

## LICENSING (HEARING) SUB-COMMITTEE

Wednesday 13 August 2025 at 11.00 am

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 (Hearing) Sub-Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Julian Freeman  
Councillor Rob Geleit

Councillor Shanice Goldman

Yours sincerely



Chief Executive

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

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

### **Public information**

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

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### **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**

Questions and statements from the public are not permitted at meetings of this Committee. [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework sets out which Committees are able to receive public questions and statements, and the procedure for doing so.

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## **AGENDA**

### **1. APPOINTMENT OF THE CHAIR**

To appoint a Chair for the Licensing (Hearings) Sub-Committee meeting.

### **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. DETERMINATION OF VARIATION OF PREMISES LICENCE (Pages 5 - 44)**

Members are requested to determine an application to vary a premises licence where the authority has received relevant representation.

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## **DETERMINATION OF VARIATION OF PREMISES LICENCE**

<b>Head of Service:</b>	Rod Brown, Head of Housing & Community
<b>Report Author</b>	Paul Holliday
<b>Wards affected:</b>	Ewell Court Ward;
<b>Appendices (attached):</b>	Appendix 1 Current licence Appendix 2 Application Appendix 3 Plan of premises Appendix 4 Location plan Appendix 5 Police representation Appendix 6 Environmental Health representation Appendix 7 Mandatory conditions

### **Summary**

Members are requested to determine an application to vary a premises licence where the authority has received relevant representation.

### **Recommendation (s)**

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

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

- (1) To grant the variation application as applied for.**
- (2) Modify the conditions of the licence, altering or omitting or adding to them.**
- (3) Reject the whole or part of the application.**

## **1 Background**

- 1.1 The supply of alcohol is a licensable activity under the Licensing Act 2003. Authorisation from the Council, in its role as the licensing authority, is required in order to carry on the activity at a premises within the borough.

- 1.2 Under the scheme of delegation adopted by the Council the Sub-Committee is responsible for the exercise of many of the functions of the Council as a licensing authority, including determination of applications where representations have been received.
- 1.3 The Council may dispense with holding a hearing if the licence holder and all persons who made valid representations agree that such a hearing is unnecessary and give notice to the authority to that effect.

## **2 Application**

- 2.1 A premises licence authorises the sale of alcohol off the premises at Ruxley Food and Wine at 427 Kingston Road, West Ewell KT19 0BT for the following hours;-
  - Monday to Saturday 08.00 hours until 23.00 hours
  - Sunday 10.00 hours until 22.30 hours

A copy of the current premises licence is attached at Appendix 1
- 2.2 On 19 June 2025 K A Brothers Ltd (“the licence holder”) applied for a variation to the premises licence to authorise the sale of alcohol for consumption off the premises 24 hours a day, with the sales from 23:00 to 07:00 to be through a hatch/window. A copy of the application is attached at Appendix 2, and a copy of the plan of the premises provided is attached at Appendix 3.
- 2.3 All applications for variation of premises licences must be advertised by the display of a notice at the premises and by a public notice in the local newspaper. The licensing department has determined that this application complies with the public notice requirements of the Licensing Act 2003.
- 2.4 A location plan showing the local area is attached at Appendix 4.

## **3 Representations from Interested Parties**

- 3.1 No representations were received from members of the public.

## **4 Representations from Responsible Authorities**

- 4.1 On 11 July 2025 the responsible authority for the police made representation. A copy of this representation is attached as Appendix 5.
- 4.2 On 17 July 2025 the responsible authority for environmental health made representation. A copy of this representation is attached as Appendix 6.

## **5 General principles to be followed**

- 5.1 When determining applications, the Sub-Committee is required to carry out its functions with a view to promoting the licensing objectives, which are:
- The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance; and
  - The protection of children from harm
- 5.2 In determining applications, the Council must have regard to its statement of licensing policy, and to the statutory guidance issued under section 182 Licensing Act 2003.
- 5.3 If granted the licence would be subject to the mandatory conditions as attached at Appendix 7.
- 5.4 There are no conditions that would be added to the licence as a result of the operating schedule (section M of the application - Appendix 2).

