



RUSHMOOR BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

*at the Council Offices, Farnborough on
Thursday, 16th December, 2021 at 10.00 am*

To:

Cllr P.J. Cullum

Cllr Christine Guinness

Cllr Jacqui Vosper

Enquiries regarding this agenda should be referred to the Committee Administrator:
Chris Todd, Democracy and Community, Tel. (01252) 398825 or Email
chris.todd@rushmoor.gov.uk

AGENDA

1. **DETERMINATION OF AN APPLICATION TO SPECIFY A DESIGNATED PREMISES SUPERVISOR IN RESPECT OF THE FUNKY END. STATION ROAD, ALDERSHOT –**

To consider the Head of Operational Services' Report No. OS2114 (copy attached) setting out details of an application to specify a Designated Premises Supervisor in respect of a premises.

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LICENSING SUB-COMMITTEE
(ALCOHOL & ENTERTAINMENTS)
16 DECEMBER 2021

OPERATIONAL SERVICES

LICENSING REPORT NO. OS2114

**DETERMINATION OF AN APPLICATION TO SPECIFY A DESIGNATED
PREMISES SUPERVISOR
THE FUNKY END, STATION ROAD, ALDERSHOT, HAMPSHIRE, GU11 1HT**

1.0 INTRODUCTION

- 1.1. This report concerns an application to vary a premises licence made under section 37 of the Licensing Act 2003 (the 'Act'). An objection has been received in respect of the application and invokes a statutory requirement to hold a hearing with members.
- 1.2. The report provides details of, and background to the application, and should be read in conjunction with the Council's licensing policy and Secretary of State's guidance. This, together with information obtained at the hearing should be used to determine the application.

2.0 BACKGROUND

- 2.1. An application to vary an existing premises licence to specify Mr Bimal Gurung as the Designated Premises Supervisor (DPS) was submitted on 11th November 2021 by Punch Partnerships (PTL) Ltd, in respect of the premises known as The Funky End, situated in Station Road, Aldershot.
- 2.2. A map of the area showing the general location of the premises is given at **appendix A**.

2.3. Existing premises licence

- 2.4. The application requests the variation of the existing premises licence 19/00094/LAPREM, granted on 15th February 2009. The original premises licence was granted on the 16th August 2005.
- 2.5. A copy of the premises licence is given as **appendix B**.

2.5. Nature of the application

- 2.6. The application seeks to specify Mr Bimal Gurung as the Designated Premises Supervisor. The application makes this change with immediate effect and therefore authorises Mr Gurung to act in the capacity of the premises supervisor until such time as the application is determined.
- 2.7. A copy of the application form and associated consent form from Mr Gurung is given at **appendix C**.

2.6. Advertising of the application

- 2.7. I can confirm that Hampshire Constabulary (as specified in the Act) has received a copy of the application. Where the Police are satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective, they must give the Licensing Authority a notice stating the reasons why within a defined period. The last date for an objection to be submitted was the 25th November 2021.

3.0 OBJECTION NOTICE

- 3.5. On 15th November 2021, an objection notice was received in respect of this application from Hampshire Constabulary. A copy of the notice is given at **appendix D**.

4.0 DATA PROTECTION ISSUES

- 4.5. As a public document, any personal details, including addresses, contact details and/or signatures submitted on any application, objection or other document contained in this report have been redacted in accordance with data protection requirements.

5.0 DETERMINATION

- 5.5. Further to the receipt of the objection notice and, in accordance with the Act and the Council's scheme of delegation, the Sub-Committee is asked to determine the application.

6.0 RELEVANT CONSIDERATIONS

6.5. Licensing Objectives

- 6.6. In determination of the application, the licensing authority must have regard to the promotion of the licensing objective the prevention of crime and disorder.

6.7. Licensing policy & S182 Guidance

- 6.8. The licensing authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State under section 182 of the Act. Details of the parts of the policy and guidance that may be relevant to this application are given in **appendix E** to this report.

