objectives under the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission and to the responses arising from our consultation.

### 4. Promotion of equality

- 4.1 The Equality Act 2010 imposes a duty on the Council as the Licensing Authority to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people with different protected characteristics.
- 4.2 All licensed premises are subject to the Equality Act 2010 which lists a number of protected characteristics that must not be used as a reason to treat a person less favourably than another person, these are;
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnerships
  - Pregnancy and maternity
  - Race (this includes colour; nationality; ethnic and national origins)
  - Religion or belief
  - Sex
  - Sexual orientation.
- 4.3 Treating a person less favourably than someone else because that person has one or more of these characteristics is discriminatory.
- 4.4 The Equality Act 2010 also imposes a duty on any person providing a service to the public, including operators of licensed premises, to make reasonable adjustments to enable disabled people to access the service, where a disabled person would be at a substantial disadvantage compared to a non-disabled person.
- 4.5 The Licensing Authority urges applicants and existing operators to plan ahead to meet their legal responsibilities under the Equality Act 2010.

## 5. Responsible Authorities

- 5.1 The Council is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

The principles are:

- the need for the body to be responsible for an area covering the whole of the Council's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The Council designates Surrey County Council's Children's Services to advise on the protection of children from harm under the Gambling Act 2005.

- 5.2 The full list of Responsible Authorities is published on the [Councils website](#)

## 6. Interested Parties

- 6.1 Interested parties are persons who may make representations to applications or apply to the Council for the review of an existing licence. These parties are defined in section 158 of the Act as a person who:

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- (b) has business interests that might be affected by the authorised activities, or
- (c) represents persons who satisfy paragraph (a) or (b).

- 6.2 When determining whether a person is an interested party for the purposes of the Act, the Licensing Authority will not apply rigid rules but will treat each case on its merits.

- 6.3 In considering whether a person lives sufficiently close to a premises to be considered to be an interested party the following matters will be taken into account:

- the size of the premises
- the nature of the premises
- the distance of the premises from the home of the person making the representation
- the potential impact of the premises (numbers of customers, routes likely to be taken by those visiting the premises)
- the circumstances of the person, which may be relevant to the distance from the premises.

- 6.4 In determining whether a person or organisation "has business interests" the Licensing Authority will adopt the widest possible interpretation and include trade associations, trade unions, partnerships, charities, faith groups, voluntary organisations such as hostels and medical practices, as appropriate.
- 6.5 The Licensing Authority will regard bodies such as trade associations, trade unions, residents' and tenants' associations and professional advisors such as solicitors, barristers and consultants as capable of representing interested parties where they are satisfied that the interested party has asked for representation. The Licensing Authority will only regard representative bodies as interested parties in their own right if they have a member who can be classed as an interested person under the terms of the Act.
- 6.6 In principle, the Licensing Authority will allow any person to represent an interested party but will seek confirmation that the person genuinely represents the interested party. The Licensing Authority will generally require evidence that a person/body (e.g. an advocate or relative) 'represents' an interested party. If persons representing interested parties are Councillors, Members of Parliament or Members of the European Parliament, then no specific evidence of being asked to represent an interested person will be required so long as they represent the area likely to be affected.
- 6.7 If individuals wish to approach Councillors to ask them to represent their views those Councillors shall not sit on a Licensing Sub-Committee that meets to determine the licence application. If there are any doubts then either interested parties or Councillors should contact the Licensing Authority for advice.

## 7. Exchange of Information

- 7.1 The Council will act in accordance with the provisions of Section 350 of the Act in its exchange of information with the Gambling Commission.
- 7.2 Section 29 of the Gambling Act 2005 enables the Gambling Commission to require information from Licensing Authorities (including the manner in which it is compiled, collated and the form in which it is provided), provided that it:
- forms part of a register maintained under the Gambling Act 2005;
  - is in the possession of the Licensing Authority in connection with a provision under the Gambling Act 2005.
- 7.3 Section 350 of the Gambling Act 2005 allows Licensing Authorities to exchange information with other persons or bodies for use in the exercise of functions under the Act. These persons or bodies are:
- A constable or Police force
  - An enforcement officer
  - A Licensing Authority

- HMRC
- The First Tier Tribunal
- The Secretary of State

7.4 Information requests from such parties should be made to the Licensing Authority in writing, setting out clearly what information is required and the reason the information is required. The requirements of the Data Protection Act 2018 will be complied with. Freedom of Information requests can be submitted [the Council's website](#). The Council's website provides information on the rights of individuals and the Council's policies on the [Data Protection](#) and [Freedom of Information](#) pages.

## 8. Delegations

8.1 The Council regularly reviews its constitution and scheme of delegation to officers to ensure effective implementation of the Act. The Licensing Committee and Sub-Committee will be asked to deal with licensing issues and the determination of applications in certain cases, i.e. those where representations have been made or where premises licences require review. Non contentious issues are delegated to officers

## 9. Compliance and Enforcement

9.1 The Act requires the Council to state the principles we will apply in exercising our functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of specified offences.

9.2 The Council has adopted a risk-based approach to the inspection of premises including those where gambling takes place. This will allow for the targeting of high-risk premises, or those where a breach would have serious consequences. Premises that are low risk and/ or well-run will be subject to a less frequent inspection regime.

9.3 Our risk-based inspection of premises is based on:

- The licensing objectives;
- Relevant codes of practice;
- Guidance issued by the Commission, at Part 36;
- The principles set out in this statement of principles; and
- [Epsom & Ewell Enforcement Policy](#)

9.4 Our main enforcement role in terms of the Act is to ensure compliance with premises licences and other permissions, which we authorise. The Commission is the enforcement body for operating licences and personal licences.

- 9.5 All of our enforcement activities will be carried out in a way which is transparent, accountable, proportionate, and consistent and will be targeted only at cases in which action is needed.
- 9.6 The LA encourages licensees to seek advice from the Licensing Services and/or the Police for clarification, advice or assistance with issues which arise, but places the responsibility for effective management solely with licence holders.
- 9.7 Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Commission.

#### 10. Duplication with Other Regulatory Regimes

- 10.1 The Licensing Authority will seek to avoid duplication with other statutory and regulatory regimes where possible, including planning. The Licensing Authority will not consider whether a premises has been or is likely to be awarded planning permission or building regulations approval when making decisions under the Gambling Act. Nor will it regard the granting of a licence, permit or permission as fettering the Council's ability to consider planning applications independently on their planning merits.
- 10.2 Applicants should be aware that the granting of a Premises Licence does not permit the operator to provide gambling facilities where to do so would breach other legislative requirements such as the requirement for appropriate planning consent to be held. It is the operator's responsibility to ensure all relevant legal requirements are met and to seek their own independent legal advice.

## Part B Local Area Profile and Local Risk Assessments

### 11. Epsom & Ewell Local Area Profile

- 11.1 The Epsom & Ewell Local Area Profile (LAP) has been prepared in accordance with the Gambling Commission's (GC) Guidance to Licensing Authorities (LAs). It is intended that the LAP will help gambling premises operators to identify the risks their gambling venues may pose to the licensing objectives, when applying for a new licence or varying an existing licence.
- 11.2 The term 'gambling-related harm' is not defined in the Gambling Act 2005 (the Act) or the GCs guidance to LAs, but it can be defined as the adverse financial, personal, and social consequences from gambling activity upon individuals, their families, their social networks, or the community'.
- 11.3 The benefits of a LAP are set out in the GC guidance as follows:
- It enables licensing authorities to better serve their local community, by better reflecting the community and the risks within it;
  - Provides greater clarity for operators as to the relevant factors in licensing authority decision making, which will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application;
  - It enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
  - It encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

### 12. Information about Epsom & Ewell Borough

- 12.1 A map showing the geographical area covered by this Statement of Policy can be viewed at Appendix 2.
- 12.2 Epsom & Ewell Borough has a population of approx. 82,000 people; it is Surrey's smallest borough geographically but the most densely populated.
- 12.3 The Borough is bordered by outer London boroughs to the North (with some of the Borough's urban areas forming part of the wider Greater London Built-up Area), and the Surrey Hills National Landscape to the South (designated an Area of Outstanding Natural Beauty). The neighbouring districts are Reigate and Banstead, Mole Valley, Kingston upon Thames and Sutton.
- 12.4 The borough is located entirely within the M25 motorway, and boasts excellent transport links, with direct train lines to Waterloo, London Bridge, and London Victoria, and Gatwick Airport 20 miles south of Epsom.
- 12.5 Epsom & Ewell Borough has a vibrant local economy in the retail, engineering and leisure sectors. The area comprises three main conurbations;

- Epsom, a historic market town with a vibrant evening economy.
  - Ewell Village, with renowned taverns and independent shops, cafés and restaurants .
  - Stoneleigh, with a parade of shops and restaurants located near open spaces and a nearby park.
- 12.6 The area is probably best known worldwide for the running of the Derby at Epsom Downs Racecourse. Horse racing has taken place in Epsom for over 350 years (the first recorded race days were in the 1640's). As well as being a significant local employer, the Derby Festival also indirectly benefits significantly the hospitality sector and local suppliers across the Borough, as well as the wider Surrey area.
- 12.7 The Borough is home to significant educational establishments, with the borough hosting campuses for the University for the Creative Arts, the North East Surrey College of Technology and Laines Theatre Arts.
- 12.8 Epsom & Ewell Borough is a relatively economically prosperous area, with the Borough [having the highest employment rate across Surrey](#), with residents' earnings typically higher than the national average. However, this picture does mask pockets of deprivation across the borough, for example, Court Ward is the 4th most deprived ward in Surrey.
- 12.9 Epsom & Ewell Borough has a relatively low crime rate when compared with the rest of the country, although [within Surrey the total number of recorded offences](#) is slightly above average. Of the crimes reported in the Borough, violence and sexual offences is the most prevalent crime type, although this category is usually the largest in any urban area (partly because 'Violent Crime' covers so many offences compared to say Burglary). The next most prevalent crime is antisocial behaviour, followed by public order offences.
- 12.10 Surrey Police have mapped incidents of antisocial behaviour and serious violence across Surrey, and identified Epsom as a primary hotspot. The primary area of interest in Epsom is around the High Street and Station Approach, and the Ashley Shopping Centre. Two peak times for incidents have been identified: 17:00 – 20:00 and 00:00 – 04:00 at the weekends. Whilst it is acknowledged that crime and anti-social behaviour can occur at or near gambling premises, no local data has been identified of incidents that relate directly to gambling activity or gambling premises, or that show a direct link to people who are vulnerable to the risk of gambling related harm.
- 12.11 The following gambling activities operate under a licence or permit granted by Epsom & Ewell Borough Council:
- 7 betting shops – 3 in Epsom, 2 in Ewell Village, 1 in Stoneleigh and 1 in West Ewell
  - 1 betting premises (track)
  - 42 organisations registered to operate a small society lottery
  - 3 Club gaming machine permits
  - 2 Club gaming permits

- 9 alcohol licensed premises gaming machine permits (i.e. more than 2 machines)

A further 17 alcohol licensed premises have notified the Council of their automatic entitlement to operate 2 gaming machines.

There is no evidence of a saturation of gambling premises with the Borough, nor are there any identified problem hotspots for vulnerable persons insofar as gambling is concerned.

12.12 With the Borough the following support centres provide help for people with mental health or addiction problems:

- Safe Haven, Brickfield Centre, Portland Place, Epsom KT17 1DL
- Gamblers Anonymous, St Barnabus Church, Temple Road, Epsom KT19 8HA
- Horton Haven, 5 Horton Drive, Epsom, Surrey, KT19 7HA

12.13 For further information about the Local Area Profile, please contact:  
[licensing@epsom-ewell.gov.uk](mailto:licensing@epsom-ewell.gov.uk)

### 13. Local Risk Assessments

13.1 Licence conditions and Code of Practice require gambling premises licence holders to undertake a Local Risk Assessments (LRA) taking into consideration local information. They may be required to share these risk assessments with the LA under certain circumstances. This includes when they are applying for a new premises licence, applying for a variation to an existing licence or otherwise on request.

13.2 Operators preparing LRA would be expected to be aware of the social and physical makeup of the immediate vicinity of their proposed or existing location and to take the following into account;

- a. Local crime statistics;
- b. Any problems in the area relating to gambling establishments such as anti-social behaviour;
- c. The location of any nearby sensitive premises such as facilities used by vulnerable persons e.g., drug and alcohol addictions; and
- d. Whether there are any indications of problems with young person's attempting to access adult gaming facilities in that type of gambling premises in the area.

13.3 To do so an operator should consider the information in the LAP and other information sources, including the [Office for National Statistics website](#) and local crime statistics available via the [Surrey Police website](#).



- 13.4 Risk assessments would be expected to include relevant controls measures to counteract issues identified by the operator. Risk assessments for existing premises must reference regulatory return data including any problem and underage customers. If a local risk assessment identifies any area of concern, they should contact the most appropriate responsible authority before submitting an application for a new licence or variation. In a similar manner the LA will inform an operator if they become aware of a substantial change to local circumstances with an expectation that the operator updates their risk assessment.
- 13.5 The LRA must be updated;
- When applications are made for a variation of a premises licence;
  - To take account of significant changes in local circumstances;
  - When there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- 13.6 Risks in this context include actual, potential, and possible future emerging risks to the licensing objectives.

## Part C Premises Licences

### 14. General Principles

- 14.1 Any person or business that wishes to offer gambling for which an Operating Licence from the Gambling Commission is required, and which is premises based, must apply to the Licensing Authority for a Premises Licence.
- 14.2 Premises Licences can authorise the provision of facilities on:
- (a) casino premises,
  - (b) bingo premises,
  - (c) betting premises including tracks and premises used by betting intermediaries,
  - (d) adult gaming centre premises, or
  - (e) family entertainment centres.
- 14.3 All licences will be subject to mandatory and/or default conditions and conditions imposed by the Licensing Authority. The Licensing Authority may consider that conditions other than the mandatory or default conditions are necessary to ensure the premises are reasonably consistent with the licensing objectives, the Gambling Commission's Codes of Practice and this Statement of Principles.
- 14.4 The Licensing Authority will take decisions in accordance with the Gambling Commission's Guidance and Licence Conditions and Codes of Practice and will have regard to the advice which it issues from time to time. The Licensing Authority will monitor the operation of premises and report any potential breach of Operating Licence conditions to the Gambling Commission. Applicants for new Premises Licences or variations to existing ones should be clear that the premises are intended to be used for the primary gambling activity proposed. For example a betting Premises Licence application that has four gaming machines but no betting counter or associated betting facilities shown on the proposed plans would not be considered as offering the primary gambling activity in accordance with that indicated on the application.
- 14.5 Matters the Licensing Authority may not take into account include:
- the expected demand for gambling premises in the area;
  - planning or building law restrictions;
  - moral or ethical objections to gambling as an activity;
  - dislike of gambling;
  - a general notion that gambling is undesirable.

### 15. Not permitted to licence Casinos

- 15.1 A casino is an arrangement whereby people are given the opportunity to participate in one or more casino games. Casino games are defined as a

game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or banks at differed odds to their fellow player.

- 15.2 Section 166(5) of the Gambling Act 2005 allows Councils to pass a resolution not to issue casino premises licences. However, the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 then specified which authorities may issue large and small casino premises licences, and Epsom & Ewell Borough Council is not one of the local authorities permitted to issue these casino licences.
- 15.3 As the Council is not currently permitted to grant a casino licence it is not necessary for Council to consider whether to make a resolution under section 166 of The Act. If such a resolution were considered necessary in the future, the Council would carry out a full public consultation and consider all responses before passing such a resolution.

## 16. Conditions

- 16.1 The majority of Premises Licences will have mandatory and/or default conditions attached to the licence. These conditions are detailed in the Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007.
- 16.2 The Licensing Authority can attach its own conditions to a Premises Licence if it believes this will promote the licensing objectives. Any conditions attached will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
  - directly related to the premises and the type of licence applied for;
  - relate to the scale and type of premises; and
  - reasonable in all respects.
- 16.3 Certain matters set out in the Act must not be the subject of conditions. These are:
- conditions which make it impossible to comply with an Operating Licence
  - conditions as to gaming machines that contradict the provisions in the Act
  - conditions making activities, premises or parts of them operate as a membership club
  - conditions on fees, winnings, stakes or prizes.
- 16.4 Conditions will be attached to individual licences on the basis of their merits. However, there will be a number of measures the Licensing Authority will commonly consider utilising in order to pursue the licensing objectives. These may include measures such as:
- the supervision of entrances;

- separation of gambling from non-gambling areas frequented by children;
- the supervision of gaming machines in premises not specifically for adult gambling and
- appropriate signage for adult only areas.

16.5 The Licensing Authority will expect the applicant to propose how the licensing objectives can be met effectively through the use of conditions.

## 17. Split Premises

17.1 The Gambling Commission's Guidance at paragraph 7.5 states that a building can, in principle, be divided into more than one premises and be subject to more than one Premises Licence provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.

17.2 The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.

17.3 Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.

17.4 In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:

- whether there are separate registrations for business rates in place for each premises;
- whether separate sets of staff work in the individual premises;
- whether there is a separate cash desk/reception for each of the premises;
- whether each premises has its own postal address;
- whether the premises are owned or operated by the same person;
- whether each of the premises can be accessed from a street or public passageway;
- whether the premises can only be accessed from any other gambling premises.

17.5 When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.

- 17.6 The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.
- 17.7 It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.
- 17.8 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.
- 17.9 The Guidance at paragraph 7.22 states “There is no definition of ‘direct access’ in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access.”
- 17.10 It is the Licensing Authority’s opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.
- 17.11 The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.
- 17.12 Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:
- the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
  - the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
  - entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit;

- customers should be able to participate in the activity named on the Premises Licence.

This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

## 18. Access to Premises

- 18.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 set out access provisions for each type of licensed gambling premises. The broad principle is there can be no direct access from one licensed gambling premises to another, except between premises which allow those aged under-18 to enter and with the further exception that licensed betting premises may be accessed via other licensed betting premises.
- 18.2 'Direct access' is not defined, but the Licensing Authority will consider there should be an area such as a street or café to which the public attend for purposes other than gambling for there to be no direct access.

Type of Premises	Access Provisions
Adult Gaming Centre	<ul style="list-style-type: none"> <li>• No customer must be able to access the premises directly from any other licensed gambling premises.</li> </ul>
Betting Shop	<ul style="list-style-type: none"> <li>• Access must be from a 'street' or from other premises with a betting licence;</li> <li>• No direct access is permitted from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be any entrance to a betting shop from a shop of any kind unless that shop is in itself a licensed betting premises.</li> </ul>
Track	<ul style="list-style-type: none"> <li>• No customer must be able to access the premises directly from an Adult Gaming Centre.</li> </ul>
Bingo Premises	<ul style="list-style-type: none"> <li>• No customer must be able to access the premises directly from an Adult Gaming Centre or a betting premises, other than a track.</li> </ul>
Family Entertainment Centre	<ul style="list-style-type: none"> <li>• No customer must be able to access the premises directly from an Adult Gaming Centre or a betting premises, other than a track.</li> </ul>

## 19. Plans

- 19.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 state that a plan to accompany an application for a Premises Licence must show:
- the extent of the boundary or perimeter of the premises

- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- where the premises forms part of a building, the location of any external or internal walls of the building which are included in the premises
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel which are included in the premises
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which exit leads.

19.2 The Regulations also state that other than in respect of a track, the plan must show 'the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence'. The Licensing Authority may, however, consider that these minimum requirements are insufficient to satisfy them in respect of the licensing objectives at tracks, Gambling Commission Guidance, Codes of Practice or its own Statement of Principles. In such cases, the Licensing Authority may ask for such additional information to be shown on the plan as it deems necessary to enable it to discharge its duties effectively. Information shown on the plan that is not required by Regulations will not form part of the Premises Licence and will only be used by the Licensing Authority to help it make a considered decision on the application.

19.3 If plans change in any material respect during the lifetime of the licence, the applicant will be in breach of their licence and would either need to make a fresh application under s.159 or to seek an amendment to the licence under s.187 of the Gambling Act 2005. If the changes are substantial, this may, in the opinion of the Licensing Authority, render the premises different to those to which the licence was granted. In such cases, variation of the licence under s.187 would not be possible and an application for a new application would be required under s.159.

## 20. General Requirements for All Premises

20.1 The Licensing Authority expects all applicants for gambling Premises Licences to ensure there is adequate provision for staff to supervise persons using the licensed premises. This is to identify;-

- those who have self-excluded (those that have asked a gambling provider to exclude them from gambling with them for a length of time, to enable the individual to deal with their problem gambling behaviour),
- vulnerable persons,
- under age persons,
- persons gambling beyond limits they have set for themselves,
- person who may be involved in crime,
- persons who may be prone to anti-social behaviour,
- persons who are drinking alcohol where this is prohibited, and

- persons who are showing signs of distress in respect of their gambling.
- 20.2 Applicants must take the structure and layout of the premises into account when considering their own policies and procedures. For example, where it is not possible for counter staff to supervise persons using gambling facilities such as gaming machines, the Licensing Authority would expect applicants to volunteer conditions that floor walkers will be used or that counter staff will be able to view all areas of the premises on CCTV provided to the counter area where it can be clearly seen.
- 20.3 Arrangements must be made for how staff will deal with customers who become aggressive and for ejecting patrons who are, for example, self-excluded, vulnerable or under age. This will include staff training and ensuring there are appropriate numbers of staff to deal with problems.
- 20.4 Staff should be in a position to monitor entrances and gaming machines and challenges should be initiated at the earliest opportunity.
- 20.5 Where access to premises is age restricted, the Licensing Authority expects applicants to have a Think 21 policy in place and to train its staff in recognising acceptable forms of identification. Posters should also be displayed stating that the relevant policy is in place and that users may be challenged.
- 20.6 Licence holders should record details of persons who have self-excluded, persons who have been ejected or refused admission, persons who have been barred by the operator, and any instances of crime or disorder that occurs on, or in association with, the licensed premises.
- 20.7 Applicants should demonstrate how they will identify self-excluded persons.
- 20.8 Where applicable, operators shall be able to demonstrate they are participating effectively in the relevant multi-operator self-exclusion scheme.

## 21. Bingo

- 21.1 This policy applies to applications for a Bingo Premises Licence. Bingo has its ordinary and natural meaning and includes any version of the game irrespective of by what name it is described. A holder of a bingo Premises Licence will be able to offer bingo in all its forms.
- 21.2 Children and young persons are permitted in bingo premises, but may not participate in the bingo. If any Category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.
- 21.3 The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over.



Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

- 21.4 To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.
- 21.5 In determining applications for bingo premises, the Licensing Authority shall consider the following:
- proof of age schemes
  - CCTV
  - entry control system
  - staff numbers
  - staff training
  - supervision of entrances/ machine areas
  - whether children are permitted on the premises and, if so, how the operator intends to prevent them from playing bingo or being able to access adult only machine areas
  - notices/ signage
  - opening hours
  - the times and frequency of which bingo is offered
  - whether bingo is offered by a caller or only electronically
  - whether the premises are clearly identifiable as being licensed for the purposes of offering bingo facilities
  - provision of responsible gambling information
  - This list is not exhaustive, and is merely indicative of example measures the
  - Licensing Authority will expect applicants to offer to meet the licensing objectives.
- 21.6 Young persons, aged 16 and 17, may be employed in bingo premises provided their duties are not connected with the gaming or gaming machines. The Licensing Authority will not grant licences unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures they will take to protect young employees.
- 21.7 Where hand held gaming devices are to be used on bingo premises, the Licensing Authority expects applicants to demonstrate how use of these devices will be monitored by staff.

## 22. Betting Premises

- 22.1 This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.

- 22.2 The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise must not make gaming machines available on the premises.
- 22.3 In determining applications for betting premises, the Licensing Authority shall consider the following:
- proof of age schemes
  - CCTV
  - entry control system
  - staff numbers
  - staff training
  - counter layout
  - supervision of entrances/ machine areas
  - machine privacy screens
  - notices/ signage
  - self-barring schemes
  - opening hours
  - provision of responsible gambling information

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

- 22.4 Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises. However, where a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.
- 22.5 Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT's, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.
- 22.6 The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.
- 22.7 Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the

operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

- information on how to gamble responsibly and access the help referred to in the Gambling Commission's Licence Conditions and Codes of Practice;
- the player's guide to any game, bet or lottery under the provisions of the Gambling Commission's Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder's Operating Licence issued by the Gambling Commission.

### 23. Betting Tracks and Other Sporting Venues

23.1 Tracks include premises where a race or other sporting event takes place, or is intended to take place. These may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track. The Gambling Commission Guidance identifies that operators of track betting premises will not necessarily hold an Operating Licence issued by the Commission. The Licensing Authority will have particular regard to proposals and measures to ensure the environment in which betting takes place is suitable for betting and that betting is conducted in a fair and open way.

23.2 Examples of tracks include:

- Horse racecourses
- Greyhound tracks
- Point to point meetings
- Football, cricket and rugby grounds
- Athletics stadia
- Golf courses
- Venues hosting darts, bowls or snooker tournaments
- Premises staging boxing matches
- Sections of river hosting fishing competitions
- Motor racing events

23.3 The offence of permitting a child or young person to enter gambling premises under section 47 of the Act does not apply to tracks. Therefore the Licensing Authority will consider the impact upon the objective of protection of children and vulnerable persons, the need to ensure that entrances to each type of licensed premises within the sporting venue are distinct, and that children are excluded from gambling areas which they are not permitted to enter.