## 6 Policy Considerations

- 6.1 A copy of the Council's Statement of Licensing Policy (December 2018) has been sent to the licence holder and Responsible Authorities together with this report.
- 6.2 Section 4 of the Licensing Act 2003 stresses that in carrying out its functions, a licensing authority must "have regard to" guidance issued by the Secretary of State under Section 182. This implies looking at the guidance, factoring in its relevance and/or weight, if any, as those matters appear to the licensing authority.
- 6.3 The Section 182 Guidance states with respect to the roles of Responsible Authorities;

*'9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective...However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.'*

## **7 Legal Implications**

- 7.1 Decisions on licensing matters engage issues of human rights, in particular, Article 1 of the First Protocol, the peaceful enjoyment of possessions, Article 6, the right to a fair hearing, and Article 8, respect for private and family life. However, interference with Convention rights is permitted where lawful and necessary in the interests of public safety, the prevention of disorder or crime, the protection of health and morals or for the protection of the rights and freedoms of others.
- 7.2 Due regard must also be had to the public sector equality duty enshrined in Section 149 of the Equality Act 2010, which aims to eliminate unlawful discrimination, having regard to the nine protected characteristics. The nine protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 All applications for new or varied Premises Licences or Club Premises Certificates must be advertised by the display of a notice at the premises and by a public notice in the local newspaper. Pursuant to the Council's constitution the Council's licensing department has determined that there is a valid application that complies with the requirements of the Licensing Act 2003.
- 7.4 Licence holders may appeal to the magistrates' court if the licensing authority has rejected their application to vary a premises licence. If a licence is granted, the licence holder may appeal against the imposition of conditions on that licence, or the exclusion of a licensable activity. Those who made relevant representations during the course of an application may appeal against the decision to grant a licence.
- 7.5 Appeal to the magistrates' court who will hear the matter afresh and will only overturn a licensing authorities decision if it thinks it is wrong. This reinforces the importance of well drafted reasons for the decision as the magistrates court is more likely to uphold a well drafted set of reasons.

### **Legal Officer's comments:**

- 7.6 When considering licence applications, the Sub-Committee shall carry out its functions with a view to promoting the licensing objectives. The licensing objectives are: Prevention of crime and disorder; Public Safety; Prevention of public nuisance; Protection of children from harm.



The Sub-Committee must ensure that all licensing decisions have: taken into account all relevant representations; a direct relationship to the promotion of one or more of the four licensing objectives; regard to the Council's statement of licensing policy; regard to the Secretary of State guidance; there must not be a blanket policy to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded. Applications must be considered with regard to the principles of fair process and the Human Rights Act 1998.

When considering an application for the variation of an existing licence, only the variation is subject to determination. No changes can be made to a licence or conditions attached unless they are subject to the variation application.

The licence holder has the right of appeal against the decision made by the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day that the licence holder is notified, in writing, of the decision.

## 8 Background papers

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

### **Previous reports:**

- None

### **Other papers:**

- Code of Conduct and Practice in Licensing Procedures and Hearings
- Statement of Licensing Policy, dated 11 December 2018
- [Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](#)

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

**PREMISES LICENCE**

**Premises licence number**

**EEBC/05/00450/LAPRE**

**Part 1 - Premises details**

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

**RUXLEY FOOD AND WINE  
427 KINGSTON ROAD**

**Post town WEST EWELL**

**Post code KT19 0BT**

**Telephone number 020 8224 8907**

**Where the licence is time limited the dates**

**NONE**

**Licensable activities authorised by the licence**

**SALE OF ALCOHOL BY RETAIL**

**The times the licence authorises the carrying out of licensable activities**

**MONDAY TO SATURDAY 08.00 HOURS UNTIL 23.00 HOURS**

**SUNDAY 10.00 HOURS UNTIL 22.30 HOURS**

**CHRISTMAS DAY 12.00 HOURS UNTIL 15.00 HOURS AND 19.00 HOURS UNTIL 22.30 HOURS**

**GOOD FRIDAY 08.00 HOURS UNTIL 22.30 HOURS**

**The opening hours of the premises**

**NOT RESTRICTED**

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

**FOR CONSUMPTION OFF THE PREMISES**

**Part 2**

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

**KA BROTHERS LTD  
115 MANOR DRIVE NORTH  
NEW MALDEN, SURREY, KT3 5PD**

**TELEPHONE**

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

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

[redacted – application to vary DPS pending]