7.0 OPTIONS

- 7.5. In determining this application, the Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives; namely -

(a) to vary the licence as applied for; or

- (b) to reject the application if it considers it appropriate for the promotion of the crime prevention objective.

8.0 RECOMMENDATION(S)

8.5. The Sub-Committee is asked to determine the application having regard to -

- (a) the contents of this report;
- (b) any additional information obtained from the hearing;
- (c) the Council's licensing policy;
- (d) guidance issued by the Secretary of State; and
- (e) the promotion of the licensing objective the prevention of crime and disorder.

Shelley Bowman
Licensing Manager
Operational Services
licensing@rushmoor.gov.uk

BACKGROUND PAPERS:

Premises Licence 19/00094/LAPREM

PUBLIC DOCUMENTS:

- 1) HMSO (2003), The Licensing Act 2003
- 2) Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

CONTACT:

Shelley Bowman, Licensing Manager
Tel: (01252) 398162, Email: shelley.bowman@rushmoor.gov.uk

APPENDICES:

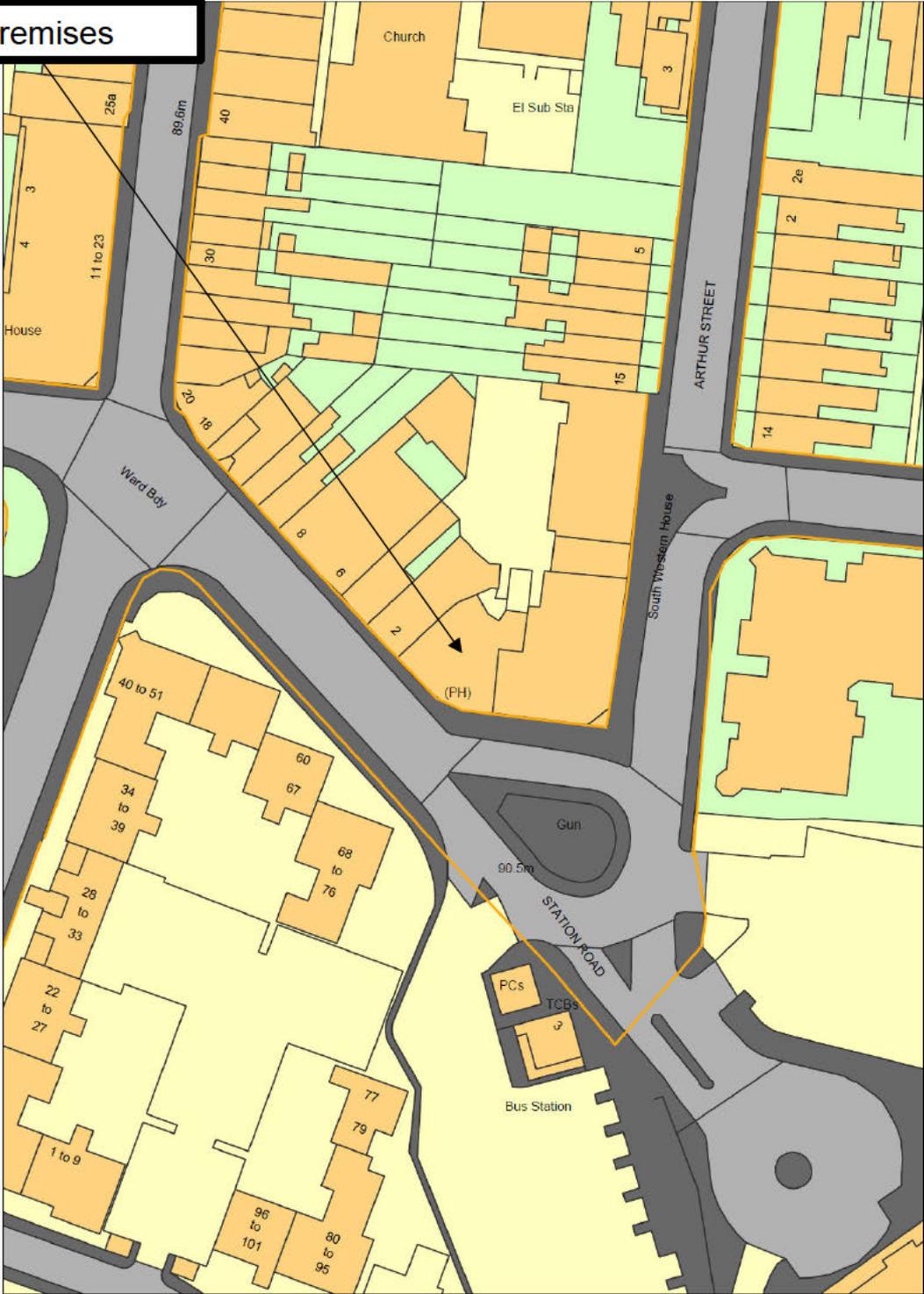
Appendix	Description	Page Ref.
A	- Map of the area	Page 5
B	- Copy of Premises Licence	Page 7
C	- Application Form	Page 21
D	- Objection Notice – Hampshire Constabulary	Page 27
E	- Relevant Considerations	Page 31