23.4 The possibility of multiple licences at tracks is noted in Part 20 of the Gambling Commission Guidance. The Licensing Authority will expect the applicant for a Premises Licence to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. Children and young persons are permitted to enter track areas where facilities for betting

are provided on days when dog-racing and/or horse racing takes place, but are still prevented from entering areas where gaming machines (other than Category D machines) are provided. Children and young persons are not prohibited from playing Category D machines on a track.

23.5 In determining applications for betting at tracks, consideration will be given to appropriate measures/licensing conditions to address the matters listed below:

- proof of age schemes such as Think 21
- CCTV
- entry control system
- supervision of entrances/ machine areas
- physical separation of areas
- notices/ signage
- opening hours
- provision of responsible gambling information
- provision of policies and procedures in relation to social responsibility measures as set out below
- staffing levels
- staff training and records of staff training
- recording of incidents such as underage challenges, customer interactions for problem gambling, self-exclusions and complaints and disputes relating to gambling
- details of action to be taken where an on course bookmaker has breached their Gambling Commission Operating Licence conditions repeatedly, for example where children have been able to gamble.

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

23.6 Track betting operators must be able to demonstrate their adoption of socially responsible gambling policies and procedures. Such policies and procedures must ensure that track betting activities promote the licensing objectives of ensuring that gambling is conducted in a fair and open way and children and other vulnerable people are not harmed or exploited by gambling.

23.7 A track Premises Licence does not in itself entitle the holder to provide gaming machines. However, by virtue of section 172(9) of the Act, track owners who hold both a track Premises Licence AND a pool betting Operating Licence issued by the Gambling Commission (this currently only applies to greyhound tracks) may provide up to four Category B2 to D gaming machines on the track.

23.8 The Licensing Authority will consider the location of gaming machines at tracks, and applicants for track Premises Licences will need to demonstrate that, where the applicant holds or seeks a pool betting Operating Licence and is going to use their full entitlement to gaming machines, these machines are located in areas from which children are excluded. The applicant will be

required to provide information as to what measures it will put in place around the gaming machines to ensure that children are excluded.

- 23.9 The Licensing Authority will expect applicants to include detailed plans for the track itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”), pool betting, and any other proposed gambling facilities. Plans should make clear what is being sought for authorisation under the track betting Premises Licence and what, if any, other areas are to be subject to a separate application for a different type of Premises Licence. Any such plans must also contain the information prescribed by regulations.
- 23.10 In respect of staff training, the Licensing Authority would expect staff involved with the provision of gambling facilities at the track to be trained in social responsibility measures including, but not limited to, age verification, problem gambling indicators and action to be taken, self-exclusion, complaints procedures and money laundering indicators and action to be taken. Records of such training should be retained by the track management showing the subjects the staff member was trained in and the date training took place. These should be signed off by the staff member and training should be refreshed at least annually.
- 23.11 The Licensing Authority expects track operators to have policies and procedures in place to deal with age verification, self-exclusion, money laundering, complaints and disputes and problem gambling as a minimum and to ensure that all staff involved in the provision of gambling facilities are aware of these policies and procedures and have been trained in their implementation.
- 23.12 The Licensing Authority expects track management to ensure appropriate problem gambling information is provided commensurate to the size and layout of the premises. This should be in the form of posters and also leaflets which a customer can take away. Leaflets should be provided in areas where they can be taken away discreetly by the customer.
- 23.13 Section 152 of the Act permits tracks to be the subject of multiple Premises Licences.
- 23.14 Access between premises licensed for gambling and non-gambling areas will be considered carefully by the Licensing Authority for the following reasons:
- To prevent operators from attempting to circumvent the Act by artificially subdividing premises and securing separate Premises Licences for its composite parts;
  - To ensure operators do not circumvent the regulations governing the maximum number of gaming machines that may be provided at specific premises;
  - To ensure people who have entered premises to take part in one form of gambling are not exposed to another form of gambling;

- To ensure there is no direct access between gambling premises to which children have access and those which they are prohibited from entering;
- To ensure all gambling premises have publicly accessible entrances;
- To ensure gambling premises are not developed in 'back rooms' of other commercial premises.

#### 24. Adult Gaming Centres (AGC's)

- 24.1 Adult gaming centre (AGC) Premises Licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a relevant Operating Licence from the Gambling Commission and must seek a Premises Licence from the Licensing Authority. Gaming machines are a form of gambling attractive to children and AGC's may contain machines of a similar format to the Category D machines on which children are allowed to play. However, persons under the age of 18 are not permitted to enter an AGC.
- 24.2 Because gaming machines provides opportunities for solitary play and immediate pay-outs, they are more likely to engender repetitive and excessive play. The Licensing Authority in considering Premises Licences for AGC's will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds are not attracted to, or gain access to, the premises.
- 24.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives; however appropriate measures / licence conditions may cover issues such as:
- proof of age schemes
  - CCTV
  - entry control system
  - supervision of entrances/ machine areas
  - physical separation of areas
  - notices/ signage
  - opening hours
  - staffing levels
  - self-barring schemes for individuals to bar themselves from premises
  - staff training
  - Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

#### 25. Family Entertainment Centres (FEC's)

- 25.1 Generally, FEC's must be operated by a person or body having an Operating Licence from the Gambling Commission. Unlicensed Family Entertainment Centres do not require the operator to have a Gambling Commission Operator's Licence or Premises Licence from the Licensing Authority, but do need to have a gaming machine permit as set out in the section on Permits. Unlicensed Family Entertainment Centres must only be used to provide Category D gaming machines.
- 25.2 Gaming machines are a form of gambling which is attractive to children and licensed FEC's will contain both Category D machines on which they are allowed to play, and Category C machines on which they are not. Because gaming machines provide opportunities for solitary play and for immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, in considering applications for FEC Premises Licences, will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 25.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/ licence conditions may cover issues such as:
- CCTV
  - supervision of entrances/ machine areas
  - physical separation of areas for Category C machines
  - location of entry
  - notices/ signage
  - opening hours
  - staffing levels
  - staff training
  - self-exclusion schemes
  - provision of problem gambling information
  - measures and training for dealing with children on the premises suspected of truanting and how to recognise signs of child sexual exploitation and other safeguarding issues

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

- 25.4 The Licensing Authority expects applicants to demonstrate adequate separation between the area in which Category C gaming machines are made available and areas of the premises to which children may have access. This will include whether physical separation is provided, staff supervision, signage and layout and presentation of the premises as a minimum. Operators should be aware of the risk of children entering adult only areas to speak to a parent who may be gambling in that area for example and have appropriate controls in place to reduce the risk of this.

## 26. Door Supervisors

- 26.1 The Gambling Commission Guidance advises that Licensing Authorities may consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, but there can also be a need for supervision to stop premises becoming a source of crime. Door supervisors at bingo premises are not required to be registered by the Security Industry Authority (SIA) under the Private Security Industry Act 2001. Door supervisors not directly employed by a bingo operator do however have to be SIA registered.
- 26.2 For betting offices and other premises, the operator and/or the Licensing Authority may decide that supervision of entrances or machines is appropriate in particular cases. The Licensing Authority will make door supervision a requirement where there is evidence, from the history of trading at the premises or in the area, that the premises cannot be adequately supervised by counter staff or that problem customers cannot be dealt with effectively by counter staff alone and that door supervision is both necessary and proportionate

## 27. Provisional Statements

- 27.1 Following the grant of a provisional statement under sections 204 and 205 of the Act, no further representations from responsible authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the Premises Licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- (a) which could not have been raised by objectors at the provisional licence stage; or
  - (b) which in the authority's opinion reflect a change in the operator's circumstances.

## 28. Reviews

- 28.1 Requests for a review of a Premises Licence can be made by interested parties or responsible authorities, including the Licensing Authority. However, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:
- any relevant Code of Practice issued by the Gambling Commission;
  - any relevant guidance issued by the Gambling Commission;
  - the licensing objectives;



- this Statement of Principles.

28.2 The Licensing Authority may reject an application for review if it thinks the grounds on which the review is sought:

- a) are not relevant to the relevant code of practice or guidance issued by the Gambling Commission, the licensing objectives or the Licensing Authority's statement of principles;
- b) are frivolous;
- c) are vexatious;
- d) 'will certainly not' cause the Licensing Authority to revoke or suspend the licence or to remove, amend or attach conditions on the Premises Licence;
- e) are substantially the same as grounds cited in a previous application relating to the same premises (the Licensing Authority will consider the length of time that has passed since the earlier application in deciding whether this is a reasonable reason to reject the review application);
- f) are substantially the same as representations made at the time the application for the Premises Licence was considered. While the Licensing Authority will consider the length of time that has passed since the representations were made, it will not normally review a licence on the basis of the same arguments considered on the grant of the Premises Licence.

28.3 General objections to gambling as an activity are not likely to be considered relevant reasons for a review. Other examples of irrelevant considerations include demand for gambling premises, issues relating to planning, public safety and traffic congestion.

28.4 The Licensing Authority can initiate a review of a particular Premises Licence, or any particular class of Premises Licence, for any reason it believes is appropriate. This includes reviewing a Premises Licence on the grounds that a Premises Licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

28.5 The Licensing Authority may review any matter connected with the use made of a particular premises if it has reason to believe the Premises Licence conditions are not being observed, or for any other reason which gives it cause to believe a review may be appropriate.

28.6 A responsible authority or interested party may apply to the Licensing Authority to review a Premises Licence. Such reviews can be made in relation to, amongst other things if there are repeated incidents of crime and disorder associated with the premises or the gambling activity which the premises operator has failed to adequately address, where incidents that have

adversely effected one or more licensing objectives have occurred at premises that could have been prevented if advice and guidance from a responsible authority had been heeded, or if the premises due to the activities being undertaken is either attracting children or people likely to be involved in crime and disorder.

- 28.7 As a review of a Premises Licence can lead to its revocation, the Licensing Authority will consider whether informal actions to ensure timely or immediate compliance have been exhausted prior to an application being made. The Licensing Authority accepts that an application for review may be appropriate without informal measures being taken, but will seek to establish that all options have been considered in determining review applications.

## Part D - Travelling Fairs and Permits

### 29. Travelling Fairs

- 29.1 The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machines are operated.
- 29.2 It will fall to the Licensing Authority to decide whether, where Category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 29.3 The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair. The 27 day statutory maximum for the land being used as a fair each calendar year applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will keep a record of any travelling fairs that take place in Epsom & Ewell Borough that offer gambling as an ancillary use to the fair. The Licensing Authority will ensure the 27 day statutory maximum for the land being used is not breached. The Licensing Authority will advise travelling fair operators if requested of the statutory time period remaining for the land they intend to use.

### 30. Permits

- 30.1 Permits regulate gambling and the use of gaming machines in a premises which do not hold a Premises Licence. They are required when a premises provides gambling facilities but either the stakes are very low or gambling is not the main function of the premises.
- 30.2 The Licensing Authority is responsible for issuing the following permits:
- a) unlicensed family entertainment centre gaming machine permits;
  - b) alcohol licensed gaming machine permits;
  - c) prize gaming permits;
  - d) club gaming permits and club machine permits.
- 30.3 The Licensing Authority can only grant or reject an application for a permit and cannot attach conditions. Therefore, the Licensing Authority will consider a number of factors before determining an application for a permit to ensure that the permit holder and the premises are suitable for the proposed gambling activities.

### 31. Unlicensed family entertainment centre gaming machine permits

- 31.1 This policy applies to those premises that are proposed to be used as Unlicensed Family Entertainment Centres (uFEC's). uFEC's are premises primarily used for making gaming machines available that offer only Category D gaming machines. A uFEC permit allows any number of these machines to be made available at the premises (subject to other considerations such as health and safety and fire regulations). Given that Category D machines have no age restrictions, these premises particularly appeal to children and young persons. Therefore, the Licensing Authority will give particular weight to matters relating to child protection issues.
- 31.2 The Licensing Authority will grant an application for a permit only if it is satisfied that the premises are used wholly or mainly for making gaming machines available for use, and following consultation with the Police.
- 31.3 The Licensing Authority will not grant uFEC permits where the premises are not primarily used for making gaming machines available for use in accordance with section 238 of the Gambling Act 2005. This will preclude granting permits to lobbies in shopping centres or motorway service areas for example.
- 31.4 In cases where an uFEC permit has been granted to premises not primarily used for making gaming machines available, the Licensing Authority shall refuse to renew such permits.
- 31.5 Applicants for uFEC permits are expected to provide a scale plan of the premises with their application showing entrances/exits, location of CCTV cameras, cash desk, and machine locations as well as other features such as a bowling alley for example or play area which may form part of the premises.
- 31.6 The Licensing Authority will require applicants to demonstrate as a minimum:
- a full understanding of the maximum stakes and prizes of gambling that is permissible in unlicensed FECs;
  - that staff are trained to have a full understanding of the maximum stakes and prizes
  - that problem gambling information will be provided in the premises commensurate with its size and layout;
  - that the applicant has a written policy in place to deal with complaints and disputes which can be given to a customer on request;
  - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
  - that staff are trained to recognise problem gambling and signpost a customer to problem gambling information;
  - that there is no direct access from the uFEC to an AGC or a licensed FEC area where adult only gaming machines are provided;
  - that staff have been trained in how to deal with complaints and disputes in line with the applicant's policy.
- 31.7 The Licensing Authority will expect the applicant to show there are policies and procedures in place to protect children and vulnerable people from harm. Harm in this context is not limited to harm from gambling but includes wider

child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include:

- measures/training for staff regarding suspected truant school children on the premises;
- measures/training covering how staff will deal with unsupervised very young children being on the premises;
- measures/training covering how staff would deal with children causing perceived problems on or around the premises;
- training for staff for identifying and how to report safeguarding and child sexual exploitation concerns.

### 32. Automatic entitlement to two gaming machines

- 32.1 Premises licensed to sell alcohol on the premises under the Licensing Act 2003 are automatically entitled to provide two gaming machines of Category C and/or D. The holder of the Premises Licence under the Licensing Act 2003 must notify the Licensing Authority of their intention to make the gaming machines available for use and must pay the prescribed fee.
- 32.2 This entitlement only relates to premises with a Licensing Act 2003 Premises Licence that authorises the sale of alcohol for consumption on the premises and which contain a bar at which alcohol is served without the requirement that alcohol is only sold ancillary to the provision of food.
- 32.3 Licensees siting gaming machines must comply with the relevant Gambling Commission Code of Practice. Licensees must be aware that gaming machines can only be supplied by a person holding an Operating Licence from the Gambling Commission enabling them to do this. A register of licensed suppliers can be found on the Gambling Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 32.4 In the event that the relevant authorisation under the Licensing Act 2003 is transferred, lapses or is revoked, the automatic entitlement to two gaming machines ceases to have effect and a new notification will need to be served on the Licensing Authority.
- 32.5 The Licensing Authority will remove the automatic authorisation in respect of any particular premises if:
  - provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
  - gaming has taken place on the premises that breaches a provision of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
  - the premises are mainly used for gaming; or

- an offence under the Gambling Act has been committed on the premises.

### 33. Licensed Premises Gaming Machine Permits

- 33.1 This policy applies to alcohol licensed premises that propose to have three or more gaming machines. Licensed premises wishing to have three or more gaming machines of Category C or D must apply to the Licensing Authority for a permit. This permit will replace the automatic entitlement to two gaming machines rather than be in addition to it and the holder must comply with the relevant Gambling Commission Code of Practice.
- 33.2 As gaming machines provide opportunities for solitary play and immediate pay-outs, they are more likely to engender repetitive and excessive play. The Licensing Authority, on considering an application, will consider whether granting a permit would be appropriate on a case by case basis, but will specifically have regard to:
- the need to protect children and vulnerable people from harm or being exploited by gambling;
  - measures taken by the applicant to satisfy the Licensing Authority that there are sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines;
  - whether the applicant has an effective policy in place for handling customer complaints or disputes about the gaming machines.
- 33.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures may cover issues such as:
- the adult machines being in the sight of staff who will monitor that the machines are not being used by those under 18 and look for signs of problem gambling, attempts to cheat the machine, or suspected money laundering;
  - notices and signage;
  - the provision of information leaflets or helpline numbers for organisations who can assist with problem gambling.
- 33.4 If the Licensing Authority is not satisfied that appropriate measures have been taken by the applicant to comply with this policy, it may refuse to grant the permit, or it may vary the number or category of gaming machines authorised by the permit.
- 33.5 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the gaming machines.
- 33.6 The Licensing Authority may cancel a permit or may vary the number or category (or both) of gaming machines authorised by it if:

- (a) it would not be reasonably consistent with pursuit of the licensing objectives for the permit to continue to have effect,
- (b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit,
- (c) the premises are mainly used or to be used for making gaming machines available, or,
- (d) an offence under the Gambling Act 2005 has been committed on the premises.

33.7 Before the Licensing Authority cancels or varies a permit it will give the permit holder 21 days' notice of its intention and allow him/her the opportunity to make a representation. If the permit holder requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the permit holder's representation and any other evidence available before making its determination.

33.8 When determining an application for an alcohol-licensed premises gaming machine permit, the Licensing Authority will consider each application on its own merits.

#### 34. Prize Gaming Permits

34.1 This policy applies to applications for, or renewals of, Prize Gaming Permits. Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

34.2 Prize gaming may take place without a permit in various premises. These are bingo halls, adult gaming centres, licensed and unlicensed family entertainment centres and travelling fairs.

34.3 Given that the prize gaming will particularly appeal to children and young persons, the Licensing Authority will give weight to child protection issues.

34.4 The applicant will be expected to set out the types of gaming that they are intending to offer and will also be expected to demonstrate:

- an understanding of the limits to stakes and prizes set out in regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children and vulnerable persons from harm.

34.5 The Licensing Authority will only grant a permit after consultation with the Police. This will enable the Licensing Authority to determine the suitability of

the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming, the suitability of the premises in relation to their location, and issues about disorder.

34.6 There are conditions in the Act with which the permit holder must comply (the Licensing Authority cannot attach additional conditions). The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

### 35. Club Gaming and Club Machine Permits

35.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Commercial clubs such as snooker clubs run on a profit basis may apply for a club machine permit. Each type of permit allows the provision of different types of gaming and provision of game machines. The current entitlements can be found by visiting the Gambling Commission's website ([www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)).

35.2 A commercial club is defined as a club where membership is required but the club is operated for commercial gain.

35.3 A non-commercial club is a club where no commercial gain is made. A non-commercial club must meet the following criteria to be considered a members' club:

- it must have at least 25 members;
- it must be established and conducted wholly or mainly for purposes other than gaming (with the exception of bridge or whist);
- it must be permanent in nature;
- it must not be established to make a commercial profit;
- it must be controlled by its members equally.

Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

35.4 The Licensing Authority may only refuse an application on the grounds that:



- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Gambling Commission or the Police.

35.5 There is also a "fast-track" procedure available under the Act for premises that hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which a Licensing Authority can refuse a permit are reduced. The grounds on which an application under this process may be refused are that:

- (a) the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

35.6 There are statutory conditions on club gaming permits that no child may use a Category B or C gaming machine on the premises and that the holder complies with any relevant provision of a Gambling Commission Code of Practice about the location and operation of gaming machines.

35.7 The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- is the primary activity of the club something other than gaming?
- are the club's profits retained solely for the benefit of the club's members?
- are there 25 or more members?
- are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- do members participate in the activities of the club via the internet?

- do guest arrangements link each guest to a member?
- is the 48 hour rule being applying for membership and being granted admission being adhered to?
- are there annual club accounts available for more than one year?
- how is the club advertised and listed in directories and on the internet?
- are children permitted in the club?
- does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- is there a list of Committee members and evidence of their election by the club members?

35.8 When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

35.9 Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limit

## Part E - Notices

### 36. Temporary Use Notices

- 36.1 This policy applies to applications for Temporary Use Notices (TUN). Temporary Use Notices allow the use of premises for gambling where there is no Premises Licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for gambling would include hotels, conference centres and sporting venues.
- 36.2 The Licensing Authority can only grant a Temporary Use Notice to a person or a company holding a relevant Operating Licence.
- 36.3 Currently, Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner.
- 36.4 The Licensing Authority, in considering applications for Temporary Use Notices, will consider whether gambling should take place, or should only take place with modifications to the TUN. In doing so, the Licensing Authority will consider:
- the suitability of the premises;
  - the location of the premises, paying particular attention to its proximity to any schools, hostels or other sensitive premises;
  - the CCTV coverage within the premises;
  - the ability of the premises to provide sufficient staff and/or licensed door supervisors for the notice period;
  - whether the premises or the holder of the Operating Licence have given the Licensing Authority any cause for concern at previous events in relation to the licensing objectives, the guidance issued by the Gambling Commission, the relevant code of practice or this Statement of Principles.

### 37. Occasional Use Notices

- 37.1 Occasional Use Notices allow licensed bookmakers to provide betting facilities at genuine sporting events for a short period of time, without needing a full betting premises licence. The Licensing Authority has very little discretion on Occasional Use Notices for betting at tracks aside from ensuring the statutory limit of eight days a calendar year is not exceeded. The Licensing Authority will consider the definition of a “track” and whether the applicant can demonstrate they are responsible for the administration of the “track” or an occupier, and thus permitted to avail themselves of the notice. The definition of “track” in the Act is wider than dog tracks or horse racecourses and includes places where races or other sporting events take place. This could include major halls, hotels and other venues. If notices are given for a single track which would permit betting to occur for more than eight

days per year, the Licensing Authority is obliged to issue a counter notice preventing such a breach occurring

## Chapter F - Small Society Lotteries

### 38. Legal lotteries

38.1 The Gambling Act 2005 provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

### 39. Definition of lottery

39.1 A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Gambling Act 2005.

39.2 An arrangement is a simple lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a process which relies wholly on chance.

39.3 An arrangement is a complex lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a series of processes
- the first of those processes relies wholly on chance.

### 40. Definition of society

40.1 A 'society' is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted. Section 19 of the Gambling Act 2005 defines a society as such if it is established and conducted:

- for charitable purposes, as defined in s.2 of the Charities Act 2006
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than that of private gain.

40.2 It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in s.19 of the Act, and that the

proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

- 40.3 Participation in a lottery is a form of gambling. Lotteries must be conducted in a socially responsible manner and in accordance with the Act.
- 40.4 The minimum age for participation in a lottery is sixteen. The holder of a small society lottery registration must take reasonable steps to ensure that all those engaged in the promotion of their lottery understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

#### 41. External Lottery Managers

- 41.1 External lottery managers (ELM's) are required to hold a lottery operator's licence issued by the Gambling Commission to promote a lottery on behalf of a licensed society.
- 41.2 However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors. Key indicators will include:
  - who decides how the lottery scheme will operate
  - who appoints and manages any sub-contractors
  - the banking arrangements for handling the proceeds of the lottery
  - who sells the tickets and pays the prizes
  - who controls promotional aspects of the lottery.
- 41.3 Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences on its website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).

#### 42. Lottery Tickets

- 42.1 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:
  - the name of the promoting society
  - the price of the ticket, which must be the same for all tickets (e.g. there can be no option to 'buy two tickets, get one free')
  - the name and address of the member of the society who is designated as having
  - responsibility at the society for promoting small lotteries or, if there is one, the ELM

- the date of the draw, or information which enables the date to be determined.

- 42.2 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.
- 42.3 The society must maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The Licensing Authority may wish to inspect the records of the lottery for any purpose related to the lottery.

#### 43. Where tickets may be sold

- 43.1 The Licensing Authority expects holders of small society lottery registrations not to sell lottery tickets to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence, in order to do this.

#### 44. Prizes

- 44.1 Prizes awarded in small society lotteries can be either cash or non-monetary. Prizes declared on returns must not exceed the limits on prizes set out by the Act - in effect that combined with any expenses incurred with the running of the lottery, such as managers' fees, they must not comprise more than 80% of the total proceeds of the lottery. Donated prizes would not be counted as part of this 80% (as no money would be withdrawn from the proceeds to cover their purchase) but are still subject to the limit on a single maximum prize of £25,000 and must be declared on the return following the lottery draw.
- 44.2 Alcohol must not be offered as a prize in a lottery without the society first ensuring that no Licensing Act 2003 consent is required for this from the Licensing Authority. If such consent is required, then alcohol shall not be offered as a prize unless such consent has been obtained.

#### 45. Small society registration

- 45.1 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a Licensing Authority. Parts 4 and 5 of Schedule 11 of the Act set out the requirements on both societies and Licensing Authorities with respect to the registration of small society lotteries.

- 45.2 The Licensing Authority with which a small society lottery is required to register must be in the area where their principal office is located.
- 45.3 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application. This information shall include a copy of the society's terms and conditions and their constitution to establish that they are a non-commercial society.
- 45.4 Societies may not circumvent the requirement to hold a Gambling Commission Lottery Operating Licence by obtaining two or more registrations with the same or different Licensing Authorities. As set out previously, the Act states that a society lottery is a large lottery if the arrangements for it are such that its proceeds may exceed £20,000 in a single lottery, or if the aggregate proceeds in a calendar year exceed £250,000.
- 45.5 In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.
- 45.6 By virtue of Schedule 11 paragraph 31(5) of the Act, societies may not hold an Operating Licence with the Gambling Commission and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of three years during which a large society cannot convert to small society status.
- 45.7 Registrations run for an unlimited period, unless the registration is cancelled.

#### 46. Refusal of registration

- 46.1 The Licensing Authority may propose to refuse an application for any of the following reasons:
- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years. The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence revoked in the past five years. Licensing Authorities should consult the Commission as part of their consideration process.
  - The society in question cannot be deemed non-commercial.
  - A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.



- Information provided in or with the application for registration is found to be false or misleading.