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

[redacted]

**Dated this 06 day of September 2021**



**Grants and Licensing Manager**

**Annex 1 – Mandatory conditions**

**Mandatory Condition: where licence authorities supply of alcohol**

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

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

**Conditions 1, 2 and 3 below came into force on 6<sup>th</sup> April 2010, and 4 and 5 came into force on 1<sup>st</sup> October 2010.**

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

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

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

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

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

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

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The Policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that were any of the following alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

1, Beer or cider ½ pint;

2. Gin, rum, vodka or whisky - 25 ml or 35 ml; and

3. Still wine in a glass - 125 ml; and

b) customers are made aware of the availability of these measures

**Please note that Conditions 1 and 2 do not apply to premises licences where it authorizes only the sale by retail off the premises**

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

**Use of CCTV, with the retention of tapes for a minimum of period of 31 days for prosecution purposes**

**Operate a challenge 21 policy to ensure that liquor is sold only to persons of lawful age. Whereby any person not looking the age of 21 must prove that they are in fact over 18 for the purposes of the sale of alcohol. Acceptable forms of identification concerning the issue of age are the Portman Card, Citizen Card or ten year passport.**

**Staff undergo training concerning knowledge of Licensing Laws together with social impact upon the sale of alcohol**

**Operate a due diligence policy, incorporating the challenge 21 policy, full training for all staff, the operation of a refusal book and refresher training on a regular basis.**

**Prominent signage located throughout the store confirming the legal minimum age for the purchase of alcohol.**

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

**NONE**



**Annex 4 – Plans**

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\* required information

## Section 1 of 18

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

System reference

Not Currently In Use

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

Your reference

EEBC/05/00450/LAPRE

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

## Applicant Details

\* First name

ANIKET JAGDISHBHAI

\* Family name

PATEL

\* E-mail

KABROTHERSLTD@GMAIL.COM

Main telephone number

[REDACTED]

Include country code.

Other telephone number

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

Are you:

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

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

## Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number

11631275

Business name

KA BROTHERS LTD

If your business is registered, use its registered name.

VAT number

GB

307176316

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

Legal status

Private Limited Company

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

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

\* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

*Continued from previous page...*

Non-domestic rateable  
value of premises (£)

### Section 3 of 18

#### VARIATION

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

☒ Yes ☐ No

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

☒ Yes ☐ No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

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

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

WE WOULD LIKE TO CHANGE DPS....CURRENT DPS IS MR JAIMIN AMIN IS REPLCED BY OWNER ANIKET JAGDISHBHAI PATEL. ALSO WE WOULD LIKE TO CHANGE TRADING NAME AS RUXLEY FOOD & WINE AT THE MOMENT NAME IS LONDIS.

WE WOULD ALO LIKE TO SELL OFF SITE ALCOHOL FOR 24 HRS. FROM 23:00 TO 7:00 SELL THROUGH WINDOW. SHOP DOOR WILL BE CLOSED FOR CUSTOMERS AT NIGHT AND WE WILL SELL ALCOHOL THUROUGH WINDOWS. CUSTOMER HOME DELIVERY WILL BE DONE BY UBER EATS, DELIVEROO, AND JUST EAT DRIVERS. THEIR DRIVERS HAS BEEN TRAINED FOR DELIVERING ALCOHOL AND CHECK ID'S FOR AGE VARIFICATIONS AS PER COMPANIES GUIDANCE. WE WILL MAKE SURE THAT OUR LOCAL NEIGHBOURHOOD WILL BE SAFE AND NUISONS FREE. OUR STAFF IS FULLY TRAINED AND QUALIFIED FOR SERVING ALCOHOL.

