

Public Document Pack

Legal and Democratic Services



LICENSING HEARING PANEL

Tuesday 16 January 2018 at 2.00 pm

Council Chamber - Epsom Town Hall

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

Councillor Neil Dallen (Chairman)
Councillor Steve Bridger

Councillor Tella Wormington

Yours sincerely

A handwritten signature in black ink, appearing to read "J.C. Beldan".

Chief Executive

For further information, please contact Tim Richardson, 01372 732122 or trichardson@epsom-ewell.gov.uk

AGENDA

1. DECLARATIONS OF INTEREST

Members are asked to disclose the existence and nature of any Disclosable Pecuniary Interests in respect of any item to be considered at the meeting.

2. PREMISES LICENCE VARIATION (Pages 3 - 36)

The Panel is requested to determine an application for the variation of a Premises Licence made under the Licensing Act 2003.

This page is intentionally left blank

PREMISES LICENCE VARIATION

Report of the:	Head of Housing & Community
Contact:	Nicholas Tapping
Annexes/Appendices (attached):	Annexe 1 - Application Form and amended Plan Annexe 2 - Copies of Representations Annexe 3 - Location Map Annexe 4 - Current Premises Licence Annexe 5 -Additional Conditions requested from Environmental Health
Other available papers (not attached):	Code of Conduct and Practice in Licensing Procedures and Hearing Statement of Licensing Policy Licensing Act 2003 Guidance Issued under Section 182 of the Licensing Act

REPORT SUMMARY

The Panel is requested to determine an application for the variation of a Premises Licence made under the Licensing Act 2003.

RECOMMENDATION (S)

- (1) The Panel is requested to determine whether or not the application should be granted.**

1 Current Position

- 1.1 The current licensing hours for Gisely Coffee, 19 Pound Lane, Epsom, Surrey, KT19 8RY are as follows:

Supply of Alcohol Monday to Sunday 10:00am till 8:00pm for consumption on and off the premises, opening hours 7:00am till 8:30pm Monday to Sunday.

2 Introduction

- 2.1 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 11:30pm.

2.2 The application is also seeking to amend the Premises layout as per the submitted plan following an extension of the premises.

2.3 The application form is attached as **Annexe 1**.

3 Representations from Interested Parties

3.1 Representations were received from 3 local residents on the grounds of public nuisance. Copies of the representations are attached as **Annexe 2**.

4 Location Map

4.1 The location of the premises is attached as **Annexe 3**

5 Current Premises Licence

5.1 The current premises licence is attached as **Annexe 4**

6 Representations from Responsible Authorities

6.1 An objection was received from Environmental Health which the applicant subsequently agreed (see **Annexe 5**).

7 Policy Considerations

7.1 The premises is in the Green Zone, there is a policy presumption to grant the licence unless it can be shown that the application would undermine the licensing objectives.

8 Equalities and Other Legal Implications

8.1 The Panel must consider the application and the representations made and either modify the conditions of the licence, or reject the whole or part of the application, having regard to the promotion of the licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

9 Conclusions

9.1 The Panel is requested to determine whether or not the application should be granted.

WARD(S) AFFECTED: Court Ward;



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

Your reference 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

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

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

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

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 (£)

17,750

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.

THE NATURE OF THIS VARIATION IS TO UPDATE THE PLAN OF THE FACILITIES DUE TO THE EXTENSION OF OUR BUSINESS AND TO INCREASE THE LICENSABLE HOURS FOR THE SALE OF ALCOHOL. (ON AND OFF LICENSE) from 10 AM UNTIL 22:30, AND CLOSING THE FACILITIES AT 23:00

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?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

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

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

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?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

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.

NOT APPLICABLE

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 End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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 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.

I have enclosed the premises licence

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.

