

Paul Holliday

From: James Karen: [REDACTED]
Sent: 13 February 2023 16:02
To: Paul Holliday
Subject: RE: Update - Bay Leaves licence review: Action needed

Ok, thank you.

I wont be able to attend.

From: Paul Holliday <PHolliday@epsom-ewell.gov.uk>
Sent: 13 February 2023 15:58
To: James Karen: [REDACTED]
Subject: RE: Update - Bay Leaves licence review: Action needed

Dear Karen James,

The Licensing Sub-Committee will only be able to consider issues that relate to the impact of the licence on one of the licensing objectives (public safety, prevention of crime and disorder, protection of children from harm , and prevention of public nuisance). The problems you describe relating to parking and deliveries to the premises do not relate to the impact of the licence on the licensing objectives, and could not be considered by the sub-committee. The problems with noise could relate to the impact of the licence on the prevention of public nuisance, and the sub-committee would need to weigh up the evidence before them.

As you have not said you think a hearing is unnecessary, we shall proceed to a hearing. All the other interested parties have now agreed that a hearing is not necessary, so the hearing will be to consider your representation alone. I will advise the new licence holder accordingly, and their agent may contact you to see if they can give any assurance, or agree any additional measures, so that they may be resolved before the committee date. This potentially could involve them agreeing to new conditions on the licence, although they of course will want to weigh up the potential cost to the business.

Please can you advise whether you will be attending the hearing 2pm 24th February 2023?

Regards

Paul Holliday
Principal Licensing Officer
Epsom & Ewell Borough Council
Tel: 01372 732449
Email: pholliday@epsom-ewell.gov.uk

From: James Karen: [REDACTED]
Sent: 13 February 2023 15:12
To: Paul Holliday <PHolliday@epsom-ewell.gov.uk>
Subject: RE: Update - Bay Leaves licence review: Action needed

Dear Paul,

Thank you for the email and information.

I am led to believe that this pattern of change of ownership happened last time a case was raised (neighbour told us)

I would want assurances that noise, disruption and the inconsiderate parking of the employees of the restaurant, including the numerous delivery drivers are to be polite and considerate to all who live nearby. I will raise these via the Freeholder.

I am quite sure immigration will be back to check at some point.

The hours of trading need to be restricted due to the disturbance to all who live nearby. Would this form part of any hearing or do we raise these complaints via new owner.

Kind regards
Karen

From: Paul Holliday <PHolliday@epsom-ewell.gov.uk>
Sent: 13 February 2023 14:42
To: James Karen: [REDACTED]
Subject: RE: Update - Bay Leaves licence review: Action needed

Dear Karen James,

Can you please reply to this e-mail advising whether you agree with the police and the home office immigration officers that a hearing is no longer necessary, given the change of ownership as detailed below?

We are currently having to arrange a hearing when it appears the grounds have been removed along with the old owner, and the new owner will be unable to talk about problems at the premises before they became involved in the business.

If we do not hear from you we will have to assume you want the hearing to go ahead, and I will have to ask the new licence holder's agent to contact you to see what assurances they can give you that problems you have described will not occur.

Regards

From: Paul Holliday
Sent: 09 February 2023 13:14
To: James Karen: [REDACTED]
Subject: Update - Bay Leaves licence review: Action needed
Importance: High

Dear Karen James,

The Bay Leaves business has been sold to new owners. Evidence of this sale has been provided to the Home Office Immigration Enforcement, and they are satisfied the change of ownership is genuine, and that the previous licence holder will no longer be involved in the business and will not be found in the business premises at 364 Kingston Road, Ewell. As a result **the Home Office have withdrawn their application for review.**

However, before the hearing can be cancelled we require confirmation from all parties who made representatio Remove Watermark Now
that they agree that the hearing is no longer necessary.

As your representation appears to relate to the previous running of the premises, and the new licence holder would be unable to answer questions about how the business had operated under the previous management, we would suggest that the hearing is now no longer necessary. Should problem arise under the new management then a new application for review could be made.

Please can you reply to this e-mail confirming whether you agree that a hearing is no longer necessary? If you could please reply ASAP (preferably today) we may be able to avoid the need to publish the hearing papers unnecessarily.

Should you wish to discuss this development with me directly my phone number is 01372-732449.

Regards

Paul Holliday
Principal Licensing Officer
Epsom & Ewell Borough Council
Tel: 01372 732449
Email: pholliday@epsom-ewell.gov.uk