46.2 The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. The Licensing Authority will give the society 21 days' notice of its intention to refuse the registration of the society and allow him/her the opportunity to make a representation. If the society requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the society's representation and any other evidence available before making its determination.

#### 47. Revocation of a small society's registered status

47.1 The Licensing Authority may revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. The Licensing Authority will give the society 21 days' notice of its intention to revoke the registered status of the society and allow him/her the opportunity to make a representation. If the society requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the society's representation and any other evidence available before making its determination.

47.2 Where following consideration of any representation received within an appropriate time period the Strategic Director of Place is minded to refuse the registration the matter shall be referred to the Licensing Sub-Committee for determination. A hearing to consider the society's registered status will be commenced as soon as is reasonably practicable.

#### 48. Administration and returns

48.1 The Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable to prosecution.

48.2 The limits are as follows:

- at least 20% of the lottery proceeds must be applied to the purposes of the society (Schedule 11, paragraph 33)
- no single prize may be worth more than £25,000 (Schedule 11, paragraph 34)
- rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000 (Schedule 11, paragraph 35)
- every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed (Schedule 11, paragraph 37).

48.3 Paragraph 39 of Schedule 11 in the Act sets out the information that the promoting society of a small society lottery must send as returns to the Licensing Authority with which it is registered, following each lottery held. This information allows Licensing Authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose. The following information must be submitted:

- the arrangements for the lottery - specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

48.4 Paragraph 39 of Schedule 11 in the Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries' (scratchcards) within three months of the last date on which tickets were on sale be signed (electronic signatures are acceptable if the return is sent electronically)
- by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

48.5 The Gambling Commission may inspect a society's returns, although it will not routinely do so. The Licensing Authority is required to retain returns for a minimum period of three years from the date of the lottery draw. They must also make them available for inspection by the general public for a minimum period of 18 months following the date of the lottery draw. Lottery returns may be inspected at Epsom Town Hall offices, please e-mail [licensing@epsom-ewell.gov.uk](mailto:licensing@epsom-ewell.gov.uk) to make an appointment.

48.6 The Licensing Authority will monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales. The Licensing Authority must notify the Commission if returns reveal that a society's lotteries have exceeded the values permissible, and such notifications will be copied to the society in question. The Gambling Commission will contact the society to determine if they are going to apply for a lottery operator's licence, thereby enabling them to run large society lotteries lawfully, and will inform the Licensing Authority of the outcome of its exchanges with the society.

If you would like the Statement of Policy for the Licensing Act 2003 in large print, Braille, audiotape or in another language, please contact the Licensing Team.

Licensing  
Epsom & Ewell Borough Council (EEBC)  
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KT18 5BY

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## Appendix 1 Consultation

A twelve-week consultation exercise on the revised draft Statement was carried out between [DATES], and the results of the consultation are summaries below.

The Act sets out statutory consultees as follows:

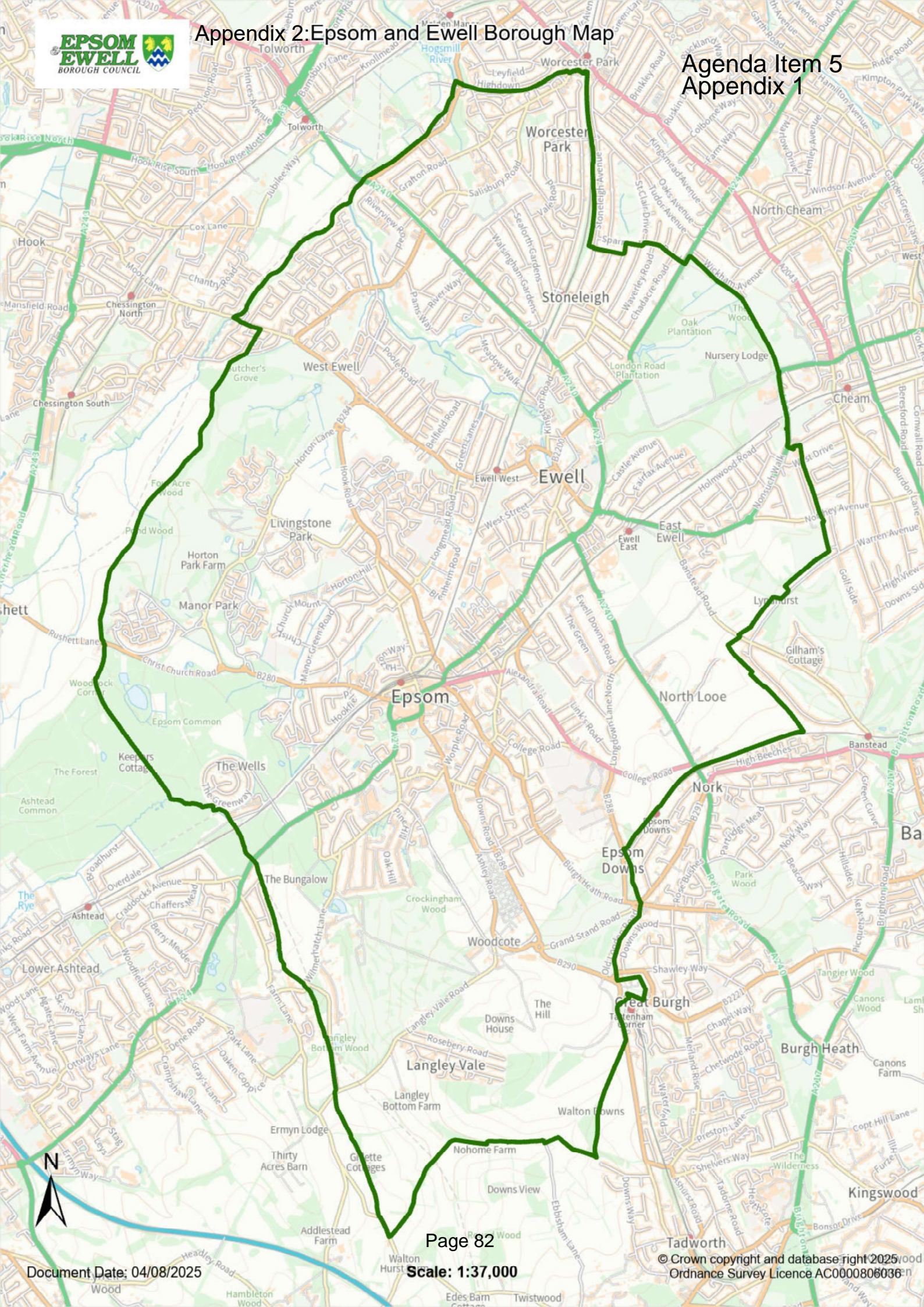
- The Chief Officer of the local police service;
- One or more persons who appear to be the authority to represent the interest of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act;

In addition to publishing the consultation on our website and notifying residents via our asocial media streams, we also sent copies of the revised Statement of Principles to and invited comment from the following:-

Epsom Business Improvement District ('Go Epsom')  
Association of British Bookmakers  
The Race Course Association Limited  
The Jockey Club  
Epsom Downs Racecourse Ltd  
Entain Group (Ladbrokes/Coral)  
Williamm Hill organisation Ltd  
Done Brothers (Cash Betting) limited T/A Betfred  
Reels Casino Slots Limited  
Surrey County Council Children's, Adult Social Care, and Public Health Services  
Epsom & Ewell Borough Council Safeguarding Lead  
Ward Councillors  
Citizen Advice Bureau  
Gamcare

A Summary of the responses received are shown below:







## REVIEW OF STATEMENT OF POLICY LICENSING ACT 2003

<b>Head of Service:</b>	Rod Brown, Head of Housing & Community
<b>Report Author</b>	Paul Holliday
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>Appendices (attached):</b>	<b>Appendix 1</b> – Statement of Policy made under the Licensing Act 2003 <b>Appendix 2</b> – Epsom and Ewell Borough Map <b>Appendix 3</b> – ASB and Serious Violence Hotspots <b>Appendix 4</b> – Review of Alcohol related Hospital Admissions and 999 Call-outs <b>Appendix 5</b> – Epsom Town Centre Special Stress Area <b>Appendix 6</b> – Licensing Best Practice Measures for consideration within the Special Stress area <b>Appendix 7</b> –Table of Delegations of Licensing Functions

### Summary

The Statement of Policy under the Licensing Act 2003, constitutes the Council's policy on how authorisations for alcohol, regulated entertainment, and late night refreshment is considered and regulated. The Act requires the Council to review and readopt a statement of policy at least once every five years and to consult on the draft before it is adopted. This report seeks the Committee's approval to go out to consultation on an updated draft Statement of Policy.

### Recommendation (s)

#### The Committee is asked to:

- (1) The Committee is requested to approve the draft Statement of Policy under the Licensing Act 2003 for consultation.

### 1 Reason for Recommendation

- 1.1 The current Statement of Licensing Policy has passed its renewal date and must be reviewed, and a revised draft consulted on prior to adoption for a further 5-year period. This is a statutory requirement, and as such there is no alternative option.

## **2 Background**

- 2.1 The Council is the licensing authority (LA) responsible for granting licences, certificates and notices in the Epsom & Ewell Borough in respect of licensable activities including the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. Currently the Borough has 214 Premise Licences, and 14 Club Premises Certificates, and 1083 Personal Licences in effect. In a typical year the Licensing Authority is served with approximately 240 Temporary Event Notices.
- 2.2 There are four licensing objectives under the Licensing Act 2003 (the Act) which guide the way that LAs perform their functions and the way that licensable activities are carried on. These four objectives are:
  - the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm

## **3 Review of the Statement of Principles**

- 3.1 The Statement of Policy under the Act constitutes the Council's policy on how applications for associated licences are considered and regulated. It provides guidance to applicant's, objectors and responsible authorities on Epsom & Ewell Borough Council's approach to licensable activities in the Borough. Under the Act the Council is required to review and readopt a statement of policy at least once every five years and to consult on the draft before it is adopted.
- 3.2 The Council's current Statement of Policy was last reviewed more than five years ago, and as such it has been reviewed and redrafted.
- 3.3 The current Statement of Policy includes a zoning policy for Epsom town centre, aimed at addressing concerns that the density of licensed premises in Epsom was contributing to high levels of antisocial behaviour in the area. The zoning policy stated that the Council would not grant licences after certain hours unless the applicant could clearly demonstrate that the premises would not add to the cumulative impact for the area, in addition to satisfying specified requirements.



- 3.4 By creating a presumption to refuse certain premises based on the perceived cumulative impact of these premises in the town centre, the zoning policy is a 'Cumulative Impact Policy' ('CIP') as defined by the Policing and Crime Act 2017. The 2017 Act requires CIP to be evidenced based and subject to 3 yearly review. The evidence necessary to justify a CIP would largely rely on data provided by the police, but to date Surrey Police have not requested a CIP for Epsom Town Centre, and has not provided evidence to support a CIP.
- 3.5 The revised policy replaces the zoning policy for Epsom with a Special Stress Area ('SSA') policy. New and varied applications for late night premises and club premises certificates within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to include positive proposals to ensure that their operation will not add to the levels of reported antisocial and violent behavior in this area.
- 3.6 Based on publicly available crime data, Appendix 5 of the Statement of Policy shows the proposed extent of the SSA, and Appendix 6 of this policy sets out a list of measures the licensing authority considers it appropriate for applicants to consider with respect to premises in this area. These may be more or less appropriate depending upon the style of operation applied for.
- 3.7 On receipt of any application for a premises in the SSA, where a relevant representation has been made, the SSA policy requires the licensing authority will scrutinise the application carefully and look at the measures proposed in the operating schedules, and compare them to the measures set out in Appendix 6, Licensing Best Practice Measures. Where discretion has been engaged, those applications which fall short in considering appropriate measures may have conditions applied to comply with the policy measures, or if they are totally inadequate at promoting the licensing objectives in the local context, refused.

#### **4 Consultation**

- 4.1 A twelve-week public consultation exercise on the revised Statement of Policy will be undertaken, and the results of the consultation will be reported back to the 10 March 2026 meeting of this Committee.
- 4.2 The Act sets out statutory consultees as follows:
- the chief officer of police for the licensing authority's area,
  - the fire and rescue authority for that area,
  - the Local Health Board for an area any part of which is in the licensing authority's area,
  - each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area
  - Persons/ bodies representative of local premises licence holders

- Persons/ bodies representative of local club premises certificate holders
- Persons/ bodies representative of local personal licence holders
- Persons/ bodies representative of businesses and residents in its area

4.3 In addition the Licensing Authority has consulted with;-

- Buckinghamshire & Surrey Trading Standards,
- Surrey Safeguarding Children Board,
- Epsom & Ewell Borough Council's Environmental Health service
- Epsom & Ewell Borough's Planning service.
- Surrey District and Borough Licensing Authorities
- Epsom Business Improvement District ('Go Epsom')
- Borough Councillors
- Epsom Pubwatch
- The Epsom and Ewell Community Safety Partnership

## **5 Risk Assessment**

Legal or other duties

### **5.1 Equality Impact Assessment**

5.1.1 The revised Statement of Policy considers the duties imposed by the Equalities Act 2010. It is not considered necessary for a separate Equalities Impact Assessment to be documented.

### **5.2 Crime & Disorder**

5.2.1 The Act places a duty on both the Council to carry out its functions with a view to promoting the licensing objectives, including the prevention of crime and disorder. The revised Statement of Policy reflects this duty, and the prevention of crime and disorder, along with the promotion of the other licensing objectives, underpins the policy

### **5.3 Safeguarding**

5.3.1 The Act places a duty on both the Council to carry out its functions with a view to promoting the licensing objectives, including the protection of children from harm. The revised Statement of Policy reflects this duty, and the protection of children from, along with the promotion of the other licensing objectives, underpins the policy.

## **6 Financial Implications**

- 6.1 The costs associated with consulting on the revised policy will be contained within existing budgets. The fees chargeable by LAs for Licensing Act licences and notifications are set by the Home Office and have not been reviewed since their introduction in 2005. The Council charges the maximum fees permissible.
- 6.2 **Section 151 Officer's comments:** None arising from the contents of this report.

## 7 Legal Implications

- 7.1 Under the Licensing Act 2003 the Council is required to review and readopt a statement of principles at least once every five years and to consult on the draft before it is adopted. Adoption of the Council's Licensing Act policy is a function of Full Council.
- 7.2 **Legal Officer's comments:** As per above, section 5 (1) of the Act specifies that a licensing authority must determine its policy and publish it every 5 years. The statutory guidance issued under section 182 of the Act, states that the policy must be published before the authority carries out any licensing functions. Substantial revisions to the previously adopted policy have been necessary due to the Terrorism (Protection of Premises) Act 2025 receiving Royal assent and the fact that the licensing authority has decided to replace the red and amber zones detailed in its previous policy and introduce the SSA as an alternative. There are also additions aimed to address the potential problems arising from the relatively new prevalence of delivery services.

## 8 Policies, Plans & Partnerships

- 8.1 **Council's Key Priorities:** The review of the Statement of Principles is a statutory requirement and does not engage with any of the Key Priorities.
- 8.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 8.3 **Climate & Environmental Impact of recommendations:** Climate & Environmental Impact are not licensing objectives under the Licensing Act 2003, and as such to the Council's Statement of Policy is neutral with respect to these matters.
- Sustainability Policy & Community Safety Implications:** The revised Statement of Policy sets out how the Council carry out its functions with a view to promoting the licensing objectives, including the prevention of crime and disorder.
- 8.4 **Partnerships:** The draft Statement of Policy sets out how the Council will work in partnership with other public bodies to regulate licensable activity.

- 8.5 **Local Government Reorganisation Implications:** It is a statutory requirement that each Licensing Authority publishes a Statement of Policy. If a new LA is created as a result of the Local Government Reorganisation, then it will be necessary for a new Statement of Principles to be published in due course.

## 9 Background papers

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

**Previous reports:**

- None

**Other papers:**

- [Section 182 Guidance issued by the Secretary of State](#). Paragraphs 14.20-14.46 explain the requirement around developing a Cumulative Impact Policy
- Current [Statement of Licensing Policy](#)



## **Statement of Policy made under the Licensing Act 2003**

Setting out how Epsom & Ewell Borough Council proposes to exercise its functions under the Licensing Act 2003.

This policy is in force between [TBC], unless revised beforehand.

Issued in accordance with section 5 of the Licensing Act 2003.

Draft version number 1  
Date [TBC]

Document history

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## Part A Introduction and Legislative Basis

### 1. Introduction

- 1.1 Epsom & Ewell Borough Council ('EEBC'), as the licensing authority for the Borough of Epsom & Ewell, is required by section 5 of the Licensing Act 2003 ('the Act') to publish and keep under review a policy with respect to the exercise of its licensing functions.
- 1.2 This policy, along with the Act, secondary legislation and current national guidance issued by the Secretary of State, forms the basis on which licensing decisions are made and how licensed premises are likely to be permitted to operate.
- 1.3 It is intended that this policy provides guidance to a wide range of people in the Borough - EEBC Councillors and officers, organisations who need authorisations under the Act, residents and others who may be affected by their activities, and the statutory bodies with responsibilities under the Act
- 1.4 EEBC, in adopting this policy, aims to strike a balance between the needs of residents and visitors for a safe and healthy environment and the importance of prosperous and well-run entertainment, recreational and cultural premises to the local economy and vibrancy of the town centres and Borough as a whole.
- 1.5 To achieve this, EEBC is committed to working in partnership with enforcement agencies, local businesses, the licensed trade, residents and others towards the promotion of the four licensing objectives set out in the Act

### 2. Scope of this Policy

- 2.1 EEBC is a licensing authority for the purposes of the Act and is responsible for granting licences, certificates and notices in the Epsom & Ewell Borough in respect of activities described by the Act as 'Licensable Activities'.
- 2.2 Licensable activities include:
  - Retail sale of alcohol
  - Supply of alcohol to club members
  - The provision of regulated entertainment
  - The provision of late night refreshment
- 2.3 Regulated entertainment is entertainment falling with the following description;-
  - Performance of a play
  - An exhibition of a film
  - An indoor sporting event
  - Boxing or wrestling entertainment

- A performance of live music
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance

That is provided:

- a) For members of the public or a section of the public,
- b) Exclusively for members of a club which is a qualifying club in relation to the provision of regulated entertainment, or for members of such a club and their guests, or
- c) In cases not falling within paragraph (a) or (b), for consideration and with a view to profit, and includes:

There are a number of exemptions and details of these are set out in full in Part 2 of [Schedule 1 of the Licensing Act 2003](#). A summary of when a licence is likely to be required is provided on the [Entertainment Licensing](#) page of .GOV.UK

Irrespective of whether the provision of music is regulated entertainment you may still need permission from the Performing Rights Society if you are playing music for customers, employees or for the public that is copyrighted. The requirements for a PRS licence is outside the scope of this policy, please contact the PRS for advice. Their website is [www.prsformusic.com/](http://www.prsformusic.com/)

2.4 Late night refreshment is the supply of hot food and/or drink from any premises, other than private members clubs, between 11pm and 5am. There are a number of exemptions and details of these are set out in full in Part 3 to 5 of [Schedule 2 of the Licensing Act 2003](#).

2.5 Part 2 of Schedule 2 of the Act allows the licensing authority to exempt from the requirement for a late night refreshment licence either;-

- Certain types of designated premises, or
- premises within a designated area, or
- activities within a designated time period (e.g. 11pm to midnight),

Epsom & Ewell Borough Council has not exempted any such premises, locations or periods from the requirement for a late night refreshment licence.

2.6 This policy will set out how EEBC as the Licensing Authority will seek to promote the licensing objectives through the issue of licences and the assessment of notices covered by the Act. These are:

- Personal Licences for individuals – necessary where alcohol is to be sold or provided on premises.
- Premises Licences and Club Premises Certificate – subject to suitability of premises and measures taken by applicant to ensure the promotion of the licensing objectives.

- Temporary Event Notice – a simplified process for occasional events of a smaller scale.

Detailed information on the process for obtaining these authorisation is provided on [Alcohol and Entertainment page of EEBC's website](#).

- 2.7 This policy does not depart from the statutory guidance issued under section 182 of the Act.

### 3. Policy consultation

- 3.1 In determining this policy the Licensing Authority has undertaken formal consultation with members of the public, community stakeholders, specific groups and individuals as listed in section 5(3) of the Licensing Act 2003. These are;

- the chief officer of police for the licensing authority's area,
- the fire and rescue authority for that area,
- the Local Health Board for an area any part of which is in the licensing authority's area,
- each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area
- Persons/ bodies representative of local premises licence holders
- Persons/ bodies representative of local club premises certificate holders
- Persons/ bodies representative of local personal licence holders
- Persons/ bodies representative of businesses and residents in its area

- 3.2 In addition the Licensing Authority has consulted with:-

- Buckinghamshire & Surrey Trading Standards,
- Surrey Safeguarding Children Board,
- Epsom & Ewell Borough Council's Environmental Health
- Epsom & Ewell Borough's Planning Department.
- Surrey District and Borough Licensing Authorities
- Epsom Business Improvement District ('Go Epsom')
- Borough Councillors
- Epsom Pubwatch

The draft policy has also been published on Epsom & Ewell Borough Council's website.

- 3.3 The views of all these bodies and the evidence presented have been given due weight in the determination of this policy. Further details of the consultation process and the results of the consultation are set out in Appendix 1 [to be attached following consultation].

#### 4. Policy Review

- 4.1 The policy will be regularly reviewed and formally re-published every 5 years. Any changes considered necessary between the 5 yearly reviews will be referred to Full Council, subject to consultation in accordance with the provisions of the Act, and revisions published accordingly.
- 4.2 Subject to approval of the Chair of the Licensing Committee and in consultation with the Council's Monitoring Officer, inconsequential changes to the policy (e.g. updating contact details/links) may be updated without the requirement for formally reviewing the policy or consultation. Any such inconsequential changes will be logged in the 'Document History' section of this policy.

## Part B Epsom & Ewell Borough Council as Licensing Authority

### 5. Fundamental principles

5.1 The Council will carry out its various licensing functions with a view to promoting the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

Each objective is of equal importance.

5.2 Each licence application will be considered on its own merits in the context of the four licensing objectives.

5.3 Although the four objectives are the only matters that the licensing authority may take into account when making licensing decisions, as a public body the licensing authority is also required:

- Under the Crime and Disorder Act 1998 to have due regard of the crime and disorder implications of any of its decisions, including the adoption of this policy;
- To implement the Licensing Act in a manner consistent with the Human Rights Act 1998 by giving due consideration to the rights contained in the European Convention on Human Rights and Fundamental Freedoms;
- To implement the Licensing Policy in a manner consistent with its legal requirement under the Equality Act 2010, to ensure that all decisions made give due consideration to the Council's Public Sector Equality Duty.
- To act in accordance with the Regulators Code under the Legislative and Regulatory Reform Act 2006
- To fulfil its obligations under the Immigration Act 2016 and the Modern Slavery Act 2015, including identifying and supporting victims of modern slavery.

5.4 Unless relevant representations or objections are received with respect to an application the licensing authority has no discretion to impose conditions on a licence other than those proposed within an application.

5.5 The Council recognises that proper account will have to be taken of the need to encourage and promote live music, dancing and theatre for the wider

cultural benefit of the community. Conditions to be imposed on relevant licences will not, therefore, discourage the promotion of such entertainment but will relate solely to the promotion of the licensing objectives.

- 5.6 The Council acknowledges that licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.
- 5.7 Nothing in the policy statement should be regarded or interpreted as an indication that any requirement of licensing or other law may be overridden.
- 5.8 Nothing in this policy overrides the right of any person to make an application, make representations about an application or apply for a review of a licence. Each will be considered on its own merits and in accordance with the statutory requirements of the Act.
- 5.9 As this policy cannot foresee every scenario or set of circumstances, EEBC may depart from this policy where, in the Council's view, the matter requires it; in any such case the Licensing Authority will give full reasons, in writing, for this decision.

## 6. The Local Context

- 6.1 A map showing the geographical area covered by this Statement of Policy can be viewed at Appendix 2.
- 6.2 Epsom & Ewell Borough has a population of approx. 82,000 people; it is Surrey's smallest borough geographically but the most densely populated.
- 6.3 The Borough is bordered by outer London boroughs to the North (with some of the Borough's urban areas forming part of the wider Greater London Built-up Area), and the Surrey Hills National Landscape to the South (designated an Area of Outstanding Natural Beauty). The neighbouring districts are Reigate and Banstead, Mole Valley, Kingston upon Thames and Sutton.
- 6.4 The borough is located entirely within the M25 motorway, and boasts excellent transport links, with direct train lines to Waterloo, London Bridge, and London Victoria, and with Gatwick Airport only 20 miles south of Epsom.
- 6.5 Epsom & Ewell Borough has a vibrant local economy in the retail, engineering and leisure sectors. The area comprises three main conurbations;
  - Epsom, a historic market town with a vibrant evening economy.
  - Ewell Village, with renowned taverns and independent shops, cafés and restaurants .