WE ARE HAPPY WITH THE ACTUAL CONDITIONS WE HAVE IN OUR LICENSE AND WE THINK THOSE CONDITIONS WILL PROTECT THE FOUR LICENSE OBJECTIVES. WE WILL ACCEPT ANY RECOMENDATIONS GIVEN BY THE AUTHORITIES

b) The prevention of crime and disorder

WE ARE HAPPY WITH THE ACTUAL CONDITIONS WE HAVE IN OUR LICENSE

c) Public safety

WE ARE HAPPY WITH THE ACTUAL CONDITIONS WE HAVE IN OUR LICENSE

d) The prevention of public nuisance

WE ARE HAPPY WITH THE ACTUAL CONDITIONS WE HAVE IN OUR LICENSE

e) The protection of children from harm

WE ARE HAPPY WITH THE ACTUAL CONDITIONS WE HAVE IN OUR LICENSE

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

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

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

Continued from previous page...

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
* Capacity
* Date / /
 dd mm yyyy

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.

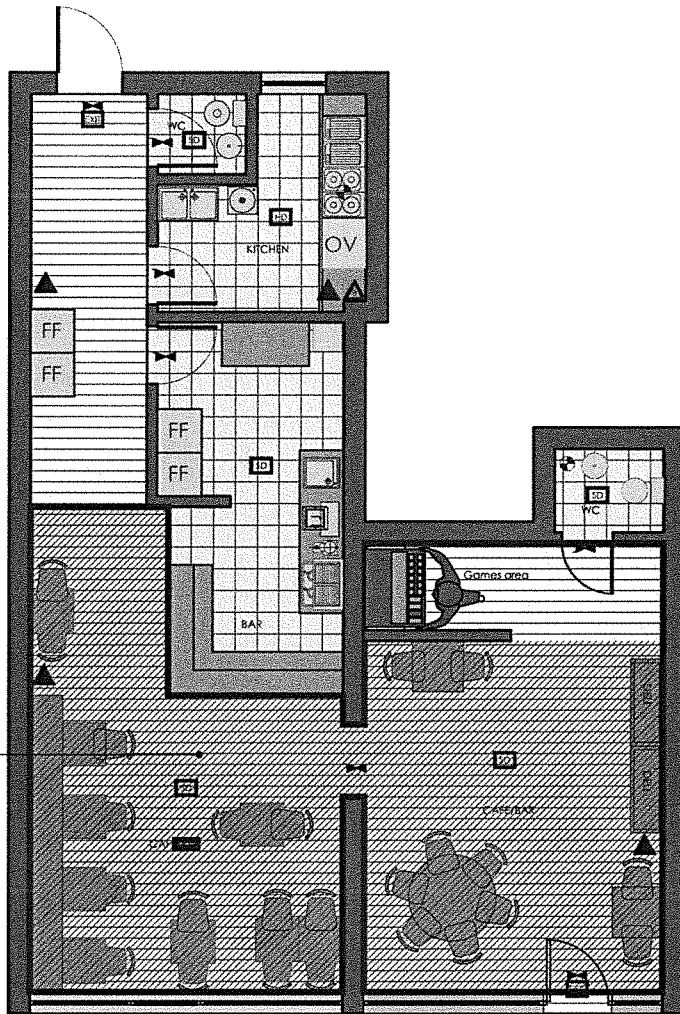
Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number
Fee paid
Payment provider reference
ELMS Payment Reference
Payment status
Payment authorisation code
Payment authorisation date
Date and time submitted
Approval deadline
Error message
Is Digitally signed

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) Next >

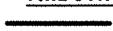
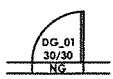












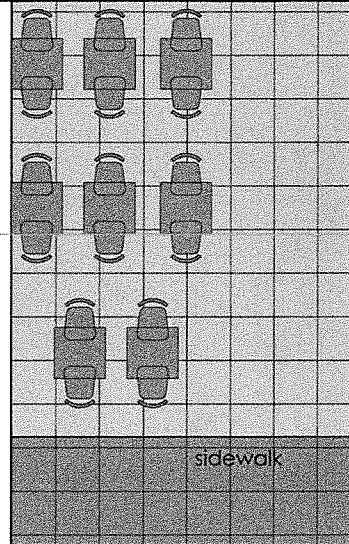
Alcohol licensable area

Ground Floor Plan

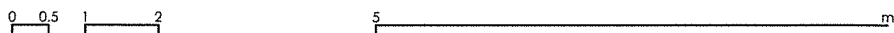
 ALCOHOL LICENSABLE AREA

FIRE SYMBOLS:

-  1 hour fire compartment (E20/60FR)
-  all fire doors to be 30/30 with self closers and intumescent strips
-  emergency light with exit sign
-  emergency lighting
-  mechanical extract
- FF fridge freezer
- FG fridge
- FZ freezer
- OV ovens
-  fire blanket
-  9 litre water fire extinguisher
-  5kg CO2 extinguisher
-  fire door keep locked (5mm letters)
-  smoke detector (TO BS5839)
-  heat detector (TO BS5839)
-  ((A)) sound alarm (fire alarm)



Pound Lane



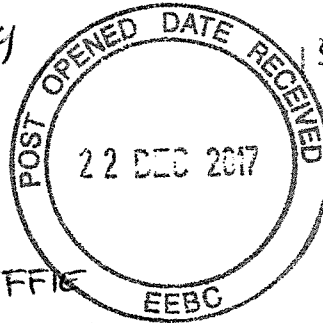
Mr./Ms.
Gisely Coffee
19 Pound Lane Epsom KT19 8RY

Bar/Coffee
Alcohol Licence
Ground floor plan

Jose Manuel Rocha
Unit 35 Battersea Business Centre 99-109 Lavender Hill London SW11 5QL
t. +44 (0) 7868 697 778 - email. manuelrocha@alcoholmail.com

2017.10.22
1:100

GRANTS LICENSING
ERSON v EWELL
TOWN HALL



15A POUND LANE
ERSON
SURREY
KT19 8RY

RE: GISELE COFFIE
17-19 POUND LANE
ERSON
KT19 8RY

I WISH TO OBJECT TO THE APPLICATION
TO INCREASE THE SALE OF ALCOHOL
TO 10.30PM.

I LIVE ADJASANT TO THESE PREMISES
I CAN HEAR MUSIC AND TALKING
FROM MY FLAT, IF YOU INCREASE
THIS ALCOHOL LICENCE IT
WILL ONLY INCREASE THE
ANTI SOCIAL BEHAVIOUR, WHICH
IS ALREADY BAD, ALSO THERE
IS A PROBLEM WITH NOISE
OUTSIDE WITH SMUTTERS FUELED
BY ALCOHOL. THE POLICE HAVE
BEEN IN ATTENDANCE MORE THAN
ONCE, I WOULD BE HAPPY TO
DISCUSS THIS WITH YOU. P.T.O.

THERE IS ALREADY PROBLEMS IN
ROUND LANE, WITH ANTI SOCIAL
BEHAVIOUR WITHOUT THIS.

I THINK YOU ARE GENEROUS
WITH THE TIME THEY HAVE
NOW, IT MUST BE IMPOSSIBLE
TO LIVE ABOVE THIS.

PLEASE CONSIDER THIS CAREFULLY.

YOURS SINCERELY.

I WOULD BE HAPPY TO DISCUSS
THEY OBJECTION.

17A Pound Lane
Epsom
Surrey
KT19 8RY

Grants and Licensing Team
Epsom and Ewell Borough Council
Town Hall
The Parade
Epsom
Surrey
KT18 5BY

20th December 2017

Dear Sir/Madam;

Re: Gisely Coffee Ltd, 17-19 Pound Lane, Epsom, Surrey, KT19 8RY

With regard to the application to increase the sale of alcohol hours to 10.30pm and to update the plan of facilities, we wish to register our objections. The grounds of our objections are as follows.

We feel that granting the extended opening of the premises will lead to excessive drinking, drunken and anti-social behaviour and that it would have an adverse effect on the licensing objectives and possibly have violent consequences. The police have already been called to noisy violent behaviour fuelled by alcohol at the premises and this will only get worse if the hours are extended. We have witnessed noisy and rowdy behaviour on various occasions (which we have recently started recording and therefore have evidence if required).

We hear music in our flat from the premises as they have speakers located in their ceiling tiles, and if the premises were to be open later this would cause great nuisance to us and other residents living above. There is also a constant issue with customers parking on the double yellow lines over the drop curb outside the premises which also causes a nuisance.