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MAP OF THE AREA

THE FUNKY END, STATION ROAD, ALDERSHOT, HAMPSHIRE, GU11 1HT

The Premises



PREMISES LICENCE

THE FUNKY END, STATION ROAD, ALDERSHOT, HAMPSHIRE, GU11
1HT

Premises Licence Number
19/00094/LAPREM- 1/12



RUSHMOOR
BOROUGH COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Address:	Funky End Station Road Aldershot Hampshire GU11 1HT
	Map Ref (E): 486576 Map Ref (N): 150512 UPRN: 200003212419
Telephone	01252 695911
Where the licence is time limited the dates	
>	This licence is NOT time limited
Licensable activities authorised by the licence	
(1)	The retail sale / supply of alcohol;
(2)	The provision of regulated entertainment by way of indoor sporting events (celebrity pool and/or darts exhibitions only);
(3)	The provision of regulated entertainment by way of live music (including Karaoke), (indoors only);
(4)	The provision of regulated entertainment by way of recorded music (indoors only); and
(5)	The provision of regulated entertainment by way of anything of a similar description to live or recorded music (indoors only).
Times the licence authorises the carrying out of licensable activities	
	For all permitted licensable activities:-
>	Sundays - 12:00noon to 23:00pm;
>	Monday to Wednesday - 11:00am to 24:00midnight;
>	Thursday to Saturday - 11:00am to 02:00am the following day;
>	On public and bank holidays where they fall on Sundays to Thursdays – one additional hour;
>	On New Year's Eve, except on a Sunday – 11:00am to 23:00pm;
>	On New Years Eve on a Sunday – 12:00noon to 22:30pm; and
>	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.
The opening hours of the premises	
(1)	Sundays - 12:00noon to 23:30pm;
(2)	Monday to Wednesday - 11:00am to 00:30am the following day;
(3)	Thursday to Saturday - 11:00am to 02:30am the following day;

- (4) On public and bank holidays where they fall on Sundays to Thursdays – one additional hour;
- (5) On New Year's Eve, except on a Sunday – 11:00am to 23:00pm;
- (6) On New Years Eve on a Sunday – 12:00noon to 22:30pm; and
- (7) On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

- Alcohol may be sold / supplied for consumption ON and OFF the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Name: Punch Partnerships (PTL) Limited
Address: Elsley Court
20-22 Great Titchfield Street
London Telephone: Not Known
W1W 8BE Email: Not Known

Registered number of holder, e.g. company number, charity number (where applicable)

- 03512363 (Company number)