- Stoneleigh, with a parade of shops and restaurants located near open spaces and a nearby park.
- 6.6 The area is probably best known worldwide for the running of the Derby at Epsom Downs Racecourse. Horse racing has taken place in Epsom for over 350 years (the first recorded race days were in the 1640's). As well as being a significant local employer, the Derby Festival also indirectly benefits significantly the hospitality sector and local suppliers across the Borough, as well as the wider Surrey area.
- 6.7 The Borough is home to significant educational establishments, with the borough hosting campuses for the University for the Creative Arts, the North East Surrey College of Technology and Laines Theatre Arts.
- 6.8 Epsom & Ewell Borough is a relatively economically prosperous area, with the Borough [having the highest employment rate across Surrey](#), with resident's earning on typically higher than the national average. However, this picture does mask pockets of deprivation across the borough, for example, Court Ward is the 4th most deprived ward in Surrey.
- 6.9 Epsom & Ewell Borough has a relatively low crime rate when compared with the rest of the country, although [within Surrey the total number of recorded offences](#) is slightly above average. Of the crimes reported in the Borough, violence and sexual offences is the most prevalent crime type, although this category is usually the largest in any urban area (partly because 'Violent Crime' covers so many offences compared to say Burglary). The next most prevalent crime is antisocial behaviour, followed by public order offences
- 6.10 Surrey Police have mapped incidents of antisocial behaviour and serious violence across Surrey, and identified Epsom as a primary hotspot, along with Guildford, Woking / Knaphill, Redhill, Staines and Camberley. The primary area of interest in Epsom is around the High Street and Station Approach, and the Ashley Shopping Centre. Two peak times for incidents have been identified: 17:00 – 20:00 and 00:00 – 04:00 at the weekends. A summary of the police hotspot mapping is attached at Appendix 3. The last train from Epsom usually departs around 23:49, and the second peak of incidents may be related to associated problems with dispersal from the town when late night licensed venues close.
- 6.11 Public Health is not a licensing objective, however health data may be helpful in assessing the related impact of alcohol on Public Safety. [The Surrey Office of Data Analytics](#) produced a summary of alcohol related hospital admissions and 999 Call-outs in the Epsom & Ewell, and a copy of this is attached as Appendix 4. This showed that within Epsom & Ewell, Epsom Town ward saw the highest numbers for both alcohol related admissions and 999 call-outs. The age ranges from 41 onwards had the higher number of alcohol related admissions. Ewell East had a very large number of alcohol related admissions for 81-90 year olds. Alcohol related 999 call-outs were the highest for 51-70 year old range. It should be noted though that within Surrey, Epsom & Ewell Borough has the [second lowest rate of alcohol related hospital admissions](#), although this data may not produce an accurate picture, as it is based on the

home address of the person being admitted, rather than the location of any alcohol related incident.

- 6.12 To help tackle anti-social behaviour in the Borough, in May 2025 EEBC implemented a Public Spaces Protection Order. This order, which can last up to three years, allows authorised individuals like police officers and council staff to address prohibited activities, including alcohol consumption in public spaces after a warning. EEBC has also within this policy created a 'Special Stress Area', designed to promote good practice and minimise the adverse impact from alcohol-use in Epsom Town centre.
- 6.13 At the time of publication of this Statement there were 214 Premise Licences, and 14 Club Premises Certificates in the Borough, and 1083 Personal Licences in effect within the Epsom & Ewell Borough. In a typical year the Licensing Authority is served with approximately 240 Temporary Event Notices.

## 7. Council aspirations and vision for the place

- 7.1 Five distinct themes come together to create the Council's vision for Epsom and Ewell;-

- Green & Vibrant

*Where people are passionate about the environment  
Rich with biodiversity and the best that nature has to offer  
A great place to go walking or cycling with friends and family  
A place with access to fantastic countryside and clean air  
Tree lined streets with some of the best examples of eco-buildings  
Clean and well-maintained environment  
Beautiful and well-designed public spaces*

- Opportunity & Prosperity

*A great place to start and grow your business  
An ambitious place where there is investment in the future  
A place to innovate and try out new ideas  
Affordable homes for families and local workers  
There's an excellent education  
A place that offers an excellent start in life whatever your background  
Where ambition is encouraged and nurtured*

- Safe and Well

*Where I can feel safe and secure at any time of day  
A place that is family friendly, where people support each other  
Easy access to world class health and wellbeing services  
Where it's easy to keep healthy and active  
Where I can breathe clean air Where there is a strong community spirit  
Where people come before traffic*



- Cultural & Creative

*Proud of the rich local history and heritage  
A clear and compelling identity that excites and inspires  
A thriving market and unique retail offer  
A home for creative enterprises  
There's a wide range of local events and activities for people to take part in  
A great place to meet up after work with friends and family  
Where people work together for the benefit of the community*

- Smart & Connected

*Easy to get around and get things done  
Climate friendly public transport options  
A strong community where it's easy to network and meet like-minded people  
Part of Zone 6 and Cross Rail 2  
Where it's easier not to own a car  
Innovative and forward looking with the right skills for the future  
High speed digital connectivity where it's easy to plug in*

7.2 It is the aspiration of this Statement of Licensing Policy to support these themes through the promotion and application of the four licensing objectives.

7.3 In accordance with these priorities Epsom & Ewell Borough Council would positively encourage applications that:-

- support the use of open space, sport and recreation facilities to meet current and future requirements.
- promote a broad range of entertainment, particularly live music, dance and theatre for the wider cultural benefit of the community
- support local community events and organisations.
- commit to involvement in community safety partnership initiatives
- reduce traffic growth by providing local community services
- through innovation, are likely to ensure the Borough's towns and village centres remain successful and viable places for people to live, shop and spend their leisure time.

When considering applications for such events and the imposition of conditions on licences or certificates, the Licensing Authority will carefully balance the wider benefits with the necessity of promoting the licensing objectives.

7.4 The Licensing Authority believe that as long as licensed premises operate as compliant, well-regulated businesses and that their management acts responsibly in promoting the licensing objectives i.e.; run safe, well managed venues and facilities; and engage and work with the local authority, its partners and the local community; then the premises make a positive

contribution toward building community cohesion and cultural development. It is also important to appreciate that alcohol plays an important and inherent role within the leisure and entertainment industry.

- 7.5 However, it is equally recognised that negative impacts will occur if good management practices are not followed by licensed premises. These can include anti-social behaviour, nuisance and disturbance caused to local residents, sometimes together with serious crime and disorder problems. Alcohol, in particular, is an important contributing factor to all of these issues. Alcohol-related violence, disorder and rowdiness impact on our community, public health and the public purse through the demands made upon hospital attendances and admissions; additional policing; additional street cleaning; and the criminal justice system. The Authority does not consider that it is reasonable for local residents and compliant businesses to suffer because of a small number of irresponsible, poorly managed operators.
- 7.6 This Statement of Licensing Policy, therefore, seeks to provide a necessary balance between providing a platform upon which compliant, well-regulated businesses may operate and contribute towards a successful business and night-time economy, and ensuring that the quality of life of those who live and work in the Borough is protected through the licensing system. We believe these aims are achievable if all parties concerned work together.
8. Cumulative Impact, Special Stress Area Policy, Early Morning Restriction Orders (EMRO), and Late Night Levy
  - 8.1 The Licensing Authority has decided that, at present, it is not appropriate for any area of the Borough to be covered by a special policy on cumulative impact (as per section 5A Licensing Act 2003). There is therefore no special policy creating a rebuttable presumption that applications within a particular area of the Borough for new premises licences or club premises certificates will normally be refused, if relevant representations are received.
  - 8.2 However, Epsom town centre is deemed an area of special concern in terms of the level of crime and disorder, particularly at night, and is recommended for further monitoring and detailed guidance as set out in the Special Stress Area ('SSA') section in Part C. New and varied applications for late night premises and club premises certificates within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make fulsome, written positive proposals to ensure that their operation will not add to the problems faced in these areas. Appendix 5 shows the show the extent of the SSA, and Appendix 6 of this policy sets out a list of measures the licensing authority considers it appropriate for applicants to consider with respect to premises in this area. These may be more or less appropriate depending upon the style of operation applied for. On receipt of any application in the SSA, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in Appendix 6, Licensing Best Practice Measures. Where discretion has been

engaged, those applications which fall short in considering appropriate measures may be refused or conditions applied to comply with policy measures.

- 8.3 The Licensing Authority has decided that at present it is not appropriate for any area of the Borough to be covered by an Early Morning Alcohol Restriction Order (EMRO). This Licensing Authority does not consider it appropriate for the promotion of the licensing objectives to restrict sales of alcohol in the whole or a part of the Borough for any specified period between 12 midnight and 6 am.
- 8.4 The Licensing Authority has decided that, at present, it is not appropriate for the Borough to be covered by a late-night levy. The Licensing Authority does not consider it desirable that all licence holders operating a licence which allows for the sale of alcohol between midnight and 6am be required to pay into the levy for policing the night-time economy.
- 8.5 The Licensing Authority will keep the need for a special cumulative impact policy, a SSA policy, EMRO and late-night Levy under review. Should the authority find that problems of crime and disorder are not improving, or are worsening, the Statement of Policy will be reviewed.

## 9. Promotion of equality

- 9.1 The Equality Act 2010 imposes a duty on the Council as the Licensing Authority to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people with different protected characteristics.
- 9.2 To show how the Council meets its Equality Duty the Council publishes a Diversity, Equity & Inclusion Report, available on the [Council's website](#).
- 9.3 All licensed premises are subject to the Equality Act 2010 which lists a number of protected characteristics that must not be used as a reason to treat a person less favourably than another person, these are;
  - Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnerships
  - Pregnancy and maternity
  - Race (this includes colour; nationality; ethnic and national origins)
  - Religion or belief
  - Sex
  - Sexual orientation.
- 9.4 Treating a person less favourably than someone else because that person has one or more of these characteristics is discriminatory.

- 9.5 The Equality Act 2010 also imposes a duty on any person providing a service to the public, including operators of licensed premises, to make reasonable adjustments to enable disabled people to access the service, where a disabled person would be at a substantial disadvantage compared to a non-disabled person.
- 9.6 The Licensing Authority urges applicants and existing operators to plan ahead to meet their legal responsibilities under the Equality Act 2010. Further information and guidance can be obtained from the Home Office website.

#### 10. Exercise and delegation of function

- 10.1 The powers of the Licensing Authority under the Act may be carried out by the Council's Licensing Committee, Licensing Sub-Committees or by one or more officers acting under delegated authority.
- 10.2 In the interests of speed, efficiency and cost-effectiveness to all parties involved in the licensing process, the Council has established a scheme of delegation to deal with applications received under the Act. A table of these delegations are shown in Appendix 7.

#### 11. Partnership working

- 11.1 The promotion of the licensing objectives relies on a partnership between licence holders, authorised persons, residents, responsible authorities and the Authority. The Authority is keen to work in partnership with licensees and with bodies such as licensee forums, pub watches, Business Improvement Districts (e.g. [Go Epsom](#)), tenants' and residents' groups and those representing such groups to develop a prosperous and well managed economy whilst promoting the licensing objectives.
- 11.2 The Council has set up multi-disciplinary working groups to ensure the proper integration of local crime prevention (e.g. Joint Action Group (JAG), Community Harm and Risk Management Meeting (CHaRMM)). The Council also has a role in the Business Improvement District's Business Crime Reduction Partnership.

#### 12. Planning

- 12.1 The planning and licensing regimes operate independently, involving consideration of different, albeit related, matters. The Licensing Authority is not bound by planning decisions, and vice versa. The two schemes take different matters into account when determining hours, so differences between terminal hours may arise, with the more restrictive set of hours always applying.
- 12.2 Nevertheless, where applicants have indicated that they have also applied for planning permission or that they intend to do so, and where relevant

representation has been received, officers will consider discussion with their planning service prior to determination with the aim of recommending mutually acceptable operating hours and scheme designs to the Licensing Sub-Committee. Licensing decisions will not normally cut across planning decisions, however the licensing regime will not seek to duplicate the role of the Local Planning Authority.

- 12.3 It is noted that any decision of the Licensing Authority on an application for a premises licence does not relieve the premises user of any requirements under planning law for appropriate planning permission where it is required. Premises operating in breach of their planning permission could ultimately be liable to prosecution under planning law. Applicants are recommended to obtain planning consents prior to applying for a licence to avoid potentially inoperative licences.

### 13. Fire safety

- 13.1 The Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risks from fire, to which relevant persons are exposed, and to remedy any findings of the assessment. The risk assessment should be conducted by a suitably competent person.
- 13.2 Licensed Premises are required under the above legislation to document the Fire Safety arrangements and any significant findings resulting from the required risk assessment.
- 13.3 A Licensing Authority may not allow fire-safety related conditions to be applied to a licence. However, all applicants and licence holders are reminded that current fire safety legislation requires an employer or other responsible person to carry out a regular review of their fire risk assessment and as a result of changes to the workplace, revise the fire safety arrangements to reduce any increased risk. Please refer to the [Government's guidance on completing fire risk assessments](#) for more information.

### 14. Integrated Strategies

- 14.1 This Licensing Policy supports the Community Safety Partnership Action Plan which looks at reducing crime and disorder by working with various agencies to address community safety issues.

### 15. Responsible authority and children

- 15.1 The Council considers Surrey County Council's Children's Services competent to act as the responsible authority in relation to the Protection of Children from harm.

16. The Licensing Authority as a responsible authority

- 16.1 Within the Act provision is made for a licensing authority itself to make representations. However, the Licensing Authority will not normally make representations that should be made by another responsible authority with the expertise in that area.
- 16.2 However, the Licensing Authority may in exceptional circumstance wish to make representations on its own account. For example, reasons could include bringing together a number of minor unconnected complaints that in themselves do not require another responsible authority to make a representation, but when taken together may constitute a public nuisance, represent breaches of licence conditions only observed by licensing authority officers or which undermine the licensing objectives.

17. Information sharing

- 17.1 Epsom & Ewell Borough Council is committed to open data principles. Subject to the provisions of the Data Protection Act 2018 and General Data Protection Regulation 2016/679 and any other applicable legislation, the Authority will share information about licensees, licensed premises and activities associated with them to all partners. Operating schedules, results of compliance checks, and details of enforcement action may also be shared.

18. Minor errors in applications

- 18.1 Applications will not be returned if they contain obvious and minor errors such as typing mistakes, or small errors that can be rectified with information already in the authority's possession.

19. Significant errors in applications

- 19.1 If required information is missing or incorrect, the Council will 'hold' the application until the applicant has supplied all the required information. This resets the 28-day period for determining an application and may be done any number of times until the application form is complete. The Council will ensure that they notify the applicant as quickly as possible of any missing (or incorrect) information, and explain how this will affect the statutory timescale and advertising requirements.
- 19.2 If an application has been given at the weekend, the notice advertising the application (where applicable) may already be displayed outside the premises by the time that the licensing authority downloads the application. If we are holding an application, the Council will inform the applicant that the original (or if necessary, amended) notice must be displayed until the end of the revised period. The Council advise the applicant that they should not advertise the application in a local newspaper until they have received confirmation from

the licensing authority that the application includes all the required information.

- 19.3 If an applicant persistently fails to supply the required information, the licensing authority may refuse the application, and the applicant must submit a new application. If the applicant has not sought pre-application advice or followed the application guidance provided on the Council's website, the full application fee will be retained by the Licensing Authority.
- 19.4 The Council may also 'defer' electronic applications once if the application is particularly complicated, for example if representations are received and a hearing is required. This allows the licensing authority to extend the statutory time period for the determination of the application by such time as is necessary, including, if required, arranging and holding a hearing. Licensing authorities must ensure that applicants are informed as quickly as possible of a decision to defer, and the reasons for the deferral, before the original 28 days has expired.

## Part C Premises Licences and Club Premises Certificates

### 20. Pre-application discussions

- 20.1 The Licensing Authority would strongly encourage applicants to hold pre-application discussions with Licensing Officers, other relevant statutory bodies and local residents or businesses before submitting all but the most straightforward applications. Taking this step may prevent misunderstandings as to what is being proposed and stop formal representations being made that will result in licensing hearings.

### 21. Promoting the licensing objectives

- 21.1 The Licensing Authority expects all applicants for licences to demonstrate that they have addressed any local concerns and have thought about how the premises will be run responsibly and in such a way as to promote the licensing objectives. A risk assessment approach is strongly encouraged such that appropriate controls can be identified to manage such risks, and incorporated within the operating schedule of the application.
- 21.2 The operating schedule forms the basis of any conditions placed on a licence other than those which are mandatory. It provides valuable information to interested parties and responsible authorities assisting their assessment of the impact of the licensed activity on the licensing objectives and provides information about how the applicant will address these issues. It is likely to form the basis of any decision to submit a representation against the application.
- 21.3 Providing as much information as possible in the operating schedule demonstrates that the applicant has seriously considered the issues, is aware of their duty to promote the licensing objectives at all times and is aware of how this may be best achieved. The Licensing Authority considers the effective and responsible management of the premises, including instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives. For this reason, the Council expects applicants and licence holders to consider the risks associated with their activities, in the context of the local environment, and to identify appropriate measures. These measures should be specifically considered, detailed and addressed within an applicant's operating schedule
- 21.4 Types of premises vary throughout the Borough, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to promote the licensing objectives will vary by premises, so the measures identified below should not be considered exhaustive.

### 22. Crime and Disorder



## Examples of measures that may be appropriate to control Crime and Disorder

- The employment of Security Industry Authority licensed door staff
- The advertised use of CCTV in and around the premises
- Ensuring adequate lighting
- Managing the flow of people and reducing congestion
- Effective and responsible management and supervision of a premises, including associated outside areas
- Incident and refusals log books
- Acceptance of only accredited proof of age documentation;
- [‘Ask for Angela’](#) training for all staff
- It is mandatory for premises that sell or supply alcohol to have an age verification policy in place. The Authority favours the adoption of the Challenge 25/Check 25 type schemes.
- Appropriate ‘drinking up times’ or ‘winding down’ periods to avoid customers being ejected en masse from the premises the moment the entertainment finishes, or immediately after being served alcohol for consumption on the premises. To allow for the safe and orderly dispersal of customers the Licensing Authority would expect the premises to close at least 20 minutes later than the finishing time allowed for the licensed activity.
- Undertaking right to work checks on all staff employed (whether permanent or temporary) at the licensed premises, with a physical copy of any document checked as part of a right to work check retained at the licensed premises, or a digital copy be immediately accessible from the premises, to be made available to a licensing officer, the police or the home office on request.

### Possible measures where the risk of theft is identified (from both customers and premises)

- The provision of clips fitted to tables, walls bars etc to secure personal belongings and prevent bag snatching
- Posters/Training on staff to advise customers not to leave bags etc on the back of chairs
- For off-licences, storing high strength alcohol products (those most likely to be stolen and cause harm) behind the counter;

### Possible measures where the risk of the sale of and use of psychoactive substances on premises is identified

- Measures and policies to prevent the use or supply of illegal substances or the illegal supply of alcohol, including search and entry policies.
- An agreed protocol with the police on the handling and disposal of illegal drugs found on the premises.
- Measures and policies specifically designed to address the risk of drug or alcohol spiking on the premises such as:-
  - more rigorous searches by SIA door staff,
  - the provision of covers/stoppers for drinks, and

- training for staff on how to identify the symptoms of drink or drug spiking
- the collection of unintended drinking vessels as soon as possible to avoid the risk of injuries or drink spiking
- reporting and recording of incidents to the police

Possible measures where a risk of violence is identified

- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder, including measures to ensure that alcohol is not served to persons who are drunk, and that empty glasses are collected as soon as possible
- Policies to manage capacity
- Procedures for the management of customers congregating outside of premises (in particular late night refreshment houses)
- Dispersal arrangements, considering the potential effect of the premises on dispersal arrangements from other licensed premises or the cumulative impact in the area.

## 23. Prevention of Public Nuisance

Examples of measures that may be appropriate to control Public Nuisance

- Effective and responsible management and supervision of the premises, including associated open areas
- Adoption of and adherence to best practice guidance, for example, the Noise Council Code of Practice on Environmental Noise Control at Concerts, and other recognised codes of practice
- The adoption of procedures and policies to actively manage noise on an ongoing basis
- Policies for the timely dispersal of customers
- Appropriate closing times having regard to the nature of the surrounding area, for example in predominantly residential areas and/or in areas where vehicular noise related to departing patrons may be a source of noise nuisance
- Appropriate instruction, training and supervision of those employed or engaged to prevent public nuisance from arising
- Measures to prevent excessive noise from customers eating, drinking or smoking in external areas to the premises
- Keeping doors and windows closed and providing adequate mechanical ventilation
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level
- Installing sound proofing measures to contain sound and vibration
- Making contact telephone numbers available to local residents
- Displaying prominent notices asking customers to leave the premises quietly
- Provision of adequate litter bins and regular emptying/collection of rubbish
- Measures for the prevention of noxious smells arising from the premises, for example, in relation to the provision of late night refreshment

- Measures to prevent unreasonable disturbance arising from deliveries of alcohol to premises and/or collections of e.g. refuse.

## 24. Public Safety

Examples of measures that may be appropriate for public safety

- Appropriate access for emergency services and vehicles such as ambulances
- Good communication with local authorities and emergency services;
- Ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.
- For larger public events, including those in public spaces, an appropriate risk assessment and event management plan
- Any capacity issues not covered by the Fire Safety regime
- Adoption of and adherence to best practice guidance and other recognized codes of practice. For example, when holding events with an anticipated larger capacity, the Purple Guide
- Measures and policies to prevent the use or supply of illegal substances, including search and entry policies
- Physical safety features e.g. use of safety/ toughened glass
- Written policies on dealing with accidents and personal injury incidents and drunkenness
- The promotion of schemes to discourage drink driving
- Dispersal policies including provisions for the safe dispersal of the vulnerable; and/or policies concerning the safe and responsible ejection or refusal of entry of vulnerable or potentially vulnerable people.

## 25. The Protection of Children from Harm

Examples of measures that may be appropriate the protection of children from harm

- Adoption of a voluntary age verification policy such as Challenge 25
- Acceptance of accredited proof of age documentation
- Effective and responsible management and supervision of the premises, including associated open areas
- Appropriate instruction and training for those employed or engaged to prevent harm to children, in particular, child sexual exploitation (CSE)
- Provision of effective CCTV in and around premises
- Refusals log books
- Measures to deter proxy sales
- For off licence premises, a restriction on sales of individual cans or bottles of alcohol (as the reduced cost may make the purchase of alcohol more accessible to those under 18)
- Exclusions at certain times, or when adult entertainment is being provided.
- Policies or procedures in respect of: restrictions on the hours children may be present and parts of the premises to which they may not have access

to; excluding children under a certain age when specified activities are taking place; accompanying adults

- Policies and procedures for e.g. lost and found children at events
- Systems for the collection of glass and bottles to minimise the risk of young people finishing off dregs.
- Staff to receive regular and adequate training on the law and practice relating to age restricted sales (including challenging purchasers, checking identification), such training to be properly documented and records made available for inspection.
- Where necessary, measures limiting the access of children to licensed premises where that is appropriate for the prevention of harm to children e.g.:-
  - adult entertainment is provided;
  - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
  - it is known that unaccompanied children have been allowed access;
  - there is a known association with drug taking or dealing; or
  - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

Possible measures where entertainment takes place on licensed premises and is directed specifically at children:-

- Children-specific risk assessments being carried out in advance and, where appropriate, in consultation with the appropriate authorities including the Police
- Appropriate vetting of staff on duty
- Appropriate child safeguarding training for all staff
- Ensure that all staff have read and know where to find the Government Guidance: ["What To Do If You're Worried a Child is Being Abused"](#)
- Record all concerns raised by staff;
- Provide advice and support to staff when they have a concern about safeguarding a child;
- Additional measures to ensure that no sales of alcohol to children are made
- Additional measures to ensure attendees are safely dispersed following the event

Conditions requiring the admission of children cannot be attached to licences or certificates.

## 26. Special Stress Area ('SSA) Policy

- 26.1 The map attached at Appendix 5 shows the area of Epsom town centre delineated in red which is deemed an area of special concern in terms of the level of crime and disorder, particularly between 17:00 – 20:00 and 00:00 – 04:00 at the weekends. The Special Stress Area ('SSA') includes premises on:-
- The High Street
  - The following areas immediately adjacent to the High Street: The Ashley Centre, Oak Square, Derby Square, the Market Place, and 2 Church Street
  - Station Approach
  - Waterloo Road, from the railway bridge to the junction with Ashley Road
  - Ashley Road, from the junction with Waterloo Road to the junction with Ashley Avenue
  - The Parade, from the junction with Ashley Road to the first vehicle entrance to the Town Hall
  - Ashley Avenue
  - South Street, from the junction with West Street/High Street to the junction with Ashley Avenue
  - West Street, from the junction with High Street and South Street to the junction with Station Approach
- 26.2 In order to address these concerns within the SSA, applications for premises within this area will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems identified in these areas.
- 26.3 New and varied applications for late night premises and club premises certificates within the SSA will **not** be subject to the presumption of refusal. However, where representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules to address the local issues identified within the SSA. In some cases, where there is significant concern associated with an application and its impact on the licensing objectives, and insufficient mitigation has been proposed within the applicants' operating schedule or through further submissions, the Licensing Authority may have no other option than to refuse the application.
- 26.4 Appendix 6 of this policy sets out a list of potential measures the licensing authority expects applicants to consider when applying for late licences in the SSA. These may be more or less appropriate depending upon the style of operation applied for. For example, applications for non-alcohol lead premises, that do not offer late night refreshment for consumption off the premises, and with no outside areas of service (e.g. theatres, cinemas), are unlikely to contribute negatively to the SSA, and will likely not need to consider adopting the measures proposed in Appendix 6 in their operating schedules.
- 26.5 Each application will be considered on individual merits

## 27. Films

- 27.1 Where films are intended to be shown, the Licensing Authority will expect Operating Schedules to include arrangements to prevent children viewing age-restricted films as classified by the BBFC or by the Licensing Authority itself.