The hours the premises already operate under the licence are in our opinion generous considering the neighbours living above and nearby. Any extension to the licensable hours would be detrimental to local residents and crime within the local area.

We would be happy to meet with you and discuss our objections.

Yours sincerely

19A, POUND HANE,
EPSOM, SURREY.
KT19 8RY.



18th December 2017.

GRANTS + LICENSING TEAM,
EPSOM + EUREKA BOROUGH COUNCIL,
TOWN HALL, THE PARADE,
EPSOM, SURREY.
KT 18 5BY.

Dear Sir / Madam,

I am writing to you regarding
an application for extended licensing
hours at: GISELY COFFEE LTD., 17-19,
POUND HANE, EPSOM, SURREY, KT19 8RY

David and I are tenants living
above Gisely Coffee LTD. and have
lived here peacefully for 12 years.
The area in that time has been
relatively quiet with businesses and
residents managing to coexist with
few if any noteworthy exceptions.

Which brings us to the present day
Over the past year or so Gisely
Coffee LTD. has requested to have a
license to sell alcohol during the
hours of 10.30hrs through to 2000hrs
which they successfully acquired.
Since then the disturbances that
have been created by this have

increased to a point that an extension to these already intrusive licensing hours would be close to unbearable. Music often plays at an unreasonable level so much so that in our flat above we can hear every note, beat and lyric so clearly every volume (including talking) has to go up to be heard.

David is disabled and is on medication that means sleep isn't always possible at the more conventional times so often has to sleep during business hours (which up until recently wasn't a problem due to considerate neighbours - business and private residential).

We have asked for some noise insulation to be placed in their ceiling seemingly to no avail. On top of the music noise, loud conversations can often be heard from the toilets of the premises.

Other problems include parking in the area, already stretched, (taken up by Gisely's patrons / customers), noise out the front of the premises, customers standing around on the council owned pavements and not moving for anyone, and loud arguments and disagreements, at least once resulting in the police being called twice Page 2 of 2 one night to break

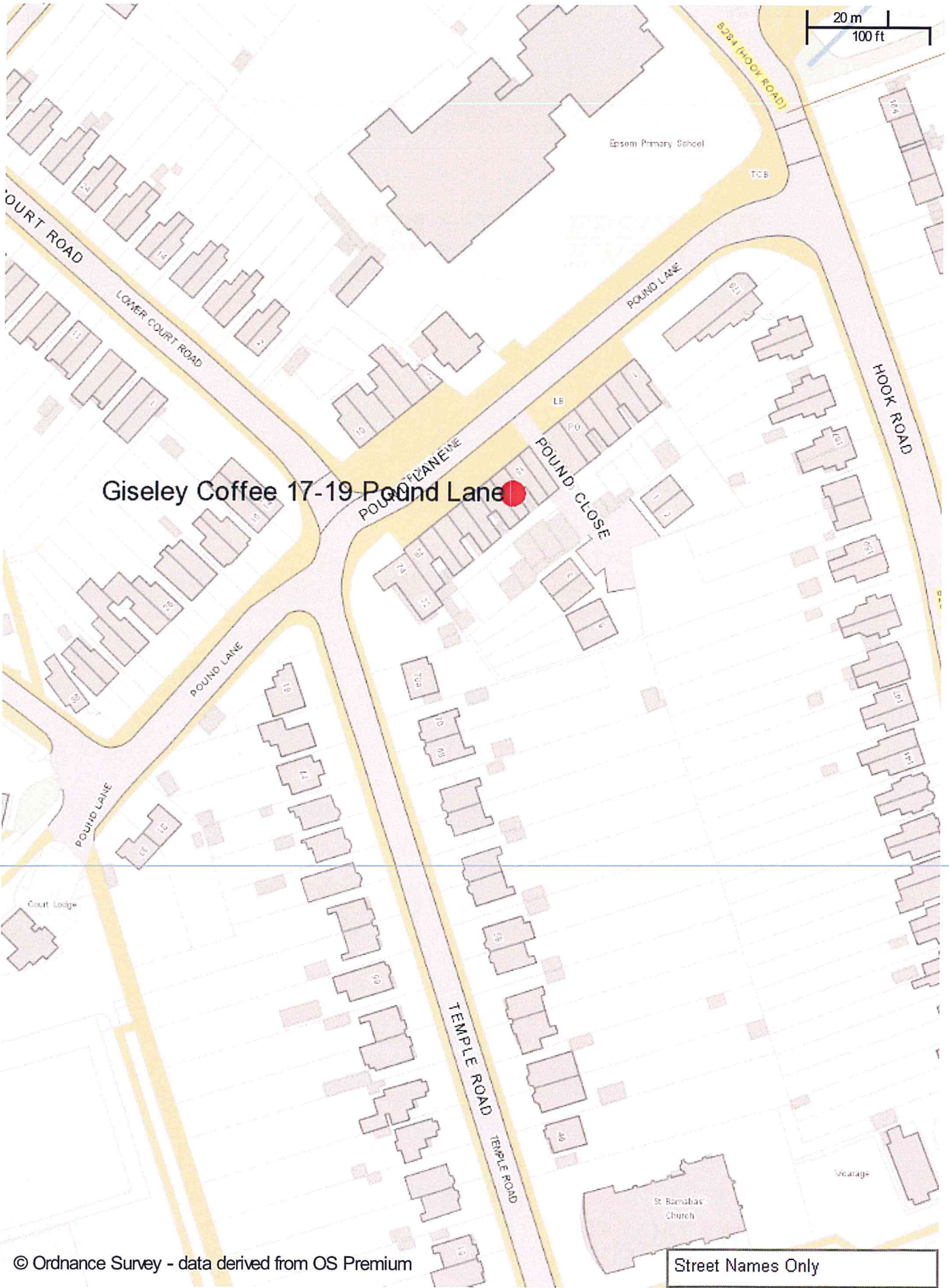
up fights.