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

<i>Continued from previous page...</i>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 6 of 18</b>	
<b>PROVISION OF INDOOR SPORTING EVENTS</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 7 of 18</b>	
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 8 of 18</b>	
<b>PROVISION OF LIVE MUSIC</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide live music be subject to change if this application to vary is successful?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 9 of 18</b>	
<b>PROVISION OF RECORDED MUSIC</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide recorded music be subject to change if this application to vary is successful?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 10 of 18</b>	
<b>PROVISION OF PERFORMANCES OF DANCE</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 11 of 18</b>	
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>	
<a href="#">See guidance on regulated entertainment</a>	
Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	

*Continued from previous page...*

## Section 12 of 18

### PROVISION OF LATE NIGHT REFRESHMENT

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

☐ Yes ☒ No

## Section 13 of 18

### SUPPLY OF ALCOHOL

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

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

##### SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption?

☐ On the premises      ☒ Off the premises      ☐ Both

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

State any seasonal variations.

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

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

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

## Section 14 of 18

### ADULT ENTERTAINMENT

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

## Section 15 of 18

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End



Continued from previous page...

WEDNESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

SHOP DOORS WILL BE OPEN TO PUBLIC FROM 7:00 TO 23:00 EVERYDAY AND FROM 23:00 TO 7:00 ONLY WINDOWS SELL WILL APPLY

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

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

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

*Continued from previous page...*

☐ I have enclosed the relevant part of the premises licence

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

## Section 16 of 18

### LICENSING OBJECTIVES

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

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

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

OUR AIM TO CATCHUP A LATE NIGHT MAIN ROAD CUSTOMERS TO SUPPORT OUR BUSINESS. WE WOULD ALSO LIKE TO SUPPLY ALCOHOL THROUGH HOME DELIVERY WITH OUR DELIVERY PARTNER( UBER, DELIVEROO, JUST EAT)

b) The prevention of crime and disorder

WE WILL MAKE SURE THAT OUR NEIGHBOUR HOOD AREA WILL BE PROTECTED FROM CRIME AND DISORDER.

c) Public safety

WE WILL MAKE SURE THAT PUBLIC SAFTEY RULES AND REGULATIONS WILL BE OBAY ALL THE TIME

d) The prevention of public nuisance

WE WILL MAKE SURE THAT OUR NEIGHBOUR HOOD AREA WILL BE PROTECTED FROM PUBLIC NUISANCE

e) The protection of children from harm

WE WILL MAKE SURE NOT TO SELL ALCOHOL TO ANY CHILDEREN AT ANYTIME. WE WILL ALSO MAKE SURE THAT UNDER AGE POSTER WILL BE PLACED IN THE PREMISES.

## Section 17 of 18

### NOTES ON REGULATED ENTERTAINMENT

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 18 of 18**

**PAYMENT DETAILS**

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

*Continued from previous page...*

### Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

### DECLARATION

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

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my

\* licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

Once you're finished you need to do the following:

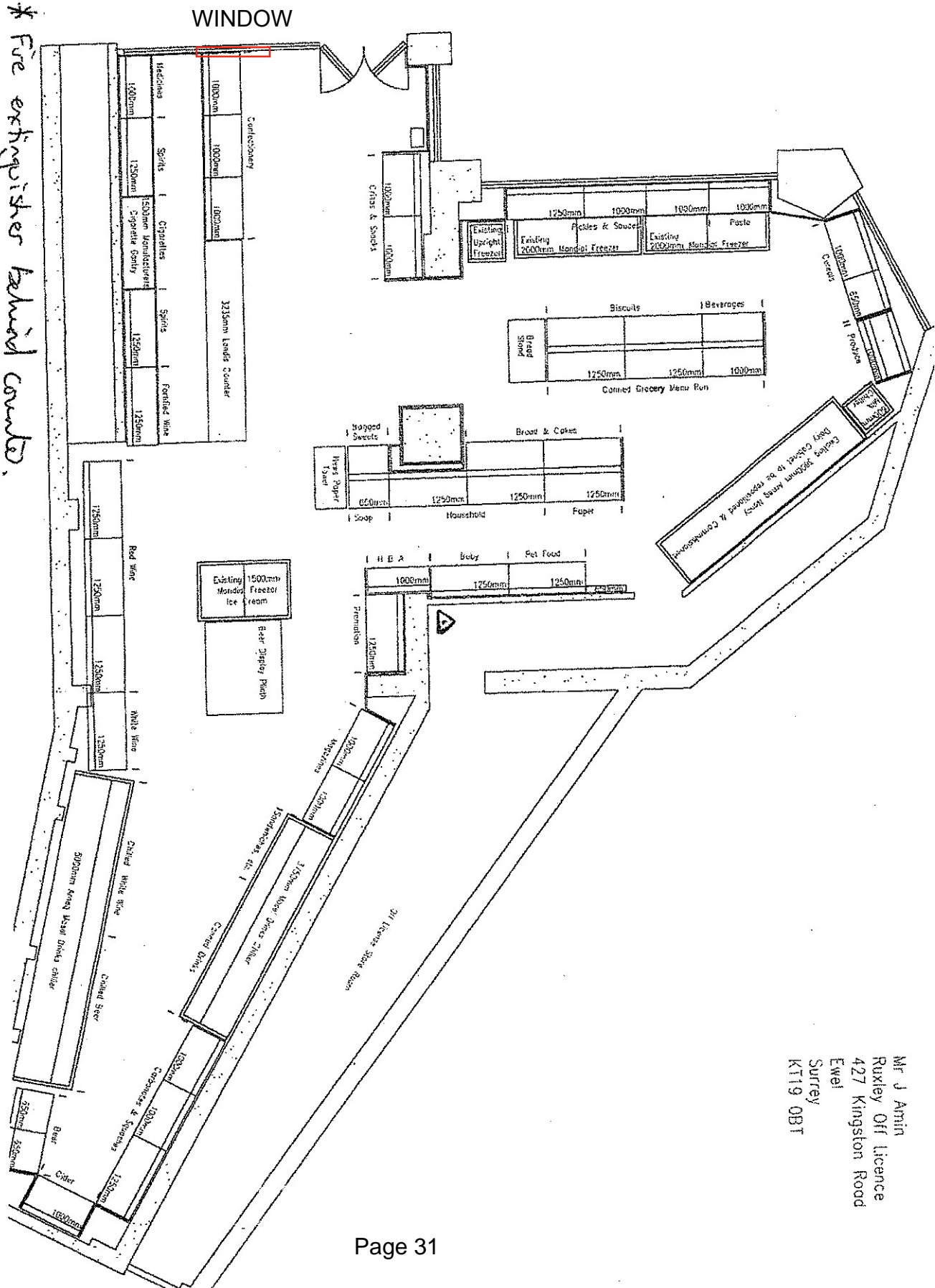
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/epsom-and-ewell/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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\* Fire extinguisher behind counter.