## 28. Alcohol Delivery Services

- 28.1 Since the last Statement of Licensing Policy there have been an increasing number of applications for licences relating to delivery services. These tend to fall into three groups:
- Premium specialist product mail order-type services;
  - Food delivery services (both meal and grocery) that include alcohol delivery but are primarily food lead; and
  - Convenience-type alcohol delivery services that are targeted at convenience for those drinking at home.
- 28.2 Although these types of services are not provided for in the Licensing Act 2003 in any way differently from other licensed premises they do provide their own unique circumstances that need to be addressed. In particular the Licensing Authority expects licence applications for delivery services that include the delivery of alcohol will ensure the following:
- Age verification at both purchase point and delivery point;
  - The safety of delivery drivers at point of delivery;
  - Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises.

## 29. Large-Scale Events

- 29.1 While the Licensing Authority encourages all applicants to consider contacting Responsible Authorities in advance of any application, where the application is unusual because of its size (e.g. in excess of 500 people) or type (e.g. a festival) the Licensing Authority expects that early contact is made well in advance of any application being made. This will ensure that appropriate consideration can be given to a bespoke programme of consultation which might, as the case may be, include submission of risk assessments, a full event management plan and/or the convening of a Safety Advisory Group ('SAG') to advise on the implications of the proposed application.
- 29.2 The SAG, consisting of the emergency services and other statutory agencies such as the highways authority, advise and co-ordinate planning for public events in the Borough, whether or not a premises licence or a temporary event notice is needed. Large-scale event organisers are encouraged to consult with the Safety Advisory Group as part of their event planning

process. The SAG organiser can be contacted via [contactus@epsom-ewell.gov.uk](mailto:contactus@epsom-ewell.gov.uk)

- 29.3 Organisers of large-scale events must be mindful that a premises licence application may take up to two months to determine should representation be received. Notwithstanding these minimum requirements, the Licensing Authority advises anyone organising a large scale event to consider using the [Epsom & Ewell Template Event Management Plan](#) as early as possible, as it includes helpful guidance notes as well as ensuring that all the necessary information is provided. Even if you do not need to notify the Epsom & Ewell SAG of your event you may find the template a useful tool to help you in planning your event. This will ensure that partner organisations receive adequate notice of the event so it can take place safely and successfully.
- 29.4 The Licensing Authority expects organisers of large events to have regard to the following documents as appropriate:
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) (“The Purple Book”) <https://www.thepurpleguide.co.uk/> (requires subscription)
  - Managing Crowds Safely (HSE 2000) <https://www.hse.gov.uk/event-safety/crowd-management.htm>
  - 5 Steps to Risk Assessment: <https://www.hse.gov.uk/simple-health-safety/risk/steps-needed-to-manage-risk.htm>
  - The Guide to Safety at Sports Grounds <https://sgsa.org.uk/document/greenguide/>

### 30. Martyn's Law

- 30.1 The Terrorism (Protection of Premises) Act 2025, also known as Martyn's Law, received Royal Assent on Thursday 3 April 2025. Certain larger premises will be required to consider and, where appropriate, take reasonably appropriate steps to reduce their vulnerability to acts of terrorism.
- 30.2 A tiered approach is established under the new Act, with those responsible for premises and events in scope required to fulfil different requirements according to the number of individuals it is reasonable to expect may be present.
- 30.3 Smaller premises where 200 to 799 individuals may be present will be in the 'standard tier'. The requirements in this tier are centred on simple, low-cost activities designed to ensure those working at premises or events are better able to reduce harm, and save lives, in the event of an attack.
- 30.4 Larger premises – and qualifying public events – where 800 or more individuals may be present will be in the 'enhanced tier'. In addition to the requirements for the standard tier, these larger premises and events will have further requirements placed upon them. This includes having in place, so far as is reasonably practicable, appropriate public protection measures to

reduce their vulnerability to acts of terrorism and the risk of physical harm if an act of terrorism was to occur.

30.5 The legislation established the Security Industry Authority as the regulator of Martyn's law, and the SIA and the Government will be issuing guidance to support qualifying premises. In advance of this guidance being published, the Council expects the following measures to be taken with respect to qualifying premises:-

- Ensure that the management team of the business register and successfully complete the nationally recognised counter terrorism training product referred to as ACT e-learning package. Further information can be found at: [E-Learning | Protect UK](#). ACT awareness trained staff are better prepared to recognise and respond accordingly to threats from extremist and civil emergencies, as well as the everyday criminality that affects communities.
- Ensure that the existing CCTV systems are correctly working and are compliant with the Data protection Act 1998, Information Commissioners requirements, and other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.
- The applicant should consider their Security Minded Communications and adopt the NPSA Employee Vigilance Campaign. Further information can be found here: [Employee vigilance campaign | NPSA](#)
- Any implemented application should consider ingress/egress routes of those within the premises, along with the safety of adjacent carriageway users, and those with disabilities etc. Allowances should be made for rapid dispersal of people in the event of an emergency/incident.

30.6 Applicants are encouraged to view the Protect UK website which is an official platform that provides some good information, guidance and leading advice, to help detect vulnerabilities and connect with some useful resources. Further information can be found at: [www.protectuk.police.uk](http://www.protectuk.police.uk)

### 31. Music entertainment at alcohol on-licensed premises

31.1 The Live Music Act 2012 and Deregulation Act 2015 amended the Licensing Act 2003 by deregulating aspects of the performance of live and recorded music so that, in certain circumstances, it is not a licensable activity. A summary of when a licence is likely to be required is provided on Entertainment Licensing page of .GOV.UK

31.2 As a result of the deregulation a licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and



- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

- 31.3 Any conditions relating to musical entertainment on a premises licence do not have effect when the above requirements are met. However, if the premises licence is reviewed as a result of musical entertainment causing a nuisance the Licensing Authority can exert control by re-imposing conditions relating to music, or may add a new condition as if music were regulated entertainment.
- 31.4 Many of the Borough's licensed premises are often in older historic buildings located in constrained locations, where it may not always be possible to contain the noise from music entertainment. However, the Licensing Authority recognises that alcohol licensed premises have a rich history of supporting music entertainment in the community, and considers it unlikely that public nuisance will result from a well-managed weekly performance that ends at 11PM.

## 32. Outside spaces

- 32.1 Outside spaces are an increasingly popular part of licensed premises, particularly in summer where there is more demand for outside drinking and eating options. There is a need for all outside spaces that are used for smoking, eating and drinking by patrons of licensed premises to be well managed to reduce the potential for nuisance to be caused to nearby residents.
- 32.2 Where smoking, eating and drinking takes place outside, the Authority expects applicants to provide comprehensive details in their operating schedule on:
- the location of outside areas and the times when they will be available for use;
  - how the outside areas will be managed to prevent:
    - a) noise;
    - b) smell; and
    - c) pavement obstructions, and littering.
  - the arrangements for clearing tables and chairs; and
  - preventing nuisance from smoke fumes to residents living in close proximity to smoking areas.
- 32.3 Where outside spaces are used for eating, and where children may also be present in the outside space, the Authority expects applicants to provide details as to how smoking areas will be separated from the general use areas of the outside space.
- 32.4 Licensees must take into account the needs of patrons with disabilities and comply with the requirements of the Equalities Act 2010.
- 32.5 Where the use of outside spaces by the patrons of a licensed premises is unplanned and makes use of the pavement there is need for specific

consideration. Members of the public can sometimes feel intimidated and crowds of drinkers spilling out onto the street may cause obstruction. Safety problems can also be caused with drinkers moving into the road. Wherever possible drinking should be contained within areas that are part of the licensed premises, such as beer gardens, terraces or where a pavement licence has been granted by Surrey County Council for tables and chairs on the public highway, and consideration should be made for local residents with mobility difficulties.

- 32.6 Applications for the use of licensing of tables and chairs on the highway are not within the remit of this policy. In the event that the hours under any such licence do not match those on a licence issued under the Licensing Act 2003 the earlier hours will apply.

### 33. Use of space adjacent to vehicular highway

- 33.1 At time of publication the current UK threat level from terrorism is assessed as SUBSTANTIAL - an attack is likely. Threat levels are based upon the intent and capability of our adversaries. Threat is a snapshot in time and it must be recognised that attacks can take place with little or no notice.
- 33.2 The most likely attack methodologies expected within the UK include Vehicle as a Weapon (VAW) attacks.
- 33.3 There is no specific information or intelligence to suggest that the Borough is under any immediate threat to the above type attack, however applicants and licence holders should be mindful of the risks to events or land outside of premises which may be accessed by vehicles. It should be borne in mind that even if the use of outside space offered is relatively modest (i.e. providing seats for a few customers), other nearby premises with similar arrangements may ease the identification and attractiveness of the location as a whole to an attacker, as a potential target.
- 33.4 Applicants for premises including the use of spaces adjacent to the vehicular highway should consider the risks of VAW, and should include the following in their operating schedule if appropriate:
- Ensure that the management team of the business register and successfully complete the nationally recognised counter terrorism training product referred to as ACT e-learning package. Further information can be found at: [E-Learning | Protect UK](#). ACT awareness trained staff are better prepared to recognise and respond accordingly to threats from extremist and civil emergencies, as well as the everyday criminality that affects communities.
  - Ensure that the existing CCTV systems are correctly working and are compliant with the Data protection Act 1998, Information Commissioners requirements, and other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which

render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.

- The applicant should consider their Security Minded Communications and adopt the NPSA Employee Vigilance Campaign. Further information can be found here: [Employee vigilance campaign | NPSA](#)
- Any implemented application should consider ingress/egress routes of those within the premises, along with the safety of adjacent carriageway users, (this includes patrons using the proposed tables and chairs) and those with disabilities etc. (as per National Conditioning Guidance of the Business & Planning Bill 2020). Allowances should be made for rapid dispersal of people in the event of an emergency/incident. The tables and chairs should NOT impede this.
- Subject to opening hours, adequate lighting should illuminate the deployment of the tables and chairs.
- All tables and chairs must be removed when the premises is closed & should be monitored for inappropriate use. 'Customer Only' signage may assist with this.

33.5 Applicants are encouraged to view the Protect UK website which is an official platform that provides some good information, guidance and leading advice, to help detect vulnerabilities and connect with some useful resources. Further information can be found at: [www.protectuk.police.uk](http://www.protectuk.police.uk)

#### 34. Public Spaces Protection Order

34.1 In May 2025 EEBC implemented a Public Spaces Protection Order (PSPO'). This order, which can last up to three years, allows authorised individuals like police officers and council staff to address prohibited activities, including alcohol consumption in public spaces after a warning.

34.2 The PSPO does not apply to premises authorised by a premises licence to be used for the supply of alcohol or for areas of the public highway within a current pavement licence relating to an alcohol licensed premises.

#### 35. Variation of licences

35.1 Applicants for standard variations of premises licences or club premises certificates are expected to conduct a thorough risk assessment with regard to the licensing objectives when preparing their applications (see above). Any new control measures identified as necessary to promote the licensing objectives should be included within the application.

35.2 A premises licence/club premises certificate holder may apply under the minor variation procedure for small variations that will not impact adversely on the four licensing objectives. Minor Variations are decided by licensing officers under delegated powers, and there is no right to a hearing if the minor variation application is rejected. Where there is any doubt as to any adverse impact the licensing officer will contact the relevant responsible authority for

advice before determining an application. If the application is refused the Licensing Authority will give the applicant reasons for the decision.

### 36. Shadow Licences

- 36.1 A “shadow licence” is a simple way of describing a licence which has been obtained by one party in respect of premises to which another licence has already been granted to someone else. The usual reason for this would be to protect the landlord in case the tenant surrenders the licence without giving the landlord any notice or if review proceedings are brought against the licence and the licence is revoked and the landlord has no knowledge of this. In such a scenario there is a primary or live licence operated usually by a tenant and the ‘shadow licence’ is an additional licence often by the landlord which sits behind the primary licence.
- 36.2 The word Shadow Licence is used in practice, but has no legal definition. It is simply another licence on exactly the same terms as the first licence, normally granted to a landlord, whose sole purpose is to provide the landlord with the comfort and protection of having a licence in its own name. If the original operating licence then lapses or is surrendered, the landlord is able to use the Shadow Licence to replace it and market the premises as having the benefit of a licence of the same quality.
- 36.3 The Authority recognises that there is no restriction in the Licensing Act 2003 for there to be more than one licence to be in effect at any one time at the same premises. The Licensing Authority has concerns however that the holding of additional licences has the potential to undermine the decisions made as a result of determining applications to review a premises licence whereby if one licence was modified, suspended or revoked the premises could effectively continue to operate under the second licence.
- 36.4 Similarly Responsible Authorities, including the Police, Trading Standards and the Licensing Team, have expressed concerns regarding the enforcement of the terms and conditions of the premises licences if it is unclear under the authorisation of which premises licence the licensable activities are taking place and who is the relevant premises licence holder and DPS.
- 36.5 In order to promote the licensing objectives and provide clarity as to which premises licence is being used to provide licensable activities , the licensing authority would expect applicants for shadow licences to consider the following measures within the operating schedule:
  - The Licensing Authority and Police shall be informed at least 14 days prior to the provision of licensable activities under this licence.
  - When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence shall not be displayed at the same time.
  - The premises licence holder shall not trade/operate the premises for a period of 3 months after the revocation of the existing trading premises

licence. This condition will not apply if the aforementioned licence is surrendered or lapses due to insolvency or death.

- The conditions will remain in exactly the same terms as licence number [LICENCE NUMBER]

### 37. Pool of Model Conditions

- 37.1 Where the applicant volunteers conditions as part of their operating schedule they will be imposed on any licence granted, unless amended at a hearing following receipt of representation. The Council has published on its website a Pool of Model Conditions to assist applicants in considering and promoting the licensing objectives, within the context of their application. Applicants are under no compulsion to use these when preparing their operating schedules, but may find the wording helpful when identifying the appropriate steps to ensure the promotion of the licensing objectives.

## Part D Temporary Event Notices

### 38. Limits

- 38.1 Temporary Event Notices('TENs') authorise 'one-off' activities not otherwise authorised by a premises licence, for example, later hours than those permitted by the premises licence for a particular event, or licensable activities on premises without a premises licence..

Events authorised by a TEN must:

- have fewer than 500 people at all times – including staff running the event
- last no more than 168 hours (7 days)

An applicant must be at least 18 to apply for a TEN.

A TEN is required for each event held on the same premises.

Someone who does not hold a personal licence can get up to 5 TENs a year. A holder of a personal licence to sell alcohol can be given up to 50 TENs a year.

A single premises can have up to 15 TENs applied for in one year, as long as the total length of the events is not more than 21 days.

Consecutive events authorised by separate TENs must have at least a 24 hour gap between them.

- 38.2 A standard TEN must be served on the licensing authority 10 clear working days before the event. Clear working days do not include the day we receive your application or the day of the event.
- 38.3 However it is possible to serve a 'late TEN' for a limited number of events. The latest a 'late TEN' can be served is 5 clear working days before the event (but not earlier than 9 clear working days). If the applicant does not hold a personal licence, they can serve up to 2 late TENs per year. If the applicant hold a personal licence, the limit is 10 late TENs in a calendar year. Late TENs count towards the total number of permitted TENs.
- 38.4 Notwithstanding these minimum requirements as to notice, the Licensing Authority recommends anyone thinking of applying for a TEN to do so at least 6 weeks in advance of the event to avoid disappointment, as the less notice that is given may increase the likelihood of the police or environmental health objecting.

### 39. Risk Assessment

- 39.1 When organising any small-scale event, organisers should conduct a risk assessment. It may be that the short-term, small-scale nature means the risks

resulting from the event would not be the same as for a premises licence (see section 19), but the following are examples of what the licensing authority would expect to be considered as a minimum:

#### **Public Safety**

- the fire alarm in the premises – how does it work? Has it been tested and maintained? Are all staff aware of how to raise the alarm in an emergency?
- fire extinguishers – are the correct number and type available? Have they been serviced within the last year?
- is emergency lighting needed and is it suitable for the purpose? Has it been tested and maintained?
- have you considered whether you need to make any provision for First Aid should anyone need it, and the means for calling the emergency services?

#### **Prevention of Crime and Disorder**

- have any crime prevention measures been considered – for example, will steps be taken to regularly bank large amounts of cash during the event, or to keep it in secure location?
- Are there a suitable number of stewards or door supervisors available?
- Have right to work checks been completed on all staff employed (whether permanent or temporary) at the licensed premises, with a physical copy of any document checked as part of a right to work check retained at the licensed premises, or a digital copy be immediately accessible from the premises, to be made available to a licensing officer, the police or the home office on request?

#### **Prevention of Public Nuisance**

- have nearby occupiers been considered – have you notified neighbours of the event and provided a contact telephone number?
- have you considered noise reduction measures (such as keeping windows and doors shut or turning noise down late at night)? Have you considered how visitors will arrive and leave the event?

#### **Protection of Children from Harm**

- if alcohol is being sold, what are the age verification measures?
- if films are being shown that have been classified as not being suitable to all age groups, how is the admission of children to a film being controlled.

Where the risk assessment identifies that the event may be detrimental to the promotion of a licensing objectives advice should be sought from Epsom & Ewell Environmental Health ([ehpublichealth@epsom-ewell.gov.uk](mailto:ehpublichealth@epsom-ewell.gov.uk)) or East Surrey Police Licensing Department ([LicensingEastern@surrey.pnn.police.uk](mailto:LicensingEastern@surrey.pnn.police.uk))

#### 40. Errors with notice

- 40.1 Temporary Event Notices will not be accepted for the purposes of calculating the date received until all significant errors are corrected.

## Part E Policy for representations/objections

### 41. Representations made electronically

- 41.1 The licensing authority encourage representation to be made electronically, and has waived the requirement that a subsequent hard copy needs to be submitted.

### 42. Disclosure of personal details

- 42.1 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.
- 42.2 In exceptional circumstances, persons making representations may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.
- 42.3 Where the Authority considers that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, it may consider alternative approaches.
- 42.4 For instance, the Authority may advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.
- 42.5 The Licensing Authority's policy with regards to disclosure of details will depend on the merits of each individual case. The Authority will decide whether to withhold some or all of the person's personal details from the applicant, possibly giving only minimal details (such as street name or general location within a street). However, withholding such details will only be considered where the circumstances justify such action and those making representations should be aware their details will ordinarily form part of a report and will be published before any hearing.

### 43. Determining relevance of representations

- 43.1 Only where a representation concerning the licensing objectives is made about a proposed operating schedule and it is 'relevant' will the Licensing Authority's discretion be engaged. 'Relevant' means that they relate to the application and the way in which the application might impact on one or more of the licensing objectives.



- 43.2 The licensing authority cannot accept representations that it considers frivolous or vexatious. Additionally, in the case of a review of a licence or certificate, repetitive representations are also invalid. Normally more than one review originating from a person other than a responsible authority in relation to a particular premises within a 12-month period on similar grounds would be considered repetitious, save in compelling circumstances or where it arises following a closure order or illegal working compliance order.
- 43.3 Licensing authority officers will determine whether a representation is irrelevant, frivolous, vexatious or repetitive in accordance with the Licensing Act and Guidance. In cases of doubt the representation will be allowed to stand and to be considered by a Licensing Sub-committee.
- 43.4 Where the Licensing Authority determines that a representation is invalid it will notify the person of the decision and the reason. Where time exists, the person will be invited to make a further valid representation.
- 43.5 When a representation is made which purports to be on behalf of a group, society or other association, the Licensing Authority will require reasonable proof to verify that a signatory is genuinely speaking on behalf of the members of that group. This could take the form of minutes to a meeting, a resolution passed or similar documentation. 'Group' has a wide meaning and can include a residents' association or similar.
- 43.6 Petitions will be accepted by the Licensing Authority. The Licensing Authority's approach will be to enquire how the petition was compiled, and whether each signatory signed in full knowledge of the facts of the application in order to assess how much weight to give the petition when determining the application. Names and addresses will be examined to ensure they appear to be prima facie genuine, and that signatories have not also submitted their own representation independently of the petition.
- 43.7 In the absence of contrary evidence, the organiser(s) of the petition will be deemed to have been the person making the representation. Consequently they will be deemed to have the right to speak at and present evidence to any Licensing Sub-committee and to exercise any right of appeal. They may invite other petitioners to speak and present evidence on their behalf but the other petitioners may not do so on their own behalf. The other petitioners will not be treated as parties to the hearing unless they have submitted their own independent and relevant representations.
- 43.8 The Licensing Authority will carefully scrutinise representations to ensure signatories have signed in full knowledge of the facts of the application. It is likely that more weight will be given to standard or 'round robin' letters than to petitions. Each signatory on a standard or 'round robin' letter will be deemed to be a party to the application with their own right to speak and present evidence to any Licensing Sub-Committee, and to exercise any right of appeal.

#### 44. Mediation

44.1 Where a Responsible Authority or any other person has made:

- valid representations about an application; or
- a valid application for a licence to be reviewed

then the Licensing Authority may initially arrange a mediation meeting to address, clarify and try to resolve the issues of concern.

44.2 This process will not override the right of any Responsible Authority or any individual to ask that the Licensing Authority consider an application for a review of the premises licence or club premises certificate, or for any licence holder to decline to participate in a mediation meeting.

44.3 The Licensing Act 2003 makes specific allowance for a hearing being dispensed with for new and variation applications when the Authority and anyone who has made representations agree that the hearing is unnecessary. Notwithstanding that the Act does not make the same specific provision with respect to review applications, the Licensing Authority will normally dispense for the need for a hearing where the applicant for review and anyone who has made representations agree that the hearing is unnecessary.

#### 45. Licensing Sub-Committees

45.1 Where representations have been received and not withdrawn a Sub-Committee is required to determine the application. Where no representations have been received, the Authority must grant the authorisation in the terms sought.

45.2 Licensing Sub-Committees shall consist of three members unless there is reason to have more members for a particular hearing.

45.3 To avoid potential conflicts of interests, members will not normally consider applications relating to premises located in their ward.

45.4 No member will be permitted to sit on a committee or Sub-Committee without first having been formally trained. All training will be formally recorded by the Council and require a signature by the councillor. Training will be refreshed at regular intervals, for example, following changes in legislation.

45.5 The procedure to be followed at the hearing is set out in Section 2.14 of the Council's [Code of Conduct and Procedure in Licensing Matters](#). Hearings will normally be held in person. Virtual hearings will normally only be considered in truly exceptional circumstance (e.g. a pandemic).

#### 46. Determination of variations of licence

46.1 When considering an application for the variation of a licence, the Authority will consider the impact of the variation in terms of the policies in this

document and the four licensing objectives. It will not use such an application as a means to review the licence terms and conditions already granted.

#### 47. Approach to setting conditions

- 47.1 When deciding to grant or vary a premises licence under the Licensing Act 2003, the Licensing Authority may do so subject to conditions which it considers are appropriate in promoting the licensing objectives.
- 47.2 Conditions should be individual to a premise and tailored to meet the individual merits of an application, area and other contextual factors. Standardised conditions often do not reflect the individual aspects of applications and should be avoided. The Council has published on its website a Pool of Model Conditions to assist with the drafting of unambiguous and enforceable conditions to address properly evidenced licensing objective concerns, before considering whether to refuse an application.
- 47.3 The Licensing Authority shall avoid attaching conditions that duplicate other regulatory regimes as far as possible. It is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. The Health & Safety (First Aid) Regulations 1981 and the Regulatory Reform (Fire Safety) Order 2005.

#### 48. Approach to licensing hours

- 48.1 The Act does not promote or prohibit longer licensing hours. However, the Licensing Authority recognises that the Guidance emphasises that the aim through the promotion of the four licensing objectives should be to reduce the potential for concentrations, and a slower dispersal, of people from licensed premises through flexible opening times. This may be important to ensure that large concentrations of people do not leave premises at the same time and it may reduce the friction at late night hot food outlets, taxi ranks (hackney carriage stands), taxi or private hire operator's offices and other sources of transport that can lead to disorder and disturbance.
- 48.2 The Licensing Authority will not set fixed opening hours within certain areas, as this may lead at particular times to the movement of significant numbers of people seeking premises opening later, resulting in concentrations of disturbance and noise.
- 48.3 The Licensing Authority may consider imposing stricter conditions in respect of noise control where premises are situated in areas of dense residential accommodation and/or are close to sensitive areas, for example hospitals, schools, places of worship or nursing homes. However, regard will be given to the individual merits of any application, and the Licensing Authority would only have discretion to consider restricting licence hours where a relevant representation is received in respect of an application, and then only where considered appropriate for the promotion of the four licensing objectives.

## Part F Ensuring effective control of licensed premises

### 49. Complaints

- 49.1 The Licensing Authority will investigate complaints relevant to the four licensing objectives in relation to licensed premises. In the first instance, complainants will be encouraged to raise the complaint directly with the licensee or business concerned.

### 50. Enforcement

- 50.1 The Licensing Authority will carry out its enforcement powers under the Act in a transparent and proportionate way, and consistent with its responsibilities under the Regulator's Code, and its own enforcement policies. The Licensing Authority takes a risk-based approach, pursuant to which, those premises considered lower risk, will be likely to be inspected less frequently than those considered to be higher risk. Epsom & Ewell Borough Council publishes and updates from time to time an Environmental Health & Licensing Enforcement Policy that sets out in detail the approach taken with respect to enforcement under environmental health and licensing legislation. That enforcement policy can be viewed on the [Epsom & Ewell Borough Council's website](#).
- 50.2 The Licensing Authority recognises Surrey Police as the primary agent for enforcement under the Licensing Act 2003, save for enforcement of provisions in respect of the sales of alcohol to children for which the Licensing Authority recognises Buckinghamshire & Surrey Trading Standards as the primary agent for enforcement. Surrey Fire and Rescue are primarily responsible for the enforcement of fire risk legislation in licensed premises and will usually take the lead on such matters, although the Licensing Authority will seek to work in cooperation with them where the matter concerns licensed premises.
- 50.3 Depending on the severity of an offence, the Licensing Authority will usually look to lead on enforcement under s.136 of the Act (unauthorised licensable activities). In such cases the Licensing Authority may seek the support of Surrey Police.
- 50.4 Nothing in the paragraphs above prevents any Responsible or other authority from taking enforcement action, where they are empowered to do so and where circumstances justify.
- 50.5 The Licensing Authority has established protocols with Surrey Police on the enforcement of the Act, including regular discussions and information-sharing concerning applications and notices received and complaints arising from licensed premises. This approach assists with the efficient deployment of the

Police and Licensing Officers engaged in enforcing licensing law and inspecting licensed premises where required, in order to ensure a proportionate approach.