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

Name: [REDACTED]
Address: [REDACTED] Telephone: Not Known
Email: Not Known

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

Personal licence number: 05/00291/LAPER2
Issuing authority: Rushmoor Borough Council

Granted by Rushmoor Borough Council, as licensing authority
pursuant to the Licensing Act 2003 and regulations made thereunder

Date Licence Granted: 11th October 2005
Date Licence Effective: 24th November 2005
Date last modified: 15th February 2019
(Minor Variation)

SIGNED on behalf of the
Head of Environmental Health & Housing Services
(Authorised Officer)

Annex 1 – Mandatory conditions

- (1) No supply of alcohol may be made under the premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his/her 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.
- (3)
 - (i) 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.
 - (ii) 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.
 - (iii) 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) 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. For the purposes of this condition –
 - (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 amount 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) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (f) Where the permitted price given by Paragraph (b) would (apart from the 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.
 - (g) Paragraph (b)(ii) applies where the permitted price given by Paragraph (b) 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.
 - (h) 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.
- (5) (i) 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.
- (ii) 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).
- (6) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (7) 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.
- (8) Where, at any specified time(s), one or more individuals must be at the premises to carry out a security activity (within the meaning of the Private Security Industry Act 2001), each individual must be licensed by the Security Industry Authority (SIA).

Annex 2 – Conditions consistent with the Operating Schedule

- (1) No person shall be allowed to remove alcohol from the premises in an open or unsealed container save for to an area set aside for its consumption.
- (2) No children shall be allowed on the premises at any time unless accompanied by an adult
- (3) The rear courtyard area of the premises shall be served by suitable and sufficient lighting when used in hours of darkness.
- (4) Suitable and sufficient supplies of first aid equipment / materials must also be made available to members of the public on request. Dependant on the activities, events and risks at the premises, a suitably trained first aider or an appointed person for first aid must also be present on the premises at all times during licensable activities.
- (5) Prominent, clear and legible notices shall be located at all exits of the licensed premises requesting patrons and staff to leave the premises and area quietly.
- (6) By way of preventing public nuisance, the main entrance to the front aspect of the premises shall be served by a suitable lobby that ensures, so far as is reasonably practicable, the main entrance to the premises is closed and kept closed at all times, save for access and egress thereof.

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

- (1)
 - (i) When regulated entertainment is taking place, all external doors and the internal lobby doors shall be kept closed, other than during access and egress from 21:00 hours until the end of specified opening hours on any day.
 - (ii) All external doors and front internal lobby doors shall be fitted with self-closing devices.
 - (iii) All external windows shall be kept closed from 21.00 hrs until the end of specified opening hours on any day.
- (2)
 - (i) All sound amplification systems shall be played through a suitable sound-limiting device.
 - (ii) The sound level from this device shall be set at a level agreed with Environmental Health Services at Rushmoor Borough Council and shall be secured from adjustment thereafter.
 - (iii) Any change to this sound level shall be agreed in advance with Environmental Health Services on giving at least five working days notice.
- (3)
 - (i) Notwithstanding the requirements above, the licence holder or nominated representative(s) shall carry out a regular noise assessment of the area adjacent to the premises whilst licensable activities are taking place.
 - (ii) Noise assessments shall take place on all sides of the premises at the boundary of the nearest residential premises. Steps shall be taken to reduce the level of the noise where it is likely to cause a nuisance to local residents.
 - (iii) These assessments shall be undertaken at hourly intervals starting from 22:30pm when regulated entertainment takes place.
 - (iv) Written records of these assessments and any remedial action taken should be kept and made available to either the local authority or the Licensing Authority when requested.
- (4)
 - (i) A suitable written policy on the dispersal of patrons leaving the premises shall be developed for the premises. This policy shall be actively implemented and enforced at the premises and shall be reviewed, revised and updated as often as may be necessary.