We appreciate you taking the time to read these reasonable objections to extended hours (licensed or not) and ask you to consider how you would feel and react having lived somewhere for 12 years alongside many responsible and considerate businesses to then be subjected to totally different business hours which include a business notoriously loud and occasionally troublesome.

I keep referring to the premises beneath us as Giseley 'Coffee' L.T.O., but Public House may be more appropriate. We didn't ~~choose~~ ^{choose} to rent a flat above a pub 12 years ago.

Many thanks in advance for your consideration on this matter.

Yours faithfully,



© Ordnance Survey - data derived from OS Premium

EEBC Map
Scale: 1:1250



This page is intentionally left blank

SCHEDULE 12 PART A (Regulation 33,34)

Premises licence number Part 1

Premises details No EEBC/15/00206/LAPRE

Postal address of premise, or if none, ordnance survey map reference or description	
GISELY COFFEE 19 POUND LANE	
Post town EPSOM, SURREY	Post code KT19 8RY
Telephone number N/A	

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 SUNDAY 10.00 HOURS UNTIL 20.00 HOURS
The opening hours of the premises
MONDAY TO SUNDAY 07.00 HOURS UNTIL 20.30 HOURS
Where the licence authorises supplies of alcohol whether these are on and/or off supplies
FOR CONSUMPTION ON AND OFF THE PREMISES

Part 2

Name, (registered) address, telephone number an e mail (where relevant) of holder of premises licence
GISELY COFFEE LTD 19 POUND LANE EPSOM SURREY KT19 8RY
Registered number of holder, for example company number, charity number (where applicable)
09753842

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

JOSE DE SOUSA ROCHA
38 SHERBOURNE CRESCENT
CARSHALTON
SURREY
SM5 1JX

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

LONDON BOROUGH OF SUTTON 5870/15/01109/LAPERS

Dated this 10th day of October 2016

For the Licensing Authority

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.

Mandatory Condition: exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection 3(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where:
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Children means persons aged under 18; and Film classification body means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification)

Mandatory Condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
2. But nothing requires a condition to be imposed in respect of:
 - (a) paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) any occasion mentioned in paragraph 8(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence),
any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

Security activity means an activity to which paragraph 2(1)(a) of that Schedule applies, and Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Conditions 1, 2 and 3 below came into force on 6th April 2010, and 4 and 5 came into force on 1st October 2010 (as amended 1 October 2014).