- 50.6 The Licensing Authority takes a serious view of the sale and supply of alcohol to those under age. It will share information and assist Surrey Police and Trading Standards in order to ensure a zero-tolerance approach to such sales.

## 51. Reviews

- 51.1 Reviews of premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring. If an application is made, the Council is required to ensure the application is not repetitious, frivolous or vexatious before asking a Licensing Sub-Committee to determine the application.
- 51.2 In order that an application for review can achieve its intended aims it should be accompanied by evidence to support the allegations. The determination of the review will be made on the balance of probabilities, that is, that it is more likely than not that the circumstances being complained of did actually occur. However, due to the potentially serious consequences to a licence holder following a licence review, mere anecdotal or hearsay evidence will not be sufficient on its own. Individuals considering making an application for review are strongly encouraged to liaise with the relevant responsible authority who can advise on how evidence may be gathered to support an application.
- 51.3 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, local residents or businesses and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. Responsible authorities are encouraged to give an early warning of concerns about problems identified at the premises concerned and of the need for improvement, although it is recognised this is not always practicable or desirable. It is expected that a failure to respond to such warnings would lead to a decision to request a review.
- 51.4 Generally the Licensing Authority expects each Responsible Authority under the Act to be the primary agent for making representations and/or bringing a review where premises fail to promote the licensing objective for which that Authority is primarily responsible. In exceptional circumstance the Licensing Authority will consider supporting any representations made or reviews brought in its capacity as a Responsible Authority (see para 16.2).
- 51.5 Full details of the review process can be provided by contacting a Licensing Officer or they may be found in Chapter 11 of the [Guidance issued under section 182 of the Act](#).

## 52. Self-regulation

- 52.1 The Licensing Authority recognises the merit of the PubWatch scheme and the contribution it makes to the promotion of the licensing objectives. The Licensing Authority would encourage licensed premises to join the scheme if it operates in their area.
- 52.2 The Council also recognises and commends the [Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks](#). Compliance with the Code will contribute to the achievement of the licensing objectives and all suppliers of alcohol within the Borough are encouraged to comply with the Code.

## 53. Personal Licence holders

- 53.1 Personal Licences allow the holder to supply, or authorise the supply of alcohol in accordance with a premises licence. Anyone wishing to be named as a designated premises supervisor must hold a personal licence. There is a prescribed form for applying for a personal licence which can be found on the Council's website.
- 53.2 Where an applicant for a Personal Licence has certain types of conviction (for relevant or foreign offences as defined by the Act) or has been required to pay an immigration penalty, the Authority is obliged to notify the police and, in the case of immigration offences and penalties, the Secretary of State. In these cases a licence will still be granted unless an objection is received within the prescribed period.
- 53.3 Where objection notices are received they will be considered at a hearing of the Licensing Sub-Committee.
- 53.4 Existing Personal Licence holders are under a duty to notify the Authority if they are convicted for a relevant offence, foreign offence or if they are required to pay an immigration penalty and a failure to do so is also a criminal offence. The courts are also obliged to inform the licensing authority of any such conviction. The licensing authority has the power to revoke or suspend personal licences under these circumstance. Whilst this is a discretionary power, this licensing authorities will give consideration to revocation or suspension of all personal licence's where the holder is subject to convictions for relevant offences, foreign offences or civil penalties for immigration matters. Officers will serve a notice on the personal licence holder inviting them to make representations, in accordance with the timescales set out in the legislation, and will then refer the matter for the consideration of the licensing sub-committee for determination. The Act does not require a hearing to be held at any stage during this process.
- 53.5 The Authority has a duty when exercising its licensing functions to promote the prevention of crime and/or disorder and the other licensing objectives. Unless the circumstances are exceptional granting a licence to an individual with a relevant conviction when an objection has been received, would

undermine the Authority's ability to promote the crime prevention objective. Personal Licence holders are expected to act in accordance with the law and will be key to ensuring that the provisions of the Act, and any conditions attached to a premises licence, are complied with. The Authority also has a duty under the Crime and Disorder Act 1998 to have regard to the effect on crime and disorder on the exercise of any of its functions and to do all it can to prevent such crime and disorder. Under this duty it would normally be expected that a Personal Licence would be revoked by the Authority when the individual is subject to convictions for relevant offences, foreign offences or civil penalties for immigration matters.

- 53.6 Where a Personal Licence holder authorises others to make sales of alcohol, the Licensing Authority recommends (although this is not required by the Act) that such authorisations are made in writing and specify the names of those to whom the authority is given; and up-to-date records are kept of any authorisations so made. This is because the Personal Licence holder will remain responsible for any sales made in this way.

#### 54. Designated Premises Supervisors

- 54.1 The Authority strongly believes in the value of working in partnership with the police, other agencies and designated premises supervisors to promote the licensing objectives that may be associated with premises licensed for the sale of alcohol.
- 54.2 Designated premises supervisors (and the holders of premises licences or club premises certificates) for any other premises may be invited to a meeting where the police or licensing authority feel it is appropriate – for example, where there has been a prior history of the premises being run badly, or following a licence review or enforcement action.
- 54.3 The Authority does not expect the premises supervisor to be physically present at the premises at all times when it is open. However, they remain responsible for any sales that may be made, and it is expected the premises supervisor to be able to exercise sufficient management control over the premises and for the responsible authorities to be able to contact them easily in the event of problems at the premises.

#### 55. Fees

- 55.1 It is the responsibility of the licence holder to pay the annual fee by the due date. Whilst the Licensing Authority may send an invoice for the annual fee, it is not obliged to do so. If for any reason a prompt for payment is not received by the licence holder they should contact the Licensing Authority so that arrangements for payment can be made.
- 55.2 Where an annual fee for a licence or certificate has become due but has not been paid, the Licensing Authority will suspend the licence until that fee is paid, unless the non-payment is due to an administrative error, or where

liability to pay is in dispute and that dispute has been raised in writing with the Council prior to the fee falling due. The Licensing Authority will normally only provide the statutory minimum notice period before a suspension takes effect. The suspension will cease to be in place when the payment is received.



If you would like the Statement of Policy for the Licensing Act 2003 in large print, Braille, audiotape or in another language, please contact the Licensing Team.

Licensing  
Epsom & Ewell Borough Council (EEBC)  
The Old Town Hall,  
The Parade,  
Epsom  
KT18 5BY

Phone: 01372 732000

Email: [licensing@epsom-ewell.gov.uk](mailto:licensing@epsom-ewell.gov.uk)

## Appendix 1 Consultation

In determining this policy the Licensing Authority has undertaken a twelve-week consultation with members of the public, community stakeholders, specific groups and individuals as listed in section 5(3) of the Licensing Act 2003. These are;

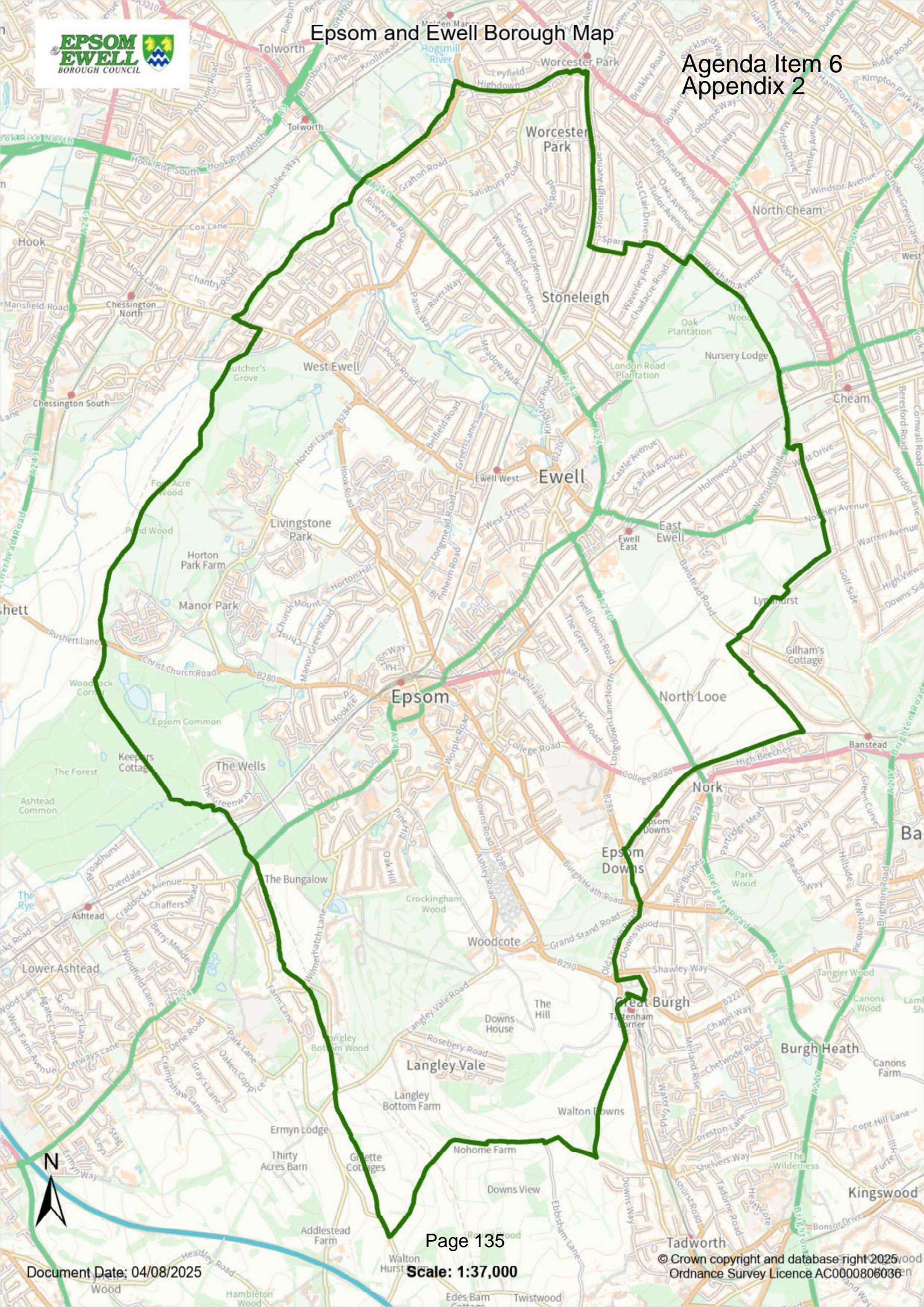
- the chief officer of police for the licensing authority's area,
- the fire and rescue authority for that area,
- the Local Health Board for an area any part of which is in the licensing authority's area,
- each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area
- Persons/ bodies representative of local premises licence holders
- Persons/ bodies representative of local club premises certificate holders
- Persons/ bodies representative of local personal licence holders
- Persons/ bodies representative of businesses and residents in its area

In addition the Licensing Authority has consulted with;-

- Buckinghamshire & Surrey Trading Standards,
- Surrey Safeguarding Children Board,
- Epsom & Ewell Borough Council's Environmental Health
- Epsom & Ewell Borough's Planning Department.
- Surrey District and Borough Licensing Authorities
- Epsom Business Improvement District ('Go Epsom')
- Borough Councillors

The results of the consultation are summarised below:

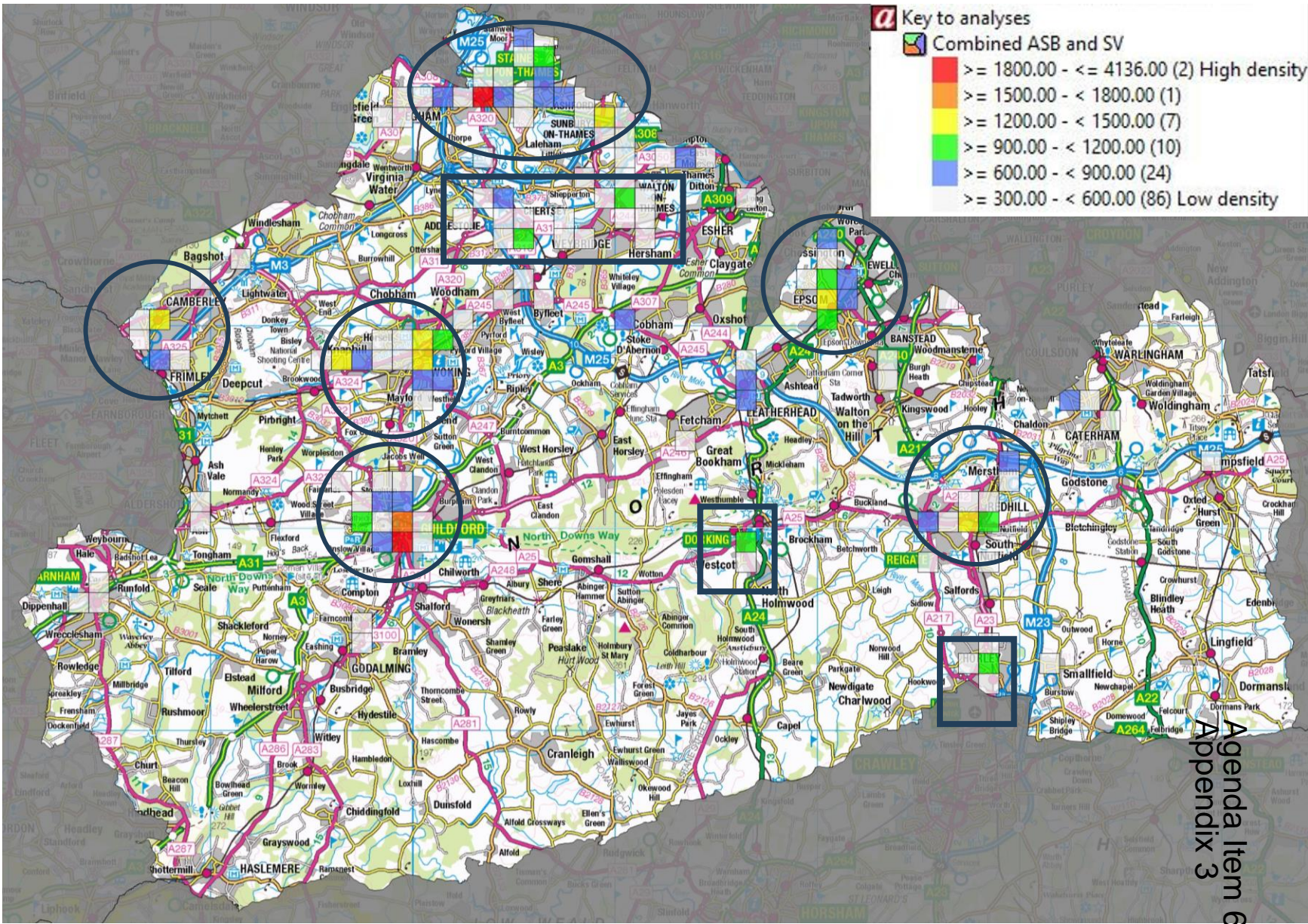






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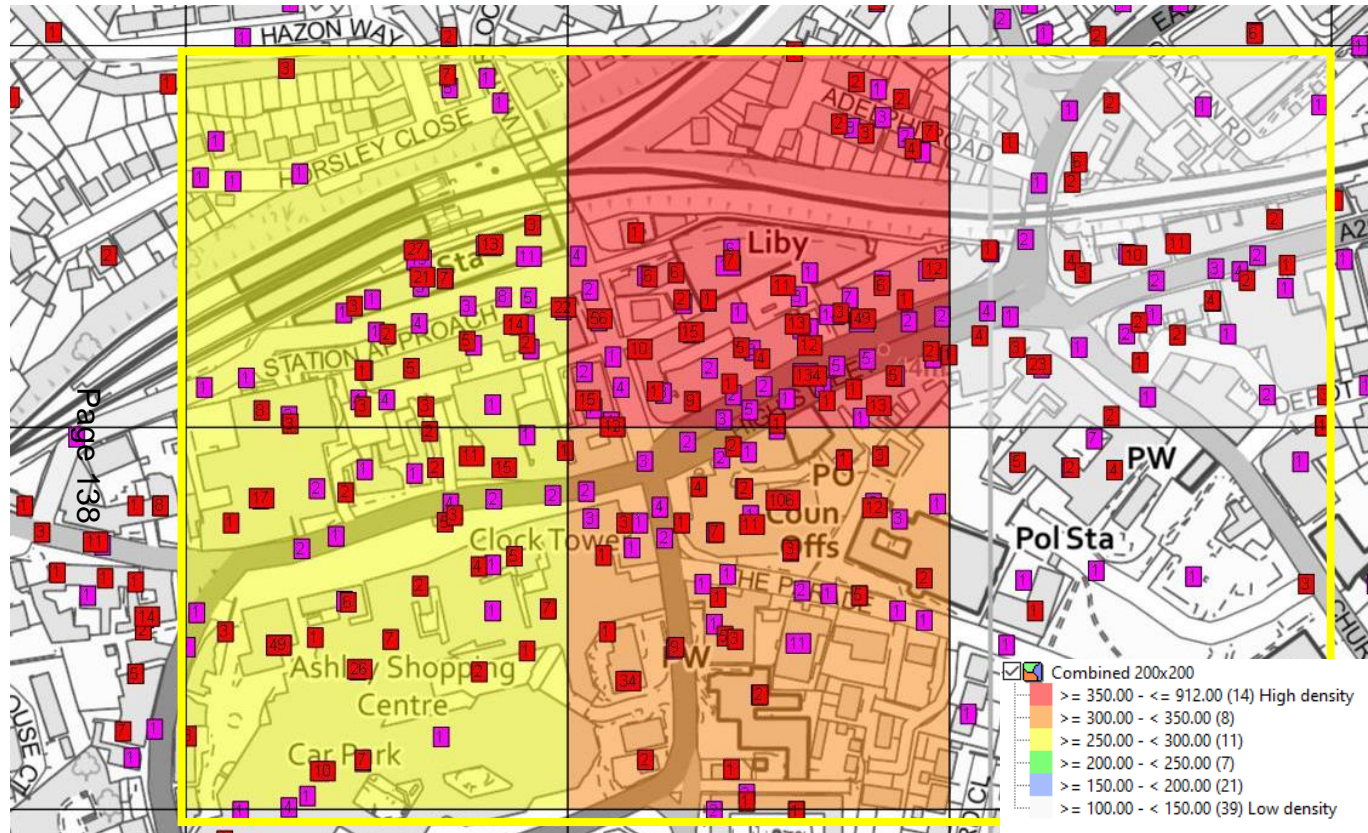
- This map shows the intensity of both ASB and Serious Violence incidents within 1000 x 1000m squares across the whole force. This identifies wider hotspots to focus on.
- Primary Hotspots (circled) are found within Guildford, Woking / Knaphill, Epsom, Redhill, Staines and Camberley.
- There are secondary hotspots (boxed) dotted around the force including Dorking, Horley, Walton and Addlestone.
- Tertiary hotspots are seen in Caterham, Cobham, Leatherhead and West Molesey. These will be reviewed separately as they will not appear as areas of interest alongside more intense hotspots.
- Slides to follow will outline hotspots and target areas.



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# Epsom Hotspot



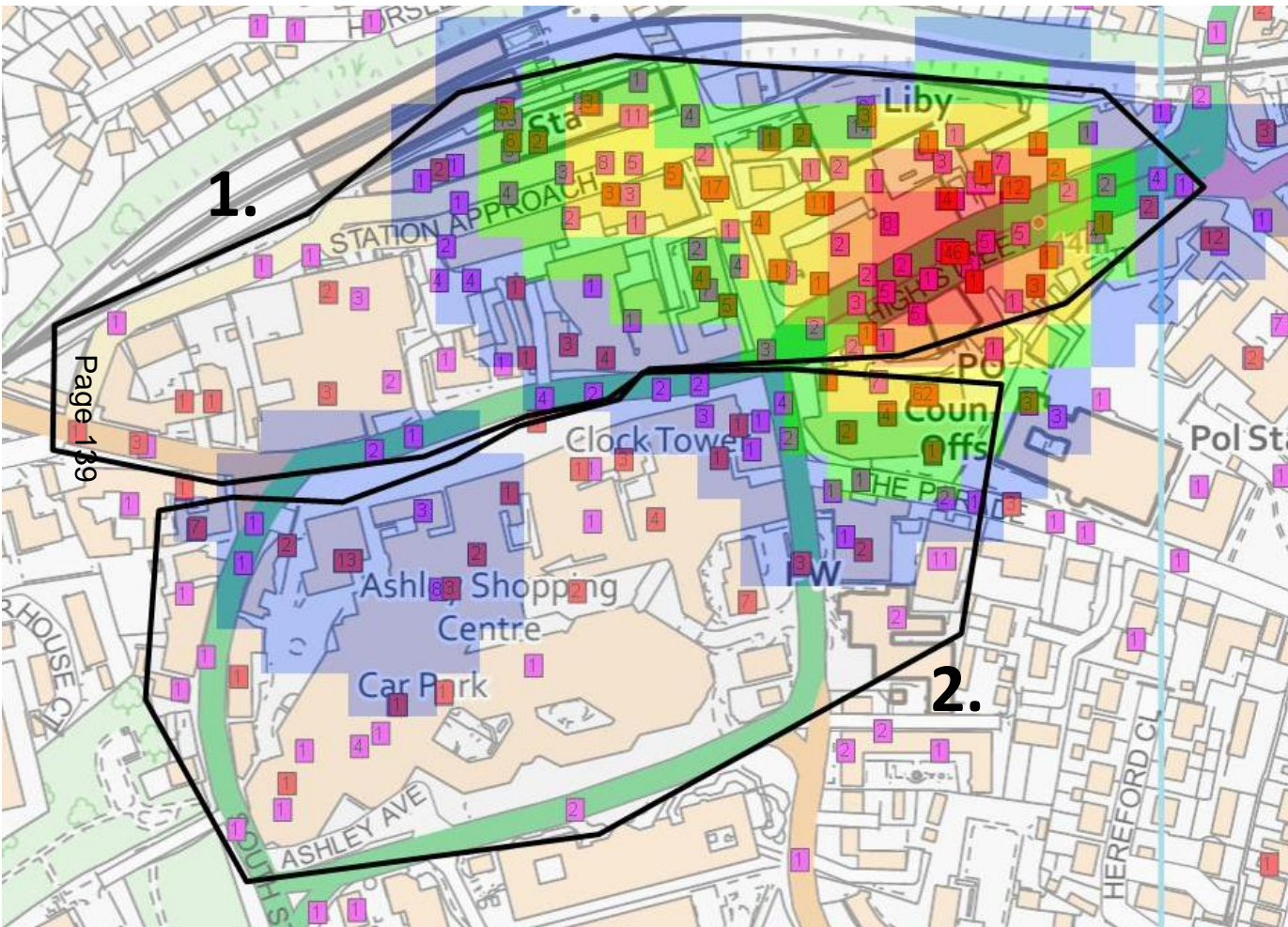
- The primary area of interest in Epsom is around the High Street and Station Approach.
- There is potential that the council office / police station has created a miniature location of interest in the Southern section of this area.
- Within the highlighted area (600 x 400m):

<b>Serious Violence Incidents: 1111</b>	<b>ASB Incidents: 547</b>
24 & Under: 200	ASB Environmental: 17
25 & Over: 310	ASB Nuisance: 454
u/k age: 601	ASB Personal: 70

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# Epsom Hotspot

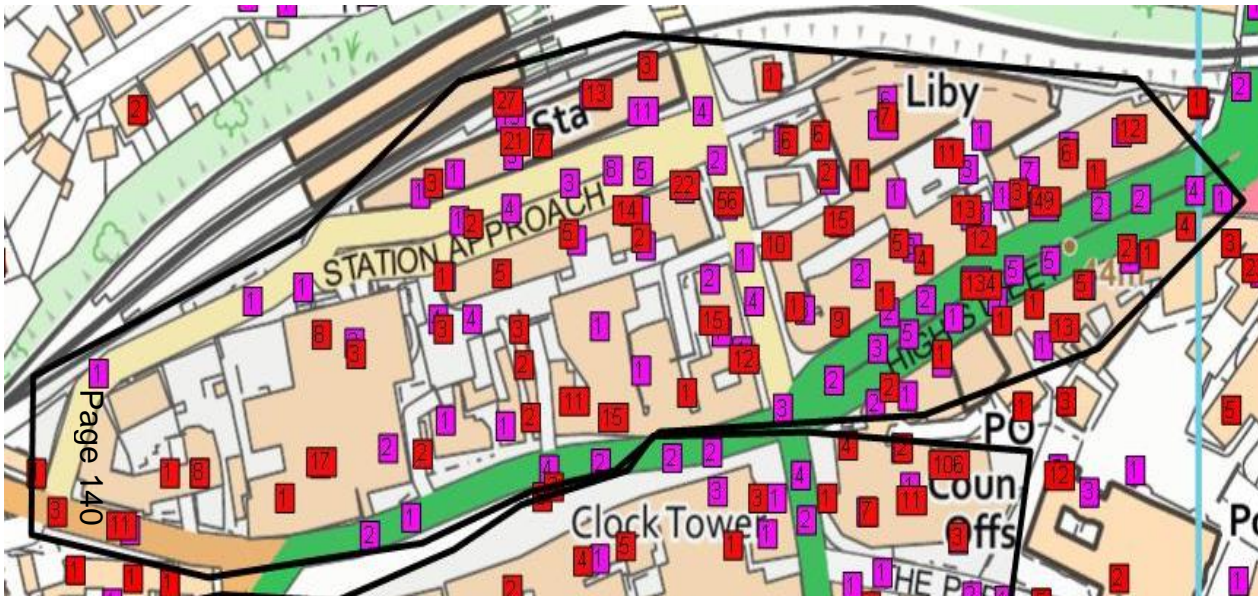


- There are two areas of interest in Epsom, the High Street / Station approach area, and the Ashley Shopping centre.

