

**GRANT OF PREMISES LICENCE, EPSOM PICTURE HOUSE, 5
DERBY SQUARE, KT19 8AG**

Head of Service/Contact:	Rod Brown, Head of Housing & Community
Annexes/Appendices (attached):	Annex 1 – Application form and plan Annex 2 – Representation received from a former Town Ward Councillor Annex 3 – Representation received from a former Town Ward Councillor Annex 4 – Proposed conditions from the Applicant Annex 5 – Agreed conditions from Environmental Health and Surrey Police
Other available papers (not attached):	Statement of Licensing Policy Code of Conduct and practice in Licensing procedures and Hearings Guidance issued under Section 182 of the Licensing Act

Report summary

The Panel is requested to determine an application for the grant of a Premises Licence application 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 An application has been submitted for the grant of a Premises Licence for the premises known as Epsom Picturehouse, 5 Derby Square, Epsom, Surrey. KT19 8AG.

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- 1.2 A meeting between Surrey Police, Environmental Health, the Applicant and Licensing took place on 23 April 2019 and conditions were agreed. Annexe 4 and 5.
- 1.3 The Applicant offered to the Interested Parties a reduction in the sale of alcohol to 08.00 hours until 23.00 hours Sunday to Thursday, and 08.00 hours until midnight Friday and Saturday. This was not acceptable to the Interested Parties, so the original hours as per the application submitted stand.

2 Introduction

- 2.1 The application is to allow the supply of alcohol; provision of plays; provision of films; provision of live and recorded music; provision of performances of dance; provision of anything of a similar description to live music, recorded music or performances of dance and late night refreshment. See Annexe 1.

3 Representations from Interested Parties

- 3.1 Representations have been received from former Town Ward Councillors Mr Axelrod and Ms Wormington on the grounds of Crime and Disorder, Public Nuisance and Public Safety.

4 Representations from Responsible Authorities

- 4.1 Surrey Police and Environmental Health have no representations as conditions have been agreed by all parties.
- 4.2 No other representations were received by any other Responsible Authority.

5 Policy Considerations

- 5.1 The premises is located within the “red zone” defined within the Council’s Statement of Licensing Policy.

6 Equalities and Other Legal Implications

- 6.1 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.
- 6.2 Due regard must also be had to the public sector equality duty enshrined in Section 149 of the Equality Act 2010.

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7 Conclusions

7.1 The Panel is requested to determine whether or not the application should be granted. In doing so, the Panel can:

- Grant the application as requested.
- Modify the conditions by altering or omitting or adding to them as necessary for the promotion of the Licensing Objectives.
- Reject the whole or part of the application, and
- take into account the Councils statement of licensing policy

Ward(s) affected: Town Ward;