



RUSHMOOR BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

*at the Council Offices, Farnborough on
Monday, 13th 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

A G E N D A

1. **DETERMINATION OF A TEMPORARY EVENT NOTICE IN RESPECT OF THE EMPIRE BANQUETING AND HALL, HIGH STREET, ALDERSHOT – (Pages 1 - 36)**

To consider the Head of Operational Services' Report No. OS2117 (copy attached) setting out details of a temporary event notice (TEN) that has been served on the licensing authority and has attracted an objection from the Police.

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

DIRECTORATE OF
OPERATIONAL SERVICES

LICENSING REPORT NO. OS2117

DETERMINATION OF A TEMPORARY EVENT NOTICE
EMPIRE BANQUETING AND HALL, HIGH STREET, ALDERSHOT

1.0 INTRODUCTION

- 1.1. A temporary event notice (TEN) has been served on the licensing authority. An objection to the notice has subsequently been received from the police. This invokes a statutory requirement to hold a hearing in order for members to consider the police objection(s).
- 1.2. The purpose of this report is to provide details of the proposed TEN and should be read in conjunction with the Council's licensing policy, Secretary of State's guidance and information obtained at the hearing as the basis for deciding whether or not to issue a counter notice in respect of the proposed event(s).

2.0 BACKGROUND

- 2.1. A temporary event notice (TEN) has been served on the licensing authority by Puran Giri in respect of proposed temporary activities commencing on the 17th December 2021 at the premises known as Empire Banqueting and Hall, High Street, Aldershot GU11 1DJ. A copy of the notice is given as **appendix A**.
- 2.2. A map of the area showing the location of the premises is at **appendix B**.
- 2.3. The notice proposes the sale by retail of alcohol for consumption on the premises, the provision of regulated entertainment and the provision of late night refreshment from 23:00pm on 17th December 2021 until 03:00am on the 18th December 2021.
- 2.4. No statutory limits regarding the number, size and duration of temporary events have been exceeded. As such, the temporary event notice has been acknowledged on receipt in accordance with prescribed procedures; thereby giving it effect.

3.0 OBJECTION TO THE TEMPORARY EVENT NOTICE

- 3.1. Following receipt of a copy of the TEN, the police subsequently served an objection notice on the licensing authority and proposed premises user on the 02nd December 2021.
- 3.2. The police may only serve such a notice where satisfied that allowing the premises to be used in accordance with the notice would undermine the licensing objectives. A copy of the objection notice giving reasons why the police believe this to be the case is given at **appendix C**.

3.3. Relevance of Representation(s)

- 3.4. To be eligible to be considered, the Act requires a(ny) representation(s) to be '*relevant*'. A '*relevant representation*' is one that has been made by the police or environmental health within the prescribed period permitted. Similarly, representations must not be frivolous or vexatious and must be about the likely effect on the promotion of the licensing objectives.
- 3.5. The licensing objectives are defined in the Act and include -
 - (a) the prevention of crime and disorder;
 - (b) ensuring public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.

3.6. Relevance of representations

- 3.7. Against the above criteria the representations are considered to be relevant as they were submitted by responsible authorities, within the prescribed period and concern all of the licensing objectives

4.0 DETERMINATION PROCESS & OPTIONS

- 4.1. The licensing authority is required to consider the police objection notice and take one of the following steps:-
 - a) Where it considers it appropriate for the promotion of the licensing objectives, give the premises user a counter notice (effectively stopping the proposed event), giving reasons for its decision;
 - b) Allow the event to go ahead subject to imposed conditions. Any condition imposed must be a condition of the current premises licence in respect of the venue. A copy of the current premises licence is given at **appendix D**; or

- c) Allow the event to go ahead in accordance with the notice and give the premises user and the police notice of and reasons for its decision.

4.2 In consideration of this matter, the licensing authority should have regard to its statement of licensing policy and any guidance issued by the Secretary of State. Details of the parts of the policy and guidance that may be relevant to this matter are given in **appendix E**.

5.0 DETERMINATION

5.1. The Sub-Committee is asked to consider the police objection notice and take one of the steps outlined above having regard to:-

- a) the contents of this report;
- b) any additional information obtained from the hearing;
- c) the licensing policy;
- d) guidance issued by the Secretary of State; and
- e) the promotion of the licensing objectives.