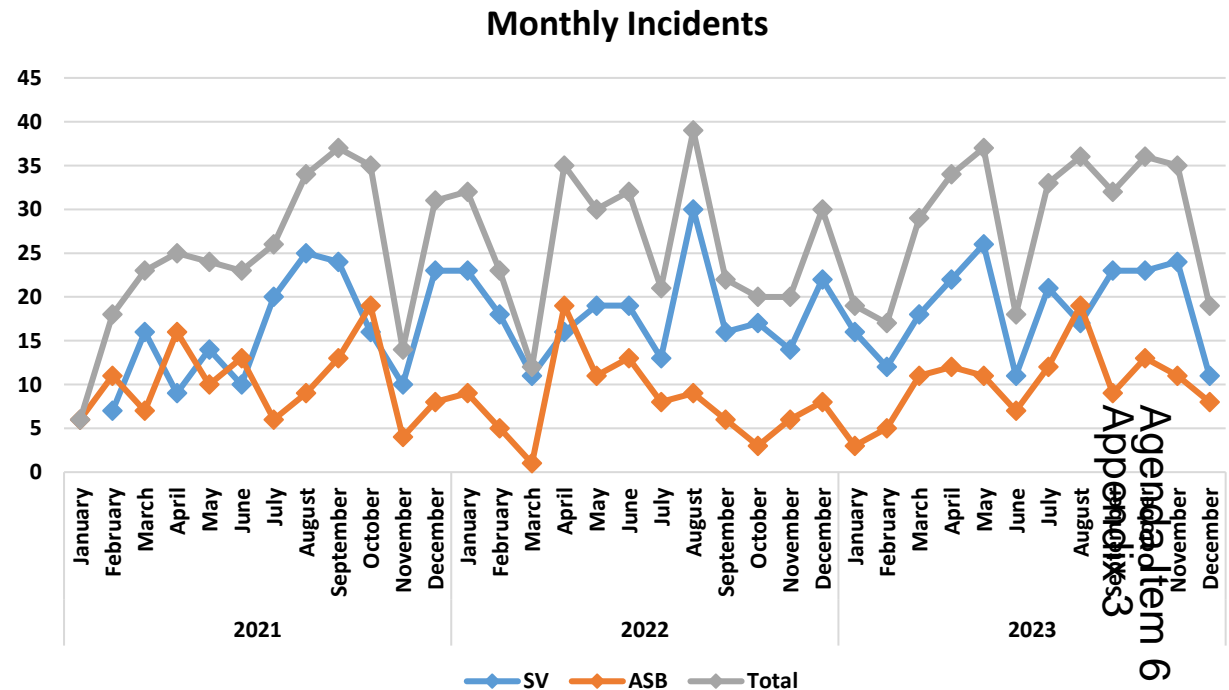
Zone	SV Count	ASB Count
1. High Street	639	353
2. Ashley Centre	362	107
Zone	VWI and Robbery Count	% of days with relevant offence
1. High Street	171	16%
2. Ashley Centre	127	12%

- Both Hotspots meet the 10% of days requirement for relevant incidents (Violence with Injury and Robbery).

# Epsom Hotspot 1 – High Street



- This patrol zone is approx. 61,684 sqm. There is an average of 26.6 ASB or SV incidents recorded per month. **Serious Violence is more prominent; however, it is likely that many forms of ASB do not get reported or are later crimed.**
- Serious Violence stayed relatively even 2022>2023 and appears to follow relatively similar trends. ASB is shown to fluctuate.





# Epsom Hotspot 1 – High Street

## Serious Violence

Peak incidents are seen early hours on Sat and Sun. Secondary peak 18:00-20:00

It is likely that increases Friday and Saturday early evening link to Nighttime economy.

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00-00:59	3.0	2.0	1.0	1.5	3.5	27.0	22.7	61
01:00-01:59	1.0	0.0	0.0	0.3	9.0	17.5	15.7	43
02:00-02:59	0.0	0.0	0.0	0.3	5.0	16.8	16.2	38
03:00-03:59	0.0	0.0	0.0	0.3	3.5	16.9	16.7	37
04:00-04:59	0.0	1.0	0.0	0.3	1.5	4.4	3.6	11
05:00-05:59	0.0	1.0	0.0	0.0	0.1	2.9	0.1	4
06:00-06:59	0.0	0.0	0.5	1.0	0.1	0.2	0.1	2
07:00-07:59	1.0	1.0	0.5	0.5	0.1	0.2	1.1	4
08:00-08:59	1.0	1.0	1.0	0.5	1.1	1.2	0.1	6
09:00-09:59	3.1	3.0	0.0	0.0	0.1	3.2	3.1	13
10:00-10:59	1.3	1.0	3.0	2.0	1.1	0.2	2.1	11
11:00-11:59	1.3	1.3	0.0	0.0	4.1	6.2	0.0	13
12:00-12:59	4.3	1.3	1.0	3.1	6.6	2.2	6.2	25
13:00-13:59	1.3	3.3	4.5	5.1	3.6	2.2	2.2	22
14:00-14:59	4.3	7.0	5.0	2.1	3.1	4.2	3.2	29
15:00-15:59	5.3	2.0	5.8	3.6	2.1	4.1	5.2	28
16:00-16:59	3.1	5.0	2.3	6.6	2.1	8.1	2.2	29
17:00-17:59	7.6	4.0	3.4	6.1	10.4	5.1	1.2	38
18:00-18:59	3.9	2.0	5.4	7.4	7.6	11.1	6.0	43
19:00-19:59	3.3	7.3	1.9	6.9	8.1	10.1	3.0	40
20:00-20:59	2.0	1.3	4.9	3.4	5.3	6.3	2.0	25
21:00-21:59	3.0	6.3	3.4	6.6	10.5	4.3	1.0	35
22:00-22:59	3.8	0.3	1.4	4.1	9.5	10.3	5.0	34
23:00-23:59	3.8	1.0	0.9	2.1	6.5	10.8	0.0	25
Total	57	52	46	64	105	175	118	617

## ASB

Incidents are most common over the weekend. The primary peak is 18:00-19:00, with incidents remaining high in the hour either side of this.

Secondary peak in the early weekend hours.

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00-00:59	0.0	3.0	1.0	1.0	3.0	6.0	7.0	21
01:00-01:59	0.0	2.0	0.0	1.0	0.0	11.0	8.0	22
02:00-02:59	2.0	1.0	0.0	0.0	3.0	11.0	6.0	23
03:00-03:59	0.0	1.0	0.0	0.0	5.0	7.0	5.0	18
04:00-04:59	0.0	0.0	0.0	0.0	0.0	2.0	1.0	3
05:00-05:59	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
06:00-06:59	0.0	0.0	0.0	0.0	1.0	1.0	1.0	3
07:00-07:59	0.0	0.0	0.0	1.0	1.0	0.0	0.0	2
08:00-08:59	1.0	0.0	2.0	0.0	0.0	1.0	0.0	4
09:00-09:59	0.0	0.0	0.0	0.0	0.0	2.0	0.0	2
10:00-10:59	3.0	0.0	1.0	2.0	0.0	3.0	3.0	12
11:00-11:59	0.0	0.0	1.0	1.0	2.0	5.0	0.0	9
12:00-12:59	1.0	2.0	4.0	1.0	1.0	2.0	4.0	15
13:00-13:59	5.0	0.0	2.0	2.0	0.0	1.0	1.0	11
14:00-14:59	4.0	1.0	2.0	3.0	5.0	1.0	3.0	19
15:00-15:59	3.0	0.0	5.0	2.0	0.0	5.0	4.0	19
16:00-16:59	3.0	4.0	2.0	2.0	3.0	1.0	5.0	20
17:00-17:59	3.0	4.0	4.0	5.0	2.0	4.0	4.0	26
18:00-18:59	3.0	4.0	6.0	10.0	4.0	5.0	9.0	41
19:00-19:59	4.0	6.0	0.0	3.0	5.0	1.0	4.0	23
20:00-20:59	0.0	1.0	1.0	2.0	6.0	5.0	1.0	16
21:00-21:59	4.0	0.0	2.0	4.0	5.0	1.0	2.0	18
22:00-22:59	4.0	0.0	0.0	3.0	3.0	3.0	0.0	13
23:00-23:59	2.0	2.0	2.0	0.0	4.0	4.0	1.0	15
Total	42	31	35	43	53	82	69	355

## Combined

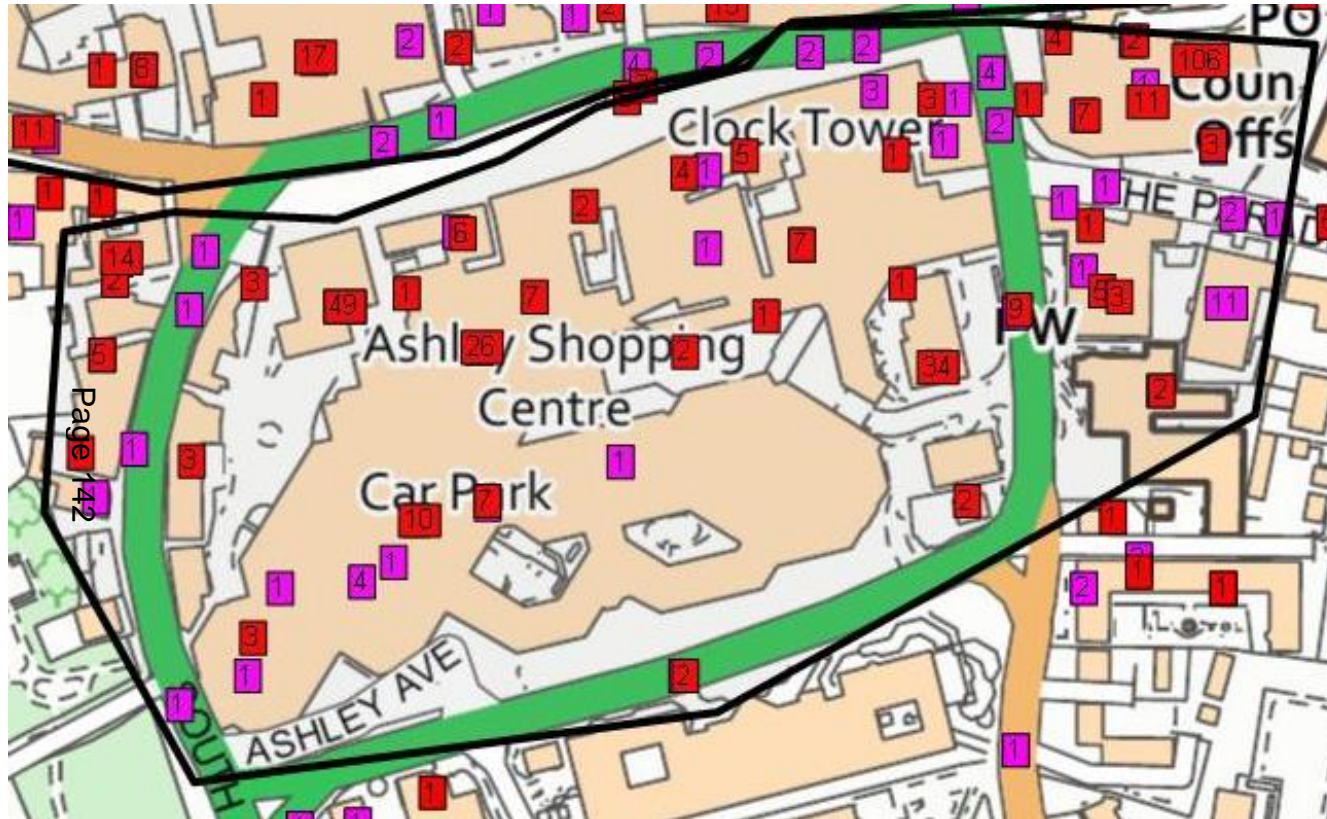
Two peak have been identified: 17:00 – 20:00 and 00:00 – 04:00. Incidents remain notable between these peaks.

Patrols should be conducted in line with Nighttime economy and post school hours.

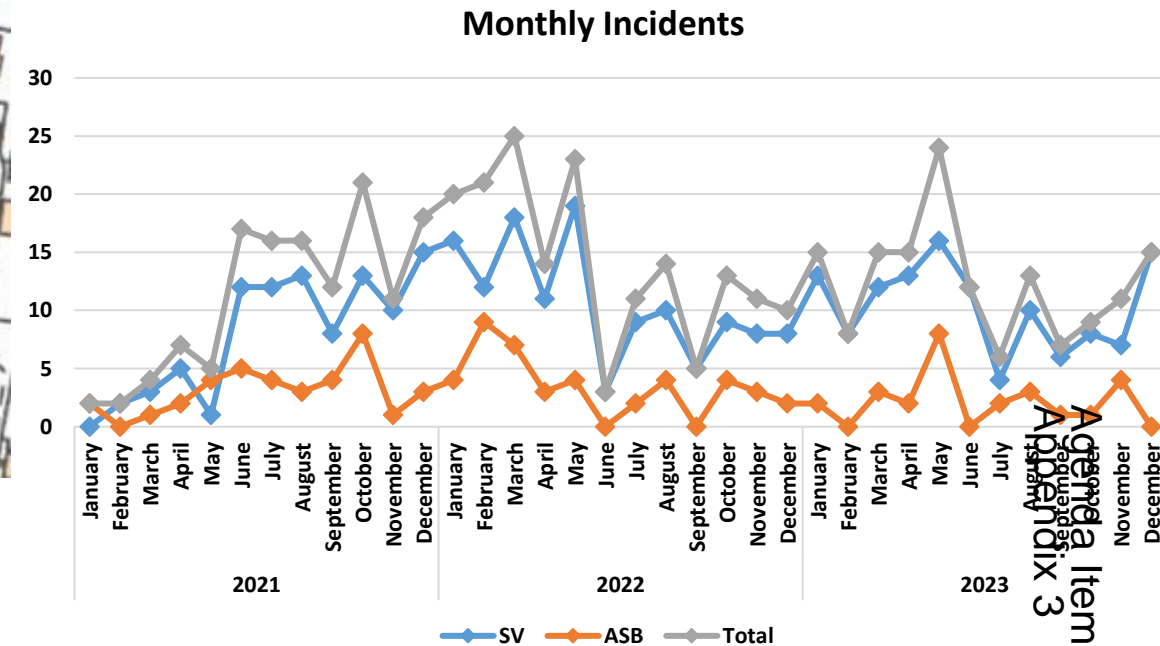
Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00-00:59	3.0	5.0	2.0	2.5	6.5	33.0	29.7	82
01:00-01:59	1.0	2.0	0.0	1.3	9.0	28.5	23.7	65
02:00-02:59	2.0	1.0	0.0	0.3	8.0	27.8	22.2	61
03:00-03:59	0.0	1.0	0.0	0.3	8.5	23.9	21.7	55
04:00-04:59	0.0	1.0	0.0	0.3	1.5	6.4	4.6	14
05:00-05:59	0.0	1.0	0.0	0.0	0.1	2.9	0.1	4
06:00-06:59	0.0	0.0	0.5	1.0	1.1	1.2	1.1	5
07:00-07:59	1.0	1.0	0.5	1.5	1.1	0.2	1.1	6
08:00-08:59	2.0	1.0	3.0	0.5	1.1	2.2	0.1	10
09:00-09:59	3.1	3.0	0.0	0.0	0.1	5.2	3.1	15
10:00-10:59	4.3	1.0	4.0	4.0	1.1	3.2	5.1	23
11:00-11:59	1.3	1.3	1.0	1.0	6.1	11.2	0.0	22
12:00-12:59	5.3	3.3	5.0	4.1	7.6	4.2	10.2	40
13:00-13:59	6.3	3.3	6.5	7.1	3.6	3.2	3.2	33
14:00-14:59	8.3	8.0	7.0	5.1	8.1	5.2	6.2	48
15:00-15:59	8.3	2.0	10.8	5.6	2.1	9.1	9.2	47
16:00-16:59	6.1	9.0	4.3	8.6	5.1	9.1	7.2	49
17:00-17:59	10.6	8.0	7.4	11.1	12.4	9.1	5.2	64
18:00-18:59	6.9	6.0	11.4	17.4	11.6	16.1	15.0	84
19:00-19:59	7.3	13.3	1.9	9.9	13.1	11.1	7.0	63
20:00-20:59	2.0	2.3	5.9	5.4	11.3	11.3	3.0	41
21:00-21:59	7.0	6.3	5.4	10.6	15.5	5.3	3.0	53
22:00-22:59	7.8	0.3	1.4	7.1	12.5	13.3	5.0	47
23:00-23:59	5.8	3.0	2.9	2.1	10.5	14.8	1.0	40
Total	99	83	81	107	158	257	187	972

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# Epsom Hotspot 2 – Ashley Shopping Centre



- This patrol zone is approx. 63,218 sqm. There is a lower monthly average of 12.5 ASB or SV incidents recorded per month.
- Serious Violence saw minimal change in 2022 > 2023. ASB decreased in 2023 and remains relatively low.



# Epsom Hotspot 2 – Ashley Shopping Centre

## Serious Violence

Incidents most common Fri – Sunday.

Influence of the nighttime economy is notable with the majority of incidents appearing to be linked to this. There are individual spikes on midweek days.

## ASB

There are fewer ASB incidents making temporal analysis of ASB less insightful.

There appear to be three periods of interest: 13:00–17:00, 19:00–22:00 and 01:00–04:00.

Incidents are higher Thursday – Sunday.

## Combined

Peak incidents are 23:00–04:00 over the weekend.

There are small spikes in activity during the week. There is a small increase in activity from 14:00 – 18:00 over the course of the data.

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00-00:59	2.1	1.1	1.7	0.0	3.2	13.8	12.1	34
01:00-01:59	1.1	0.1	0.7	0.0	5.7	23.8	12.6	44
02:00-02:59	0.6	0.1	0.2	0.0	1.9	17.1	12.6	32
03:00-03:59	2.6	0.1	0.2	0.0	2.4	6.8	10.1	22
04:00-04:59	0.1	0.1	0.2	0.0	1.1	1.0	2.6	5
05:00-05:59	0.1	0.1	0.2	0.0	0.1	0.1	0.0	1
06:00-06:59	0.1	0.1	0.2	1.0	0.1	0.1	1.0	3
07:00-07:59	0.1	0.1	1.2	0.0	0.1	1.1	0.0	3
08:00-08:59	0.1	0.1	0.2	0.0	0.1	0.1	0.0	1
09:00-09:59	0.1	0.1	0.2	0.0	0.0	0.1	1.0	1
10:00-10:59	0.1	1.1	0.2	0.0	0.0	1.1	1.0	3
11:00-11:59	0.1	0.1	1.2	0.0	3.0	4.1	4.0	12
12:00-12:59	0.1	2.1	1.2	3.2	1.0	0.1	1.0	9
13:00-13:59	2.1	1.1	0.7	1.7	3.0	0.1	5.0	14
14:00-14:59	7.1	2.1	0.7	0.7	3.0	2.1	1.5	17
15:00-15:59	1.1	2.1	1.8	3.7	3.0	2.1	4.0	18
16:00-16:59	1.6	2.1	6.3	7.7	3.0	1.6	0.6	23
17:00-17:59	1.6	3.2	5.3	3.2	3.0	1.6	0.1	18
18:00-18:59	1.1	2.2	3.1	1.5	3.0	2.1	2.1	15
19:00-19:59	0.1	1.2	2.1	0.5	0.0	1.1	1.1	6
20:00-20:59	0.4	0.2	0.1	2.0	3.1	5.1	2.1	13
21:00-21:59	0.3	2.2	1.1	0.1	1.1	1.6	1.1	7
22:00-22:59	2.3	0.2	0.1	2.1	9.1	2.6	3.1	19
23:00-23:59	1.3	2.2	1.1	2.4	12.3	8.6	3.1	31
Total	26	24	29	30	63	97	82	351

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00-00:59	0.0	0.0	0.0	1.0	1.0	1.0	0.0	3
01:00-01:59	0.0	1.0	0.0	0.0	1.0	5.0	3.0	10
02:00-02:59	0.0	0.0	1.0	1.0	1.0	5.0	3.0	11
03:00-03:59	0.0	0.0	0.0	1.0	1.0	3.0	1.0	6
04:00-04:59	0.0	0.0	0.0	0.0	1.0	1.0	1.0	3
05:00-05:59	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
06:00-06:59	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
07:00-07:59	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
08:00-08:59	0.0	2.0	0.0	0.0	0.0	0.0	0.0	2
09:00-09:59	0.0	1.0	0.0	0.0	0.0	0.0	0.0	1
10:00-10:59	0.0	0.0	0.0	0.0	1.0	0.0	0.0	1
11:00-11:59	1.0	0.0	0.0	1.0	1.0	0.0	0.0	3
12:00-12:59	0.0	0.0	2.0	0.0	1.0	0.0	1.0	4
13:00-13:59	1.0	2.0	1.0	0.0	0.0	1.0	1.0	6
14:00-14:59	2.0	2.0	0.0	2.0	0.0	1.0	0.0	7
15:00-15:59	1.0	1.0	1.0	0.0	1.0	0.0	0.0	4
16:00-16:59	0.0	1.0	0.0	2.0	3.0	0.0	1.0	7
17:00-17:59	0.0	0.0	0.0	0.0	0.0	2.0	2.0	4
18:00-18:59	0.0	1.0	0.0	0.0	0.0	0.0	1.0	2
19:00-19:59	0.0	0.0	2.0	2.0	2.0	1.0	1.0	8
20:00-20:59	0.0	1.0	2.0	4.0	1.0	0.0	0.0	8
21:00-21:59	0.0	0.0	1.0	3.0	1.0	1.0	3.0	9
22:00-22:59	0.0	0.0	1.0	1.0	1.0	0.0	0.0	3
23:00-23:59	0.0	0.0	1.0	0.0	3.0	1.0	0.0	5
Total	5	12	12	18	20	22	18	107

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00-00:59	2.1	1.1	1.7	1.0	4.2	14.8	12.1	37
01:00-01:59	1.1	1.1	0.7	0.0	6.7	28.8	15.6	54
02:00-02:59	0.6	0.1	1.2	1.0	2.9	22.1	15.6	43
03:00-03:59	2.6	0.1	0.2	1.0	3.4	9.8	11.1	28
04:00-04:59	0.1	0.1	0.2	0.0	2.1	2.0	3.6	8
05:00-05:59	0.1	0.1	0.2	0.0	0.1	0.1	0.0	1
06:00-06:59	0.1	0.1	0.2	1.0	0.1	0.1	1.0	3
07:00-07:59	0.1	0.1	1.2	0.0	0.1	1.1	0.0	3
08:00-08:59	0.1	2.1	0.2	0.0	0.1	0.1	0.0	3
09:00-09:59	0.1	1.1	0.2	0.0	0.0	0.1	1.0	2
10:00-10:59	0.1	1.1	0.2	0.0	1.0	1.1	1.0	4
11:00-11:59	1.1	0.1	1.2	1.0	4.0	4.1	4.0	15
12:00-12:59	0.1	2.1	3.2	3.2	2.0	0.1	2.0	13
13:00-13:59	3.1	3.1	1.7	1.7	3.0	1.1	6.0	20
14:00-14:59	9.1	4.1	0.7	2.7	3.0	3.1	1.5	24
15:00-15:59	2.1	3.1	2.8	3.7	4.0	2.1	4.0	22
16:00-16:59	1.6	3.1	6.3	9.7	6.0	1.6	1.6	30
17:00-17:59	1.6	3.2	5.3	3.2	3.0	3.6	2.1	22
18:00-18:59	1.1	3.2	3.1	1.5	3.0	2.1	3.1	17
19:00-19:59	0.1	1.2	4.1	2.5	2.0	2.1	2.1	14
20:00-20:59	0.4	1.2	2.1	6.0	4.1	5.1	2.1	21
21:00-21:59	0.3	2.2	2.1	3.1	2.1	2.6	4.1	16
22:00-22:59	2.3	0.2	1.1	3.1	10.1	2.6	3.1	22
23:00-23:59	1.3	2.2	2.1	2.4	15.3	9.6	3.1	36
Total	31	36	41	48	83	119	100	458

Agenda Item 6  
Appendix 3

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# **Review of Alcohol Related Hospital Admissions and 999 Call-Outs**

## **Focus Area: Epsom and Ewell**

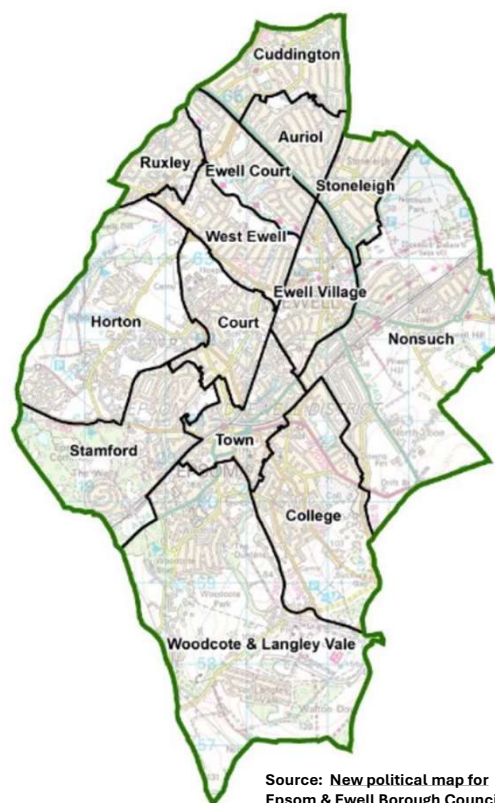
**September 2024**



# Key Points for Epsom and Ewell

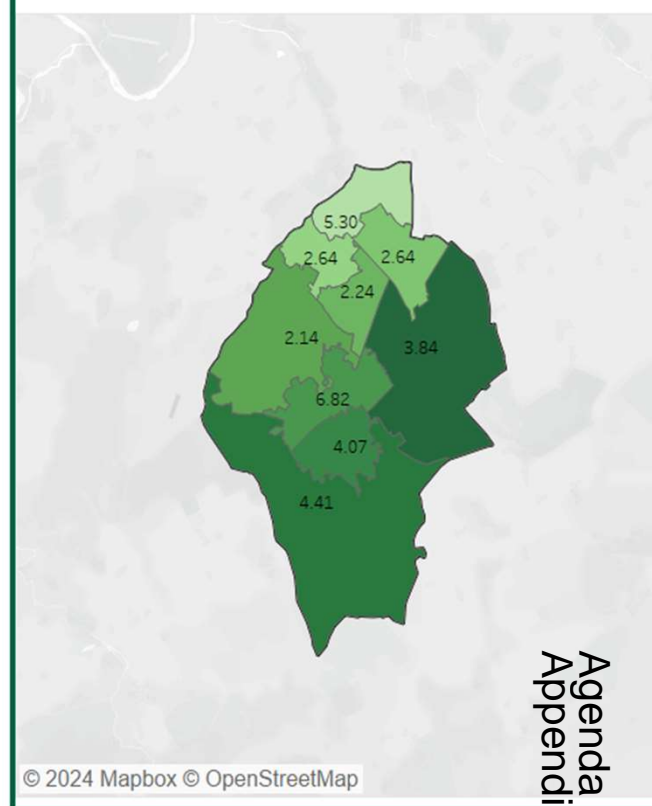
- The alcohol related 999 call-outs provided low numbers with Epsom and Ewell accounting for 15% of the total for Surrey.
- The 999 call-outs for Epsom and Ewell are mainly for the 51-70 years old age band whereas the admissions span over those aged 51-90 years old.
- The hospital alcohol related admissions data provided was based on the narrow measure – this is where the primary diagnosis is an alcohol related condition. Epsom and Ewell represented 6% of the total for Surrey.
- Two hotspots for serious violence for Epsom and Ewell have been identified within the Town area.
- Epsom North and Epsom Town have the highest percentage per population for alcohol related admissions. This correlates with the serious violence hotspot areas and town centre licensing areas within Epsom and Ewell.

