

**Minutes of the Meeting of the LICENSING HEARING PANEL held on 16 January
2018**

PRESENT -

Councillor Neil Dallen (Chairman); Councillors Steve Bridger and Tella Wormington

In Attendance: Letitia Hammond (Objector), Manuel Rocha (Gisely Coffee) and Jose Zoetta (Gisely Coffee)

Officers present: Claire Beesly (Assistant Solicitor), Nicholas Tapping (Licensing Officer) and Tim Richardson (Democratic Services Officer)

1 DECLARATIONS OF INTEREST

No declarations of interest were made by councillors in items on this agenda.

2 PREMISES LICENCE VARIATION

The Panel was requested to determine an application for the variation of a Premises Licence for Gisely Coffee, 18 Pound Lane, Epsom Surrey, KT19 8RY made under the Licensing Act 2003.

Three objections to the application had been received from local residents on the grounds of public nuisance. One objection had been received from the Environmental Health Service, in response to which the applicant had subsequently agreed additional conditions.

It was noted that there was a typing error in paragraph 2.1 of the report, which incorrectly stated the requested opening hours of the premises. It was noted that this paragraph should be amended to read:

“The application is to vary the Premises Licence to permit the retail sale of alcohol from 10:00am till 10:30pm Monday to Sunday, opening hours 7:00am till **11:00pm.**” (amended text in **bold**)

A verbal representation was received by the Panel from the applicant. The applicant set out their operating procedures, liaison with residents, and detailed the sound proofing installed in the premises.

A verbal representation was also received by the Panel from the objector. This supported their written representation, informing the Panel that properties neighbouring the premises were residential in nature and expressing a concern that extending the licenced hours of the premises would lead to an increase in noise nuisance to residents.

Following this representation, the applicant informed the Panel that they would be happy to accept the following additional conditions being placed on the premises licence:

- That no recorded music would be played in the premises following 18.00 hours, daily.
- That hours for supply of alcohol be limited to: 10.00 hours until 21.30 hours Sunday-Thursday, and hours open to the public be limited to: 07.00 hours until 22.00 hours Sunday-Thursday.

Following consideration of the written and verbal representations made, the panel RESOLVED that:

The variation of the Licence should be granted with the following hours:

Premises Opening Hours (L)

Sunday to Thursday 07:00 until 22:00

Friday and Saturday 07:00 until 23:00

Supply of Alcohol (J)

Sunday to Thursday 10:00 until 21:30

Friday and Saturday 10:00 until 22:30

The following conditions to apply:

Conditions previously agreed by the applicant

- (1) Throughout the normal opening hours of the premises from 20:00 hours, half an hour patrols of the perimeter of the premises shall be carried out by staff. During these patrols observations/measurements of noise and disturbance shall be made and documented and shall be kept in a written log together with any resultative action taken. Documents shall be made available for inspection by an authorised officer of any responsible authority.
- (2) Signs shall be clearly displayed at the entrance/exit to the premises requesting patrons to respect neighbours and to be quiet when leaving the area.
- (3) No customers to use outside seating area after 20:00 hours and all furniture to be taken out of use and secured by 20:30 hours.
- (4) No customers will be allowed to take open drinks to, or consume drinks in the outside area after 20:00 hours.

- (5) A designated smoking area should be provided and the use of this area will be monitored during licensing hours. The numbers of smokers permitted in the smoking area will be limited to 5 at any one time from 20:00 hours.

Condition to meet the requirements of the objective of prevention of public nuisance

- (6) No playing of recorded music after 20:00 hours on any day.

The meeting began at 2.05 pm, was adjourned between 2.33pm and 3.03pm, and ended at 3.07 pm

COUNCILLOR NEIL DALLEN (CHAIRMAN)