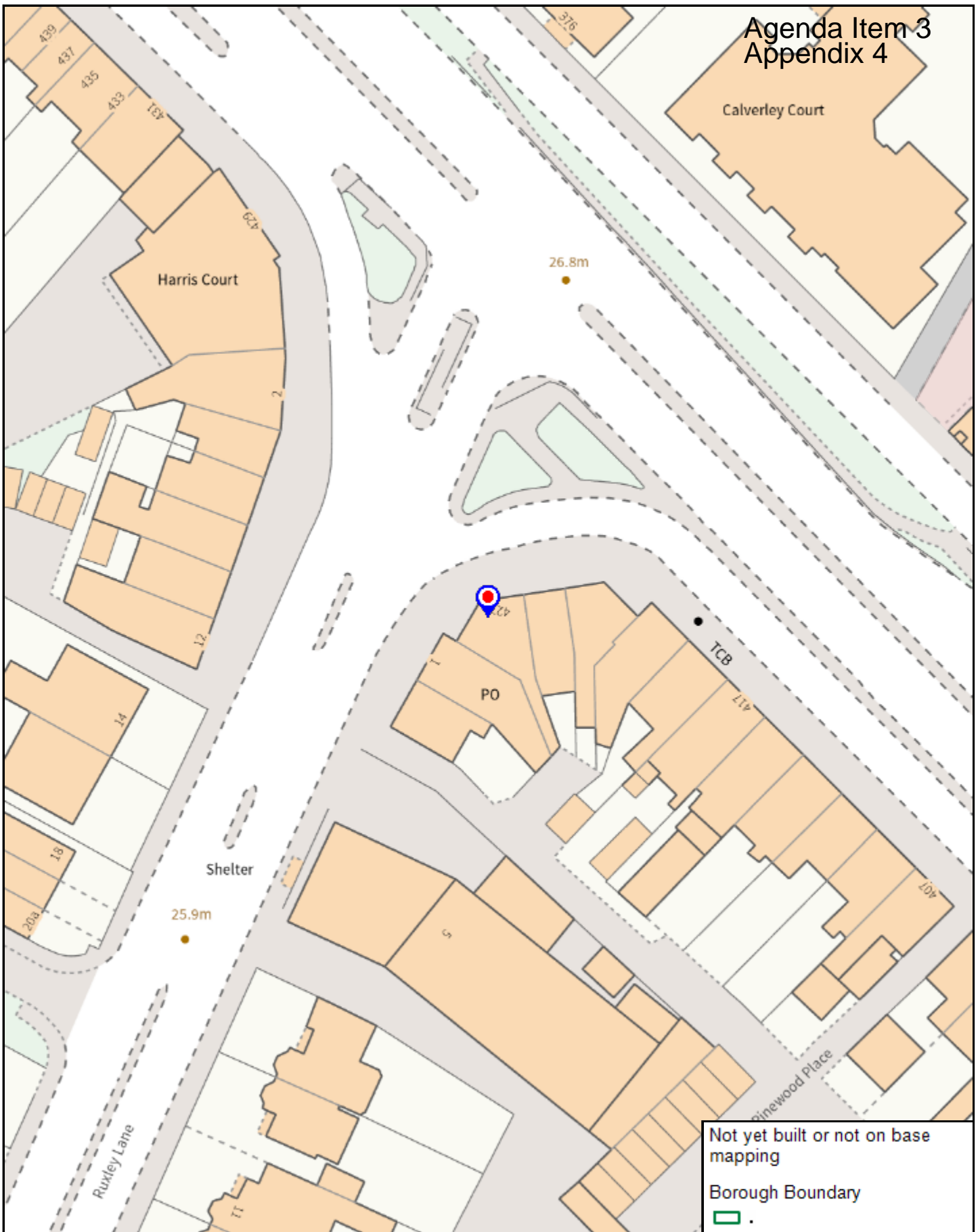


timberboard window

Mr J Amin  
Ruxley Off licence  
427 Kingston Road  
Ewel  
Surrey  
KT19 0BT







Enter map title

N  
Scale: 1:620



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Printed on: 2025-07-23 11:31:42 by hollidp1@epsom-ewell.gov.uk

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Surrey Police  
Licensing - Eastern  
PO Box 101  
Guildford  
Surrey  
GU1 9PE

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**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003. Representation in respect of a Premises Licence Application or Variation or a Club Premises Certificate Application or Variation, and Temporary Event Notice.**

---

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

---

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

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

<b>Name of Premises or Club</b> Ruxley Food & Wine (FORMALLY LONDIS)	
<b>Address of Premises or Club</b> 427 Kingston Road	
<b>Post town</b> Epsom	<b>Post code (if known)</b> KT19 0BT

**Type of application**

	Please tick ✓
Premises Licence application	
Variation to a Premises Licence	✓
Club Premises Certificate application	
Variation of a Club Premises Certificate	
Temporary Event Notice	

**Representor's Details**

I am Please tick one only.