- (ii) All staff and door supervisors will be required to read and sign a copy of the policy as part of their training and to assist in its enforcement as necessary.
 - (iii) This policy will be made available to police and licencing officers on request.
- (5) Suitable written records of any complaints about the premises, its customers, staff and/or the activities carried on there must be kept and made available to officers of Rushmoor Borough Council on request. These records should include, but not be limited to, the nature of any complaint(s), action(s) taken in response, the date(s) and time(s) when any complaint was made, together with the name of the person(s) who handled the complaint.
- (6) With the exception of bona fide employees, staff and residents of the premises, no individuals shall be permitted to enter or re-enter the premises at any time between 00:30 and the end of specified opening hours.
- (7) Should the premises be asked local residents, particularly those inhabiting Ascot Court and Kingsley Court, shall be provided with a direct number to contact the premises should they wish to make complaint.
- (8) On any day where the premises are open after midnight, no drinks shall be served in pint or half pint glass vessels after 21:00pm and all pint and half pint glass vessels shall be cleared by 22:00pm.
- (9) No amplification equipment shall be used on live or recorded music playing in the rear back room of the premises.
- (10) Suitable and sufficient signage shall be displayed in the rear external drinking area asking patrons to be mindful and considerate of neighbours of the premises and to use the premises quietly after 23.00 hrs.
- (11) (i) On Fridays and Saturdays from 22:00hrs there will be a minimum of 1 SIA registered Door Supervisor on duty at the premises.
- (ii) At any time the premises conducts regulated entertainment a minimum of 2 SIA registered door supervisors shall be on duty at the premises from 22:00hrs until close.
- (iii) The duty manager must make a dynamic risk assessment of the premises circumstances at the time based on customers or the type of function at the venue and the number of SIA door

supervisors increased where circumstances dictate or moved to a different area.

- (iv) With a view to preventing crime and disorder, the duties of door supervisors shall include regular checks and monitoring of sanitary conveniences and all external drinking areas.
 - (v) A log book shall be kept on the premises by the DPS, which will contain the following details:
 - (a) the door supervisor's name
 - (b) his/her SIA number
 - (c) time and date he/she starts and finishes duty
 - (d) each entry shall be signed by the door supervisor
 - (vi) The log book shall be immediately available for inspection on demand by an authorised officer of the Council, the SIA or the Police.
 - (vii) All searches conducted on female customers shall only be undertaken by a female SIA registered door supervisor.
 - (viii) The duty manager shall ensure that all security staff will be readily identifiable to members of the public at all times by wearing high visibility clothing (agreed by Police) to enable their identification on CCTV.
 - (ix) At the terminal hour of operation, the licence holder shall ensure that adequate numbers of door supervisors are employed to assist with the management of customers leaving the venue, as well as those remaining in the vicinity of the premises. Two members of door staff are to patrol the vicinity of the venue for fifteen minutes after closing, to assist with safe dispersal from the area.
- (12) (i) To assist the prevention of crime and disorder a suitable and sufficient, well-maintained CCTV camera system, linked to a suitable recording facility, shall be in operation throughout the premises.
- (ii) In compliance with the above, the provision of CCTV shall include cover of the front external aspect and the rear courtyard area of the premises.

- (iii) So far as is reasonably practicable, the CCTV system must be maintained to a standard acceptable to the relevant Police Licensing Department, in good working order at all times and shall be serviced at least every twelve months.
- (13) On any day where the premises are open after midnight, the duty manager shall be available to supervise the whole premises and not be restricted to service behind the bar.
- (14) (i) At any time there is an SIA registered door supervisor on duty, a minimum of 1 body worn video camera will be worn.
- (ii) The camera will have the ability to record and any recordings will be kept for a minimum of 28 days and made available to the Responsible Authorities (as defined by the Licensing Act 2003) upon request (but only as required/permitted by the Data Protection Act and Information Commissioners guidelines).
- (iii) Should such a camera break or otherwise become inoperable, it will be replaced within 48 hours.