1. (1) The responsible person must 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—

(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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner which carries a significant risk of undermining a licensing objective;

(d) 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;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than 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—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

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

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.

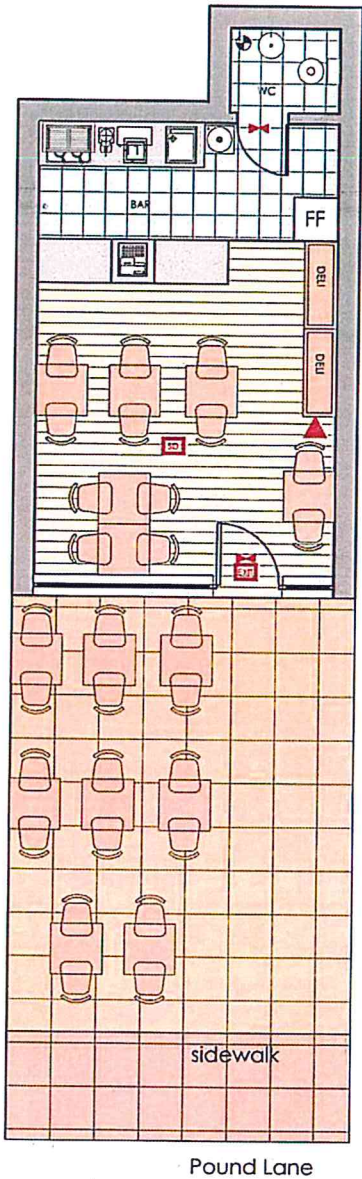
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies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

Annex 2 – Conditions consistent with the operating schedule

1. CCTV with data for 31 days will be installed. The business will always have a staff member that is familiar with the CCTV operation.
2. Staff will be trained to not serve drunk and violent customers.
3. The business will not engage or irresponsible alcohol promotions.
4. No beer will be sold with ABV above 5.5%.
5. Alcohol will be stored in a cool dry place, away from children.
6. The business will implement any recommendations given by the Police and other Authorities.
7. Deliveries by our Suppliers and rubbish bin collections will take place within the recommended times by the Authorities.
8. Signage will be in place.
9. The Manager will clear any litter and rubbish outside of the premises on a regular daily basis.
10. Staff will be trained on a regular basis including the protection of children from harm.
11. There will be a Challenge 25 Policy in place.
12. No proof of age posters will be displayed.
13. Staff training records will be kept.
14. A refusals book will be kept.
15. Spirits will be stored behind the counter.

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

NONE



Ground Floor Plan

Current

- mechanical extract
- FF fridge freezer
- FG fridge
- FZ freezer
- OV ovens

FIRE SYMBOLS:

- 1 hour fire compartment (E20/60FR)
- all fire doors to be 30/30 with self closers and intumescent strips
- fire blanket
- 9 litre water extinguisher
- 5kg CO2 extinguisher
- fire door keep locked (5mm letters)
- emergency light with exit sign
- smoke detector (TO BS5839)
- heat detector (TO BS5839)
- emergency lighting
- ((A)) sound alarm (fire alarm)



Mr./Ms.
 Gisely Coffee
 19 Pound Lane Epsom KT19 8RY
 Bar/Coffee
 Planning Application
Ground floor plan

2015.11.09
 1:100

001
sheet n°

This page is intentionally left blank

Dear Mr Nicholas

I can confirm the Applicant Agree with all five Conditions proposed by the HEO Miss Charlotte. Can you email this email to her attention

Kind Regards
Manuel Rocha

From: Nicholas Tapping <NTapping@epsom-ewell.gov.uk>

Sent: 28 December 2017 11:49

To: 'Jose Manuel Rocha'

Subject: RE:

Dear Mr Rocha

I have emailed these draft conditions to Manuel but am yet to have a response.

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 drinks to 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 outside area will be limited to 5 at any one time from 20.00 hours.

Regards
Charlotte Scott
Environmental Health Officer
Epsom and Ewell Council
01372732407

This page is intentionally left blank