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

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

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

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

**Section B - DETAILS OF RESPONSIBLE AUTHORITY**

<b>Name of contact:</b> Borough Commander Inspector Tommy Pearson
<b>Name of Authority:</b> Surrey Police
<b>Address of Authority:</b> PO Box 101 Guildford Surrey GU1 9PE
<b>Telephone number of contact person</b> 01483 638476 / 07967986441
<b>E-mail address of contact person (optional)</b>  <a href="mailto:Jenny.billin@surrey.police.uk">Jenny.billin@surrey.police.uk</a> / <a href="mailto:licensingeastern@surrey.police.uk">licensingeastern@surrey.police.uk</a>

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

Surrey Police received the application to fully vary the current licence held at 427 Kingston Road, Epsom, KT18 0BT on 19<sup>th</sup> June 2025. The premises is seeking the following:

- Extension of opening hours and licensable hours:
  - Monday to Sunday 00:00 – 00:00
- The addition of delivery services. Delivery will be through 3<sup>rd</sup> parties.
- The use of a window hatch for sales between 23:00 – 07:00

Surrey Police have fully considered all Licensing Objectives and have found that the variation will undermine these Objectives, Prevention of Crime and Disorder, Public Safety, and the Prevention of Public nuisance.

Police have concerns that the opening of a premises selling alcohol 24-hours a day at the location will increase the likelihood of crime – including but not limited to Anti-Social Behaviour, Public Order offences and Drunk and Disorderly Behaviour. The surrounding area is quite heavily residential, and the increased hours will bring people on to the streets causing noise issues and potential street drinking. Delivery vehicles will also cause noise nuisance for the residents.

There is a lack of security information or protocols on how a lone worker would remain safe whilst working in the premises. There is a major concern that this variation would open the premises to a higher risk than normal of targeted criminal behaviour. There are no other premises in the area that sell alcohol 24 hours a day and this premises is not situated a late-night economy area.

Delivery of alcohol 24/7 via third party delivery services will have an impact on other areas of the Borough. Epsom Town Centre is already a part of the Borough where Police have had to undertake targeted operations to reduce Nighttime Economy violence and ASB. The latest premises in the Town Centre closes at 03:00. Police want to encourage persons to leave the area and return home once all premises are closed. There is a concern that people could order more alcohol and potentially street drink in the area, and this will have a significant impact on the invaluable good that work the Epsom Town Centre premises and licensees have already undertaken. There is nothing to prevent persons ordering from this premises to deliver to non-residential or business places.

Police believe that the variation of licence should not be granted as there is the potential to seriously undermine the licensing objectives. However, should the sub-committee feel it appropriate to grant the licence, Police request that the sub-committee respectfully consider a reduction in hours so that the premises does not remain open 24 hours a day and further conditions to be added.

Hours of Licensable Activity:

Monday to Saturday 08:00 – 00:00

Sunday 09:00 – 23:30

Additional Conditions: (current conditions on Premises Licence to remain)

- Alcohol shall not be delivered other than to residential and business addresses with a valid postcode.
- At the time of ordering, the following details shall be recorded and made available for inspection by a responsible authority under the Licensing Act 2003.

- The full name of the purchaser
- The address of the purchaser
- An email address for the purchaser
- The method of payment and details of alcohol supplied.
- Confirmation the customer is over 18 years of age.
- Alcohol shall only be delivered after full payment has first been received online. Delivery drivers shall only deliver the actual alcohol that has already been paid for online. Delivery drivers shall not accept cash or other payments at the delivery address. Delivery drivers will not carry surplus stock of alcohol in the delivery vehicle.
- Customers shall be advised that delivery drivers reserve the right to refuse delivery as follows.
  - No adult is present, or the person accepting the delivery cannot produce ID if requested by driver.
  - The person in receipt of the delivery appears to be intoxicated through alcohol/drugs.
  - In the opinion of the delivery driver, the customer is exhibiting abusive behaviour.
- All Delivery drivers will cut off engines when collecting deliveries. No idling.
- No alcohol is to be sold in open containers.
- Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly and respect the neighbourhood.