Annex 4 – Plans

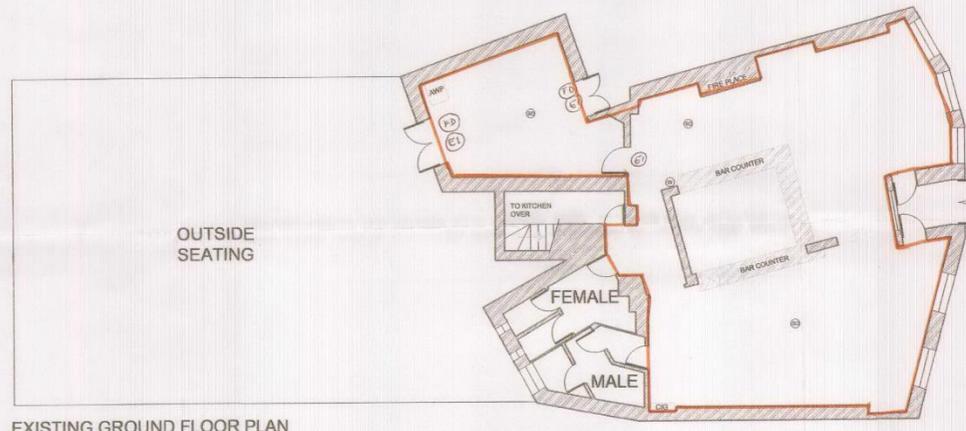
This licence permits the licensable activities stated at the premises addressed above and outlined below in accordance with the plan(s) attached and marked 19/00094/LAPREM - 13.



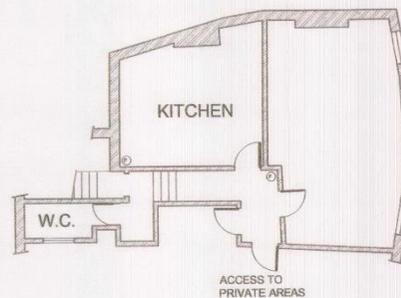
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RUSHMOOR BOROUGH COUNCIL, Environmental Health Services,
Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU. Telephone: (01252) 398 398

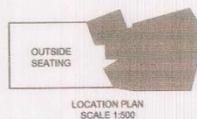
Fax: (01252) 524 017 • Minicom: (01252) 371 233 • Email: licensing@rushmoor.gov.uk • DX 12250 FARNBOROUGH 2



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



LOCATION PLAN
SCALE 1:500

KEY

- (SD) SMOKE DETECTOR
- (W) WATER EXTINGUISHER
- (F) FOAM EXTINGUISHER
- CIG CIGARETTE VENDING MACHINE
- AWP FRUIT MACHINE
- (FD) FIRE DOOR
- (E1) ILLUMINATED EMERGENCY EXIT SIGN
- LICENSABLE ACTIVITIES

REV	DATE	DETAILS	DRAWN



ROMANS Surveyors

4 KING STREET LANE, WINNERSH, BERKSHIRE, RG41 5AB.
TELEPHONE: 0118 936 6599

35 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN.
TELEPHONE: 03300 880110

84 HEATH ROAD, TWICKENHAM, MIDDLESEX, TW1 4BW.
TELEPHONE: 0208 288 0330

E-MAIL: ROMANS@ROMANS.CO.UK
WWW.ROMANS.CO.UK

ON BEHALF OF

PUNCH TAVERNS

PROJECT TITLE
Funky End, Station Road, Aldershot, GU11 1HT

DRAWING TITLE <i>Existing Floor Plans</i>		SCALE 1:100
DRAWN J. Sheridan		DATE 27-11-2004
CHECKED	DWG NO. 510039	REV 001 A

ROMANS SURVEYORS ARE PART OF THE ROMANS GROUP INCORPORATING:			THE ROMANS Group
COMMERCIAL LAND & NEW HOMES LETTINGS	SURVEYS ARCHITECTURAL FLOOR P/A	RELOCATIONS	

OUTLET NO. 510039



APPLICATION FORM

THE FUNKY END, STATION ROAD, ALDERSHOT, HAMPSHIRE, GU11
1HT

Application to vary a premises license to specify an individual as designated premises supervisor under the Licensing Act 2003.

