

Review of Premises Licence Fever and Boutique

5 – 9 Spread Eagle Walk High Street Epsom KT19 8DN (the premises)

I am an Epsom and Ewell Borough Councillor representing Town Ward and would wish to make representations in the review of the Premises Licence relating to the premises, on the grounds of Prevention of Crime and Disorder, Promotion of Public Safety and Prevention of Public Nuisance.

Since Fever and Boutique commenced trading, myself and my fellow Town Ward Councillors have been concerned as to the increased level of crime on the streets and noise nuisance outside and in the immediate vicinity of the premises, particularly at times of dispersal. This is in large part due to those dispersing being the worse for wear through consumption of alcohol, combined with the substantial increase in the number of people that are attending the premises and dispersing, when compared to those that previously used the premises when it traded as Elements.

I personally reside overlooking Waterloo Road and have seen first-hand many incidents of crime and disorder and being woken by noise and disturbance between the hours of 3am and 4.30am on Saturday and Sunday mornings is a regular occurrence. I in common with my fellow Town Ward Councillors have received complaints on similar grounds from residents in the vicinity.

As an example of both crime and disorder and the public nuisance which occurs I produce 4 video clips all taken on the morning of Sunday the 29th January 2017. The first clip ending at 03.30, shows the outside of the premises. This is at a time when the premises is closed, dispersals having started in earnest from 03.00. It gives an example of how people congregate for prolonged periods in the vicinity of the premises. The second clip ends at 03.37. At a point approximately 1 minute 50 seconds in, an incident occurs which I can only describe as violent disorder and the police thereafter attend. 2 further clips follow ending at 03.38 and 03.41, which demonstrate the public nuisance and disturbance after the event. This incident is not at all unusual and the noise and disturbance is a regular feature.

I also believe that there have been many incidents of violent crime within the premises and in its immediate vicinity, which no doubt the police will evidence within this review. I believe that a common theme running through the incidence of violence is that very often they occur towards the closing time of the premises, or at times when people are waiting to enter. I believe the overall limit allowed in the premises is 500 and that this figure is reached on many occasions. I would say that this is a figure conservatively at least twice the number of people that used to frequent the premises when it was trading as Elements.

I have been informed that door staff at the premises have been increased and that a manager has been replaced. Nevertheless this has not substantially reduced the incidents. It should also be borne in mind that the premises has not traded during the warmer weather months, when residents will of necessity have their windows open and customers may be inclined to linger even longer in the Town Centre, rather than disperse, increasing the likelihood of additional noise and incidents in the streets

Epsom town centre has become residential in nature, indeed the premises is located in very close proximity to the blocks of flats Chelsea Court, The Old Court House and with The Oaks Square and the east flank of Hudson House both adjoining Waterloo Road nearby. The combined occupancy of these blocks alone number some 200 residential flats.

While Epsom town has excellent public transport facilities, these end very soon after midnight and at past 3am in the morning there are no public transport facilities at all. Those dispersing from the premises therefore have to either walk home, or more usually take a private hire vehicle or taxi. As is common today more often than not private hire vehicles are used. People disperse from the premises all at the same time in and in an unmanaged fashion. Condition 9 of Annex 3 of the Licence is simply not being adhered to. This creates substantial dangers with people in the High Street, Ashley Road and Waterloo Road, creating both public safety issues and flashpoints. Over recent months disputes between taxi drivers and private vehicle hire drivers have added to the problems in Waterloo Road.

I and my fellow Town Ward Councillor Tella Wormington have attended 2 meetings at the premises which the licence holder has organised and with local residents being invited. We have not been provided with the list of those invited, but at the first meeting some 5 residents attended and at the second meeting only ourselves were present, although there was a mix up re the start time for the meeting. It is however the case that the licence holder has shown a willingness to engage with local residents and ourselves, although they have very much downplayed the level of crime and disorder that has taken place.

At both these meetings we expressed concerns as to the level of crime, public safety issues and the manner in which dispersals take place and are managed. We all agreed that the better way to disperse customers would be for them to be picked up on the south side of the High Street, as near to the premises as possible. In this way customers would not have to cross any roads and the area could be far better managed and policed in safety and with less flash points and public nuisance being caused in the vicinity of the premises. We as Councillors have fed this back to the Council's licensing team. It is of course not possible to prohibit customers arranging their own points of pick up, however we would have thought that if the High Street became the norm for pickups, most customers would follow. Also the Club itself should make this known to their customers.

With regard to improvements that could be made, I would ask that careful consideration be given to the number of customers using the premises at any one time. I am concerned whether 500 is too many under the circumstances. I would also suggest consideration be given to staggering the number of people dispersing from the club post say 2pm either by limitation of numbers, perhaps staggered each 15 minutes or requiring that customers remain on the premises until their taxi or cab arrives. Indeed this was required under condition 9 of Annex 3 of the Licence.

I am also concerned that "off sales" are permitted under the licence. I find it unacceptable that a night club in these circumstances should have the ability to sell alcohol for consumption off the premises.

I am also aware that complaints have been made by a resident living at the rear of the premises, re the use of the smoking area. At the last last meeting I suggested that consideration should be given to closing this area, at an earlier time. Alternatively a limitation on the number of customers using this area could be imposed, or indeed the club could be non-smoking.

There has to be a fair and reasonable balance between the commercial interests of those running the premises as a business and the interests of the many residents whose home is in close proximity to it. Residents are entitled to a reasonable quality of life and they together with the public on the streets going about their lawful business, should not have to endure the effect of crime and public nuisance on a regular basis at completely unsocial hours. At present I take the view that the position is completely out of balance.

TONY AXELROD

Flat 111 Hudson House, Station Approach, Epsom Surrey KT19 8DL