This representation relates to the following licensing objectives(s)

Please tick one or more boxes

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

✓
✓
✓

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

Please tick ✓

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

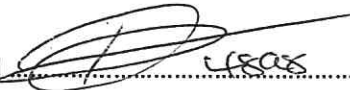
✓
✓

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

This representation must be signed by:

a person making a representation or

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

Signed  Date 8/7/25

Address for correspondence

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

All representations must be made by sending this form to the Licensing Authority to arrive there during the period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the Licensing Authority by the applicant. In the case of representations following a closure order this period is 7 days after the day on which the Licensing Authority received the notice under section 165(4) of the Act.

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

Copy to Licensing Authority

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**From:** Rebecca Wilson  
**Sent:** 17 July 2025 22:07  
**To:** Licensing  
**Subject:** Concern/Observation - Ruxley Food and Wine application for a 24 hour licence to sell alcohol.

**Categories:** Lisa working on it

Dear Licencing

An application has been received to vary the current licence held at 427 Kingston Road, Epsom, KT18 0BT on 19<sup>th</sup> June 2025. The premises is seeking the following:

- Extension of opening hours and licensable hours:
  - Monday to Sunday 00:00 – 00:00
- The addition of delivery services. Delivery will be through 3<sup>rd</sup> parties.
- The use of a window hatch for sales between 23:00 – 07:00

I am concerned that the application to extend hours will have an impact locally by generating issues relating to nuisance and safety. The following relates points relate to the application:

- Increase in activity and noise  
The local area is made up of parades of shops with residential flats above. The units above the commercial units are residential flats, which are in occupation and provide homes to many families. The further surrounding area is made up of larger family houses, and the increased hours will bring more traffic of people and vehicles (at antisocial times) to the area. There is the potential for the residence directly adjacent, above and opposite the shop will be disturbed throughout the night by the activity of the selling of the alcohol. The likelihood of people parking and idling around the premises will increase as they purchase from the window. These are all going to impact on the quiet enjoyment of the residents. The delivery coming and going will also be disturbing to the residential units as they move up and down the kerbs to get close to the collection window.
- Nighttime economy  
There is currently no nighttime economy on the parades of shops that operate beyond 11pm. The allowance of this property to operate after 11 pm will give a reason for more traffic to be in the area beyond 11pm and this will begin to change the make-up of this predominantly residential area.
- Lone Worker  
The person employed to operate the windowed shop after 23:00 is more at risk by being in this isolated area. The shop will need to carry out a risk assessment for the employee and also provide additional training to ensure the sale of the alcohol is well managed. Consideration needs to be given to being able to clearly see customers to ensure the person purchasing the goods are of appropriate age and in suitable state (ie not under the influence). The vulnerability of this employee is greater than a daytime shop operator.

Environmental Health do not believe the changes to the licence occur as there will be an impact on the local residential population. Should the sub-committee feel it appropriate to grant the licence, we ask that the sub-committee considers a reduction in hours so that the premises does not remain open 24 hours a day and further conditions to be added.

Hours of Licensable Activity:  
Monday to Saturday 08:00 – 00:00  
Sunday 09:00 – 23:30

Additional Conditions: (current conditions on Premises Licence to remain)

- No mounting of the footpaths of delivery vehicles
- All delivery drivers to cut off engines when collecting deliveries. No idling
- Signage to be displayed requesting customers interact with the shop in a quiet manner, that customers leave quietly and respect the neighbourhood. This is to be displayed in a prominent position on the premises.

Kind regards

Rebecca Wilson  
Environmental Health Officer  
Epsom and Ewell Borough Council  
01372 732 146  
Web: [www.epsom-ewell.gov.uk](http://www.epsom-ewell.gov.uk)

**Please note my normal working days are Tuesday to Friday (9:30-14:30)**

## Annex 1 – Mandatory conditions

### Mandatory Condition: where licence authorities supply of alcohol

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

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

### Condition came into force on 6<sup>th</sup> April 2010 (as amended 1 October 2014).

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

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

4. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence

- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.