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

We, Punch Partnerships (PTL) Limited
(full name(s) of premises licence holder)

being the premises license holder, apply to vary a premises license to specify the individual named in this application as the premises supervisor under Section 37 of the Licensing Act 2003

Premises licence number

19/00094/LAPREM

Part 1 -Premises details

Postal address of premises or, if none, ordinance survey map reference or description

Funky End
Station Road

Post Town

Postcode

Aldershot

GU11 1HT

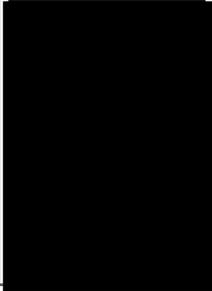
Telephone number (if any)

01252 695911

Description of premises (please read guidance note 1)

As existing

Part 2

Full name of proposed designated premises supervisor Bimal Gurung 

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any) 21/00322/LAPER Rushmoor Borough Council

Full name of existing designated premises supervisor (if any) 

Please tick 'Yes

- I would like this application to have immediate effect under Section 38 of the Licensing Act 2003
- I have enclosed the premises license or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it N/A

Please tick 'Yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor

I have enclosed the premises licence, or the relevant part of it or explanation

I will give a copy of this form to the existing premises supervisor, if any

I understand that if I do not comply with the above requirements my application will be rejected

It is an offence, under Section 158 of the Licensing Act 2003, to knowingly or recklessly 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.

It is an offence under section 24B of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status.

Those who employ an adult without a valid leave to enter or remain in the UK or an adult who is subject to conditions which would prevent that person from taking up employment will be liable to a civil penalty under Section 15 of the Immigration, Asylum and Nationality Act 2006 and, pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified by virtue of their immigration status.

PART 3 - SIGNATURES (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 3) If signing on behalf of the applicant please state in what capacity.

Signature



Date 11/11/2021

Capacity Solicitors for and on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

George Domleo
Flint Bishop LLP
St. Michael's Court
St. Michael's Lane
Derby
DE1 3HQ

Telephone number (if any) 01332 340 211

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

george.domleo@flintbishop.co.uk

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

APPENDIX D
OBJECTION - HAMPSHIRE CONSTABULARY

**THE FUNKY END, STATION ROAD, ALDERSHOT, HAMPSHIRE, GU11
1HT**



RESTRICTED

G89
Page 1 of 3

**Form for representations/objections
from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a -objection- under the Licensing Act 2003, regarding the:

<input type="checkbox"/>	.1: New Premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	.2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	.3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input checked="" type="checkbox"/>	.4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	.5: Transfer of premises licence	Object within 14 days
<input type="checkbox"/>	.6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	.7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	.8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	.9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	.10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	.11: Interim authority notice	Object within 2 working days

Name of Applicant:	PUNCH PARTNERSHIPS
Name of Proposed DPS:	BIMAL GURUNG [REDACTED]

Details of relevant conviction (Personal Licence Applications ONLY)
N/A

Postal address of premises:	FUNKY END STATION ROAD ALDERSHOT
Postcode:	GU11 1HT

Details of responsible authority applicant

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	PC 3715
Surname:	DENNETT		First Names:	PHIL	
Current postal address	BASINGSTOKE POLICE OFFICE				
Postcode:					
Daytime telephone number:	101				
E-mail address: (optional)	philip.dennett@hampshire.police.uk				

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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Form for representations/objections from Hampshire Constabulary

This application to object relates to the following licensing objective(s)

- | | | |
|-----------------------------------------|-------------------------------------|------------------------------------------------|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select
one or more
boxes</i> |
| 2) Public safety | <input checked="" type="checkbox"/> | |
| 3) The prevention of public nuisance | <input type="checkbox"/> | |
| 4) The protection of children from harm | <input type="checkbox"/> | |

Please state the ground(s) for -objection-:

Sir / Ma'am

I respectfully submit this report to formally object to the installation of Bimal GURUNG [REDACTED] as designated premises supervisor of the Funky End in Aldershot. Mr Gurung holds a personal licence – 21/00322/LAPER from Rushmoor Borough Council. The Funky End is referenced by the licence number 19/00094/LAPREM.

