

From: Tony Axelrod

Sent: 09 May 2017 11:33

To: 'Dean Kirby'

Cc: Nicholas Tapping; Oliver Nelson; Tella Wormington; Neil Dallen

Subject: 39 The Oaks Square

Dear Dean and Jill

Firstly to say thank you on behalf of Tella and myself for your time yesterday and for explaining your vision for the premises at 39 The Oaks Square, which we understand will incorporate a café / sports bar during the day, reverting to a bar in the evening / night time with little food during these later hours. You mentioned that you proposed to have a disco on possibly Friday and Saturday evenings. You are aiming for older age profile customers. The maximum number of people that you stated would be at the premises at any one time is 80.

We explained our concerns re licensing which relate primarily to the objective of prevention of public nuisance, particularly given that the premises is located in a residential square (The Oaks Square) and with the west flank comprising the residential flats of Hudson House. The residents of these flats include families with young children and it is known that the square acts as a cauldron, magnifying noise during night time. We spoke at length re the soundproofing of the unit, so as to prevent any operational noise becoming a nuisance to adjoining flat owners. You assured us that you were working with Epsom and Ewell Borough Council's Environmental Health Department (EEEH) in this regard and so we did not discuss any conditions in this respect. We assume that the EEEH will suggest their own conditions and requirements in this regard. We were pleased to hear that sound testing had been carried out and that EEEH had been consulted as to measures to prevent noise nuisance to include sound insulation, new sound proofed glazing and the creation of a lobby area.

The conditions that we proposed were as follows.

1. Any outside seating area to be closed and removed by 10pm.
2. No glass bottles or glass-wear of any kind to be served / allowed in any outside seating area beyond 9pm, any such as may be remaining to be cleared by 9pm and replaced by polycarbonate vessels/glasses.
3. No consumption of any drinks to take place outside the premises, save for in any outside seating area.
3. No customers to be allowed to take out any drinks from the premises, when using the smoking area.
4. The smoking area to be confined to no more than 5 customers (smokers only) at any one time.
5. Customers may not be admitted / readmitted during the last hour before closing, other than re-admittance from the smoking area.
6. From Sunday the Thursday the closing time for the premises will be 11pm, with the last time for the sale of alcohol being 10.30pm
7. From Friday to Saturday the closing time for premises will be 12 midnight with the last time for the sale of alcohol being 11.30pm

8. An entrance lobby to be fitted with air lock doors and all doors to the premises to be kept closed during operational hours, save for allowing customers to enter and depart from the premises.
9. No non-standard timings for any licensable activities save for Christmas Eve, when the closing time for premises will be 1am with the last time for the sale of alcohol being 12.30am and the day after New Year's Eve, when the closing time for premises will be 1.30am with the last time for the sale of alcohol being 1am.
10. A challenge 25 condition to be imposed. (We did not discuss this, although it should be easy to implement given your business model).

As we discussed any other non-standard timings can be dealt with via the use of TENS.

We understand that the police have requested conditions relating to the provision of SIA door staff and CCTV, amongst other issues.

As we discussed the premises have not been used as a bar for many years, however when it was El Papi the premises was the cause of many complaints re public noise nuisance. It is hoped that the measures that you explained to us together with the suggested conditions will assist to prevent public noise nuisance and crime and disorder, however much will turn on the operation of the premises and we were assured that you would be operating the premises to ensure that the licensing objectives were fully adhered to.

We also discussed your right to apply for a change in the licensing terms and you were also aware of the right to review the licence, based on the licensing objectives.

I am copying this message to Mr Tapping at the Licensing Department Epsom and Ewell Borough Council who will no doubt be in touch with you re the above. Should there be any issue arising we are of course quite happy to discuss, however if we are unable to resolve any issues by the closing date for representations, I have asked that this message be treated as my representation both as a local Councillor and nearby resident re your application.

Many thanks once again and kindest regards.

TONY AXELROD

Epsom and Ewell Borough Councillor

Residents Association - Town Ward

Vice Chair Community and Wellbeing

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