Epsom and Ewell Map



Source: New political map for  
Epsom & Ewell Borough Council |  
Epsom and Ewell Borough Council  
([epsom-ewell.gov.uk](http://epsom-ewell.gov.uk))

2023/24 Admissions E&E % of Population



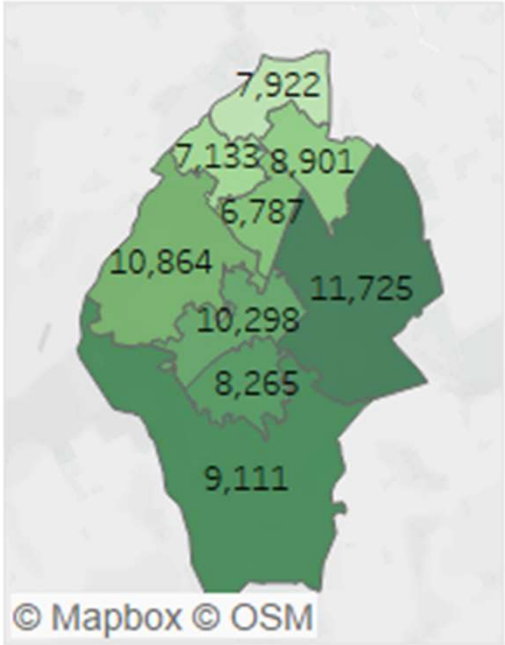
© 2024 Mapbox © OpenStreetMap

# Key Points for Epsom and Ewell

- Epsom North saw an increase in hospital admissions during 2023/24 compared to previous years. Against the average for previous years there were 185 more admissions, and they were higher than the average for Males.
- Epsom Town saw a decrease against the average on previous years, with 100 fewer admissions.
- Ruxley Lane and Horton & Manor Park saw lower admissions compared to the average from previous years.
- The gender split for admissions and 999 calls was higher for males. 999 call-outs were 85% compared to 3% females (39/825 are unknown). The differences in hospital admissions wasn't as big with 58% male compared to 41% female ( 96/20,537 unknown).

Epsom and Ewell Map

## Population Overview



ONS Data based on 2021 MSA

Table to show latest full year of data – 2023/2024 - against averages from the periods 2018 to 2022

Epsom & Ewell Areas	All		Female		Male	
	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23
Worcester Park West	420	398	175	157	245	240
Ruxley Lane	188	273	64	116	124	157
Stoneleigh & Auriol	235	290	55	123	180	165
West Ewell	152	185	56	80	96	105
Horton & Manor Park	232	315	116	114	116	202
Epsom North	702	517	216	221	486	350
Epsom Town	336	436	128	142	208	204
Epsom Downs & Common	402	347	150	162	252	183
Ewell East	450	512	192	258	258	258
Total	3117	3236	1152	1372	1965	1864

# Summary of Alcohol Hospital Admissions and 999 Calls - Focus on Epsom and Ewell



## Overview for Surrey

Admissions	340,670
SECAMB	5,615

## Overview for Epsom & Ewell

Admissions	6% of All Surrey	20,537
SECAMB	15% of All Surrey	825

## Objective

Provide an overview and assessment of alcohol related ambulance call-outs and hospital admissions within the Epsom and Ewell boundaries to inform a Cumulative Impact Assessment (CIA) around the licensing of alcohol premises in this area.

## Datasets

- Data has been provided from Surrey Heartlands on 999 Ambulance calls and Hospital Admissions for Surrey. The 999 calls cover the years 2019 to August 2024 and the Admissions from 2018 to August 2024. Only full years have been included in this summary and the hospital data is based on the narrow measures in order to identify any major issues linked to alcohol.
- Population figures are based on the 2021 ONS dataset.
- Note no information was received for MSOA 006 for either dataset.

## Highlights

Age related admissions data is comparable with the rest of Surrey, with slightly less 41-50 year olds presenting at hospital. Ambulance 999 calls were higher for the 51-70 year old ages (70% compared to 30%), whilst 31-50 year olds were lower (9% compared to 27% for the whole of Surrey).

There were no 999 call outs for under 21 year olds in Epsom and Ewell. 8% of the total Surrey hospital admissions for under 21 year olds were from Epsom and Ewell.

Males account for 58% of the total admissions for Surrey, which is the same for Epsom and Ewell for Admissions. The 999 calls dealt with 25% of males in Surrey, which was less than the 51% for Epsom and Ewell. Women ambulance call outs only accounted for 3% in Epsom and Ewell, with admissions being at 41% for females.

The gender was not provided in 19 of the hospital admissions and 96 of the 999 call outs.

Hospital admissions in Epsom and Ewell have remained around 5% of the total for Surrey since 2020. The previous two years were around 7%. In 2019/20 saw a slight increase for Epsom and Ewell admissions (19%), other years were between 4% and 16%.

Ambulance call outs saw a decline in Epsom and Ewell between 2021/22 to 2022/23 with rates at 4% and 5%. It went up to 26% in 2023/24. The highest remained in 2019/20 with 45%.



# Summary of Alcohol Hospital Admissions and 999 Calls – Focus on Epsom and Ewell



- This data shows all the combined years from 2018 to August 2024.
- Epsom Town saw the highest numbers for both admissions and 999 call-outs.
- The age ranges from 41 onwards had the higher number of alcohol related admissions.
- Ewell East had a very large number of admissions for 81-90 year olds.
- 999 call-outs were the highest for 51-70 year old range.

Admissions and 999 Call-Outs by Area and Age Range

Age Ranges	Admissions	SECAMB
0-4	25	0
5-12	20	0
13-15	119	0
16-17	131	0
18-20	253	0
21-30	896	12
31-40	1084	0
41-50	1527	74
51-60	3292	374
61-70	3536	752
71-80	3668	61
81-90	4291	0
90+	1695	0
Unknown	0	96
Total	20537	825

999 Call-Outs							
Epsom & Ewell Areas	Age Ranges						
	21-30	41-50	51-60	61-70	71-80	Unknown	Total
Worcester Park West					25		25
Ruxley Lane						4	4
Stoneleigh & Auriol						10	10
West Ewell						12	12
Horton & Manor Park			4			4	8
Epsom North					36	18	54
Epsom Town		32	364	196		36	628
Epsom Downs & Common	12						12
Ewell East		42	6	12		12	72
Total	12	74	374	208	61	96	825

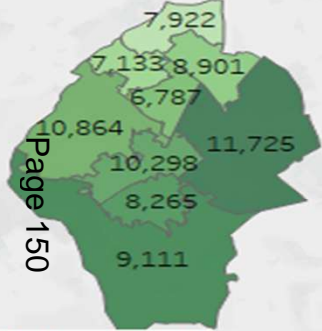
Hospital Admissions														
Epsom & Ewell Areas	Age Ranges													
	0-4	5-12	13-15	16-17	18-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	90+	Total
Worcester Park West	5		10		5	110	70	155	530	440	515	550	150	2540
Ruxley Lane	12		4		8	128	252	148	376	332	172	168	56	1656
Stoneleigh & Auriol			15	15	40	80	60	110	190	280	365	495	135	1785
West Ewell			12	4	24	44	60	116	196	96	232	256	88	1128
Horton & Manor Park	8		12	12	16	84	140	196	464	436	272	200	100	1940
Epsom North			30	30	90	162	156	282	702	624	798	612	204	3780
Epsom Town		8	12	16	28	72	160	232	288	308	324	528	72	2248
Epsom Downs & Common		12	12	48	30	90	78	96	210	498	402	558	18	2232
Ewell East			12	6	12	126	108	192	336	522	588	924	40	3228
Total	25	20	119	131	253	896	1084	1527	3292	3536	3668	4291	1695	20537

# Summary of Alcohol Hospital Admissions and 999 Calls - Focus on Epsom and Ewell

Overview where alcohol has been deemed to be a contributory factor

## Overview for Epsom and Ewell

### Population Overview



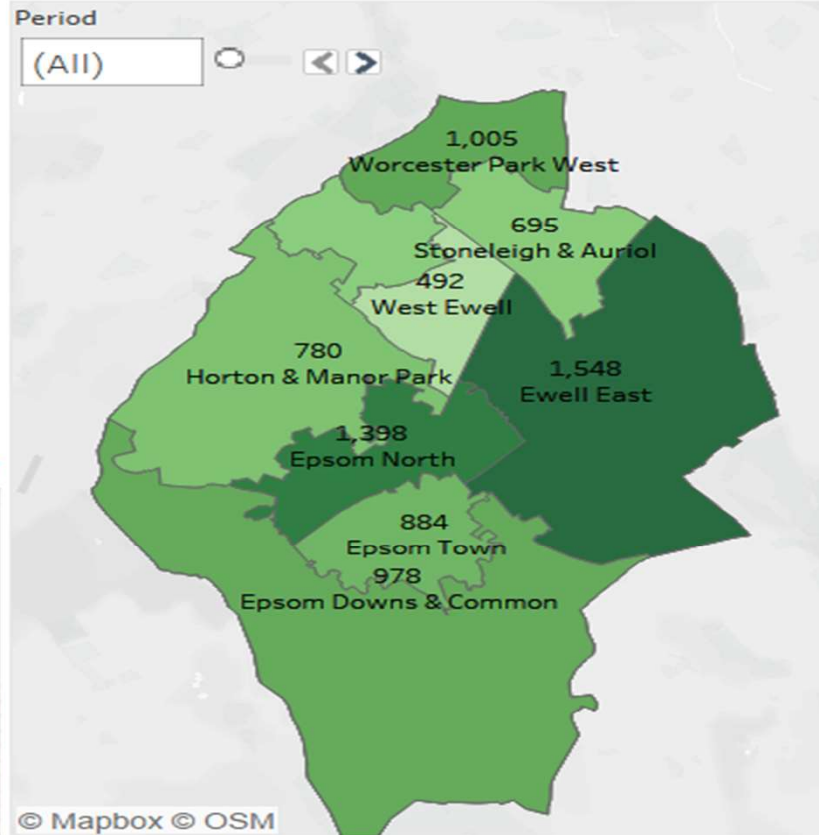
© Mapbox © OSM

ONS Data based on 2021 MSOA

### Year Comparison against Average

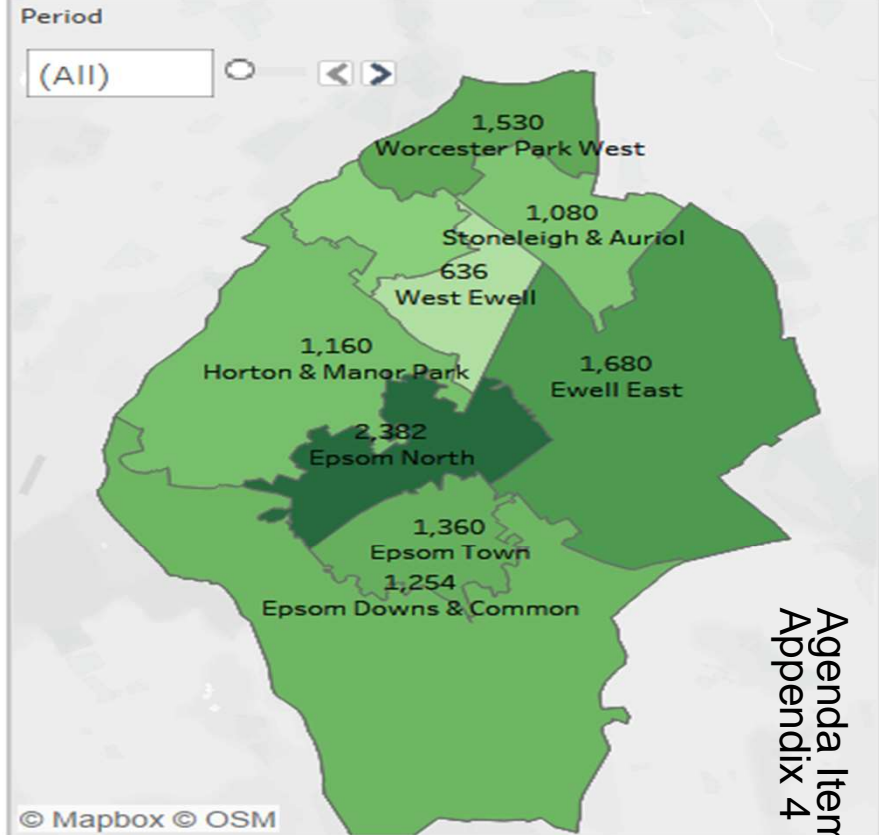
	All		Female		Male	
	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23
<b>Epsom &amp; Ewell Areas</b>						
Worcester Park West	420	398	175	157	245	240
Ruxley Lane	188	273	64	116	124	157
Stoneleigh & Auriol	235	290	55	123	180	165
West Ewell	152	185	56	80	96	105
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Epsom North	702	517	216	221	486	296
Epsom Town	336	436	128	142	208	294
Epsom Downs & Common	402	347	150	162	252	184
Ewell East	450	512	192	258	258	254
<b>Total</b>	<b>3117</b>	<b>3236</b>	<b>1152</b>	<b>1372</b>	<b>1965</b>	<b>1861</b>

### Admissions - Female



© Mapbox © OSM

### Admissions - Male

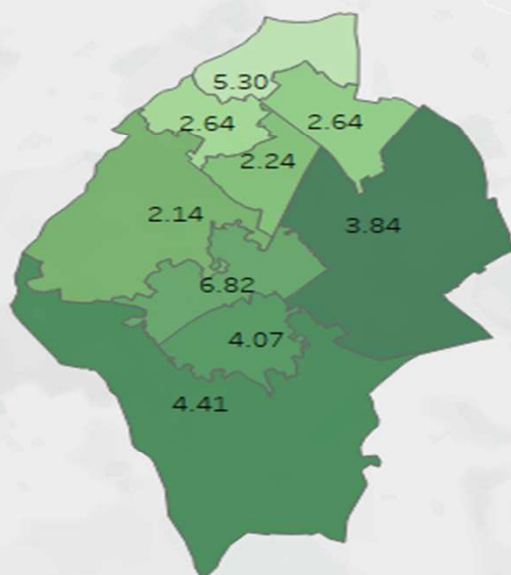


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# Summary of Alcohol Hospital Admissions and 999 Calls - Focus on Epsom and Ewell

## Percentage of Alcohol Related Admissions and Call-Outs by Population

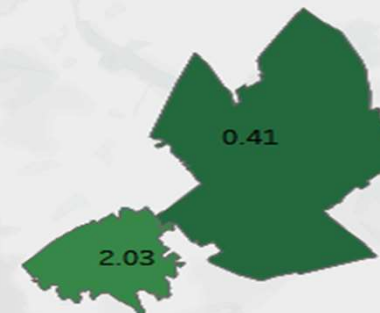
2023/24 Admissions E&E % of Population



2021 ONS Data against the latest full year dataset.

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2023/24 SECAMB E&E % of Population

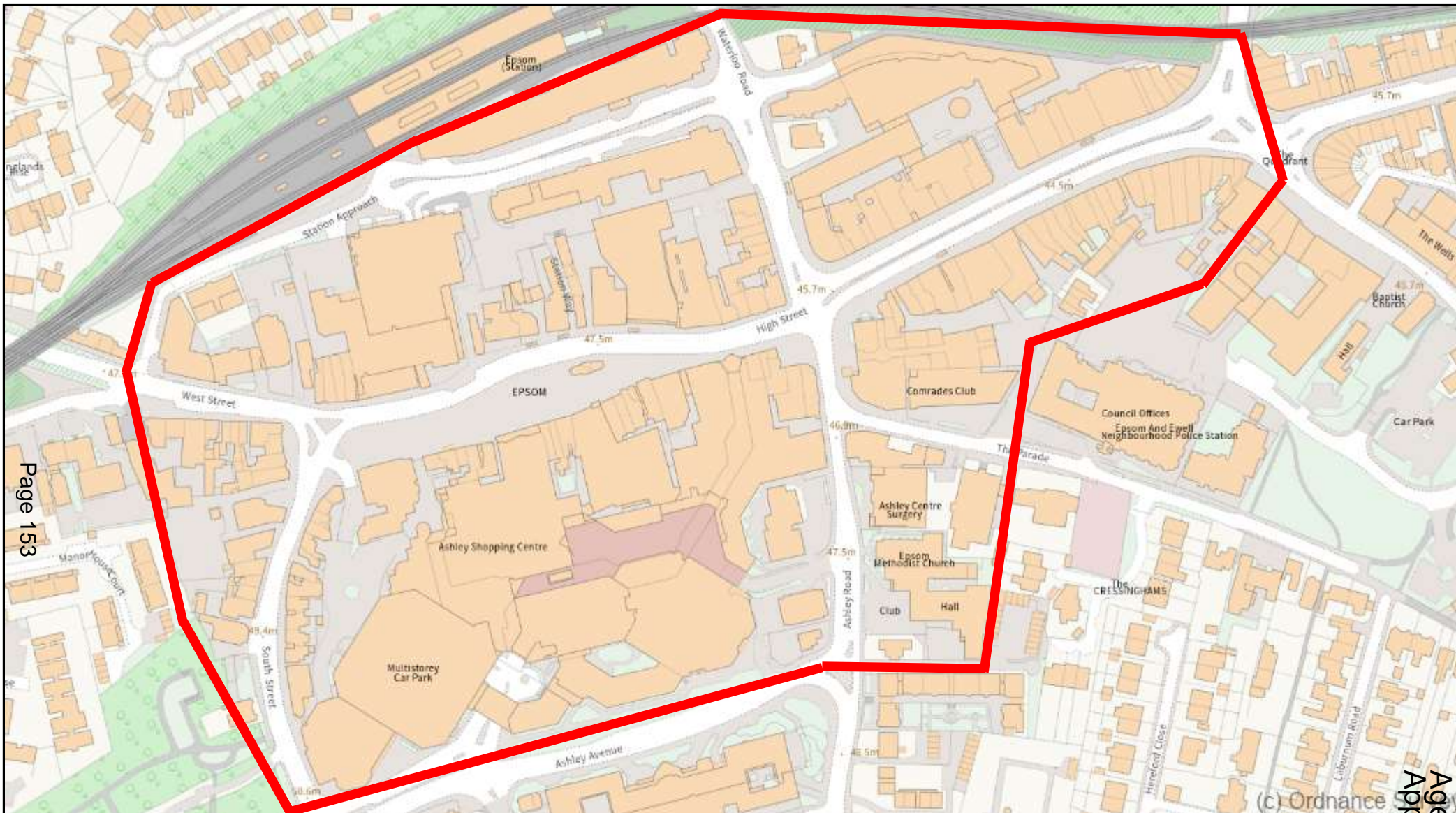


2021 ONS Data against the latest full year dataset.

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## Epsom Town Centre Special Stress Area

N Scale: 1:2500

Printed on: 2025-08-04 15:22:40 by hollidp1@epsom-ewell.gov.uk



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## Appendix 6 – Licensing Best Practice Measures for consideration within the Special Stress area

Matters that would normally be expected in operating schedules:

- the adoption of a Challenge 25 age verification policy with acceptable proof of ID
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by, Surrey Police
- policies for dispersal of customers considering the potential effect of the premises on dispersal arrangements from other licensed premises or the cumulative impact in the area. This may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise.
- Incident and refusals log books
- ['Ask for Angela'](#) training for all staff

Items to which positive consideration would be given:

- membership of Pubwatch, or similar scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Recommend best practice for both on and off premises

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Signage to deter proxy sales



## TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a representation made	If no representation made
Application for personal licence, with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club premises certificate		If a representation made	If no representation made
Application to vary designated premises supervisor		If a Police representation	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a Police representation	All other cases
Application for Interim Authorities		If a Police representation	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, repetitious, in the vicinity etc			All cases
Decision to object when local authority is a consultee and not the relevant Authority considering the application		All cases	
Determination of a Police representation to a temporary event notices		All cases	
Issue Counter Notices where the limitations relating to temporary event notices are exceeded.			All cases
Consider and determine applications for minor variations			All cases

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## URGENT DECISIONS

<b>Head of Service:</b>	Ian Mawer, Head of Planning Policy and Economic Development
<b>Report Author</b>	Andrew Bircher
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	N/A
<b>Appendices (attached):</b>	None

### Summary

To report to the committee a decision taken by one of the Directors and / or Chief Executive on the grounds of urgency, in compliance with the requirements of the Constitution.

### Recommendation (s)

#### The Committee is asked to:

- (1) **Note the urgent decision taken and the reasons for that decision.**

## 1 Reason for Recommendation

- 1.1 To report to the Committee a decision taken by one of the Directors and / or the Chief Executive on the grounds of urgency, in compliance with the requirements of the Constitution.

## 2 Background

- 2.1 The scheme of delegation sets out that the Chief Executive and Directors are authorised to take decisions on grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision.

- 2.2 Since the last ordinary meeting of the Licensing and Planning Policy Committee one urgent decision has been taken by one of the Directors or the Chief Executive in consultation with the Chair of the Committee. The decision is set out below:

2.2.1 **Decision 157** – Planning policy authorisation

- 2.2.2 **Urgency reason for decision 157** – Local Plan – to ensure the new Head of Planning Policy and Economic Development has the same nomination and authority as the previous Head of Place Development when it comes to the Local Plan at Examination. The Local Plan examination has already started.

2.3 Risk Assessment

Legal or other duties

2.4 Equality Impact Assessment

- 2.4.1 None arising directly from this report

2.5 Crime & Disorder

- 2.5.1 None arise from this report

2.6 Safeguarding

- 2.6.1 None arise from this report

2.7 Dependencies

- 2.7.1 None arise from this report

2.8 Other

- 2.8.1 None.

**3 Financial Implications**

- 3.1 **Section 151 Officer's comments:** None arising from this report.

**4 Legal Implications**

- 4.1 **Legal Officer's comments:** Legal are consulted as part of the urgent decision-making process.

**5 Policies, Plans & Partnerships**

- 5.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- N/A

- 5.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 5.3 **Climate & Environmental Impact of recommendations:** None.
- 5.4 **Sustainability Policy & Community Safety Implications:** None.
- 5.5 **Partnerships:** N/A
- 5.6 **Local government reorganisation (LGR) implications:** There are no implications from LGR for this report.

## 6 Background papers

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

### **Previous reports:**

- None.

### **Other papers:**

- None.

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