The Funky End has recently been closed and is to re- open with the intention of Mr Gurung being the DPS. The premises benefits from late opening on Thursday to Saturday (02:00hrs) thus falling into the category of a vertical drinking late night venue within the Night time economy. The very nature of such a venue would require a competent, trustworthy and co-operative day to day premises supervisor.

Mr Gurung first came to the notice of police whilst applying for a police led review of the Victoria in Aldershot. The venue suffers from numerous issues relating to breaching of license conditions and a hearing is taking place at the start of December where police will be recommending the full revocation of the license. At the first meeting at the premises on the 11/10/21 I was introduced to Mr Gurung by one of the directors of the premises. He was described as the manager, as the previous manager had left. Mr Gurung was described as being in control of the premises after having a crossover period with the previous manager. The owners of the Victoria have also disclosed that they are also the owners and investors of the Funky End of which the premises licence holders are Punch Partnerships.

During the meeting on the 11/10/21 where Mr Gurung was present issues were raised about the running of the Victoria and it was established that breaches had occurred at certain times involving issues in regards to SIA personnel leaving the premises and thus breaching the condition of a certain number of SIA to be present. Mr Gurung did not mention the reasons for this in the first meeting but on the return of the police for a further meeting on the 21/10 it was established that Mr Gurung knew exactly why it had happened and he took it upon himself not to disclose the reasons for this to responsible authorities on request. It is clear that there are issues within the premises in regards to public safety and the failure of management to co operate with responsible authorities. The starting date for Mr Gurung at the Victoria has never been established. There have been issues identified at the Victoria with controlled substances having been seized from customers and no trace or evidential trail as to where these items have gone, raising concerns in terms of whether criminal offences had taken place. With issues raised in regards to the running of the premises where Mr Gurung has been identified as a manager the Chief of Hampshire Police raises an objection to this application. Mr Gurung is not seen by the police as immediately co operative or indeed his failure to disclose information which he had previously known doubts his integrity.

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RELEVANT CONSIDERATIONS

THE FUNKY END, STATION ROAD, ALDERSHOT, HAMPSHIRE, GU11
1HT

1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2018)

1.1. The sections of the Secretary of State's guidance identified in **Table 1** below may be relevant to the consideration of this application.

**TABLE 1 - SECTIONS OF THE SECRETARY OF STATE'S GUIDANCE
WHICH MAY BE RELEVANT TO THIS APPLICATION**

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
1		1.1	1.19	Introduction	1	5
2		2.1	2.6	The licensing objectives - Crime and disorder	6	7
4		4.31	4.38	Specification of new designated premises supervisors	26	27
4		4.39	4.41	Police objections to new designated premises supervisors	27	27
9		9.1	9.45	Determining applications	68	76
13		13.1	13.13	Appeals	103	105
14		14.1	14.70	Statements of licensing policy	106	120

2.0 The Council's Licensing Policy

2.1. The sections of the Council's Licensing policy identified in **Table 2** below may be relevant to the consideration of this application.

**TABLE 2 - SECTIONS OF THE COUNCIL'S LICENSING POLICY
WHICH MAY BE RELEVANT TO THIS APPLICATION**

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
3	Part C	3.1	3.47	Licensing principles, objectives & General considerations	13	18
10	Part J	10.1	10.18	Specification of individual as Designated Premises Supervisor	41	43
18	Part R	18.1	18.59	Representations, Responsible authorities & Other Persons	69	75

NB: Matters in **bold** indicate main section headings.

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