Aimee Vosser
Licensing Officer

Background Papers: 21/00751/LATEMP

Appendices:

Appendix A - Temporary Event Notice
Appendix B - Map of the Area
Appendix C - Objection Notice – Police
Appendix D – Copy of Premises Licence
Appendix E - Relevant Considerations

TEMPORARY EVENT NOTICE RECEIVED FROM PREMISES USER

Empire Banqueting and Hall, High Street, Aldershot, GU11 1DJ

Rushmoor Borough Council, Council Offices, Farnborough Road,
Farnborough, Hampshire, GU14 7JU

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| | | |
|---|--|------------|
| 1. Your name | | PURAN GIRI |
| Title | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | |
| Surname | GIRI | |
| Forenames | PURAN | |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | |
| Surname | | |
| Forenames | | |
| 3. Your date of birth | | |
| 4. Your place of birth | | |
| 5. National Insurance Number | | |
| 6. Your current address (We will use this address to correspond with you unless you complete | | |
| | | |
| 7. Other contact details | | |
| Telephone numbers | | |
| Daytime | | |
| Evening (optional) | | |
| Mobile (optional) | | |
| Fax number (optional) | | |
| E-Mail address (if available) | | |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | | |
| | | |
| Post town | Postcode | |
| 9. Alternative contact details (if applicable) | | |
| Telephone numbers: | | |

| | |
|----------------------------------|--|
| Daytime | |
| Evening (optional) | |
| Mobile (optional) | |
| Fax number (optional) | |
| E-Mail address (if available) | |

| | |
|--|----------------|
| 2. The premises | |
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2) | |
| Empire Banqueting and hall, High Street, Aldershot, GU11 1DS | |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below. | |
| Premises licence number | 171009801LAPRF |
| Club premises certificate number | |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3) | |
| Main hall | |
| Please describe the nature of the premises below. (Please read note 4) | |
| Events Venue | |
| Please describe the nature of the event below. (Please read note 5) | |
| It is a rugby celebration party where it will have live music. | |

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

| | |
|--|-------------------------------------|
| The sale by retail of alcohol | <input checked="" type="checkbox"/> |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | <input type="checkbox"/> |
| The provision of regulated entertainment | <input checked="" type="checkbox"/> |
| The provision of late night refreshment | <input checked="" type="checkbox"/> |
| Are you giving a late temporary event notice? (Please read note 7) | <input type="checkbox"/> |

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

17/12/2021 - 18/12/2021

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

23:00 - 03:00
17/12/21 - 18/12/2021

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)

An ID scanner will be used at the event.

| | |
|-----------------------|-------------------------------------|
| On the premises only | <input checked="" type="checkbox"/> |
| Off the premises only | <input type="checkbox"/> |
| Both | <input type="checkbox"/> |

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)

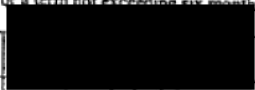
| | |
|---|---|
| 4. Personal licence holders (Please read note 13) | |
| Do you currently hold a valid personal licence? (Please tick) | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | |
| Issuing licensing authority | RUSHMOOR BOROUGH COUNCIL |
| Licence number | 10/00667/LAPER |
| Date of issue | 9/11/10 |
| Date of expiry | |
| Any further relevant details | |

| | |
|--|---|
| 5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you) | |
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

| | |
|--|---|
| 6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you) | |
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year. | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year. | |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

| | |
|--|-------------------------------------|
| 7. Checklist (Please read note 16) | |
| I have: (Please tick the appropriate boxes) | <input checked="" type="checkbox"/> |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority | <input checked="" type="checkbox"/> |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police | <input checked="" type="checkbox"/> |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | <input checked="" type="checkbox"/> |
| Made or enclosed payment of the fee for the application | <input checked="" type="checkbox"/> |
| Signed the declaration in Section 9 below | <input checked="" type="checkbox"/> |

| |
|---|
| 8. Condition (Please read note 17) |
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| | |
|--|---|
| 9. Declarations (Please read note 18) | |
| The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: | |
| (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and | |
| (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both. | |
| Signature |  |
| Date | 29/11/2021 |
| Name of Person signing | Puran Giri |



30/11/21

Licensing officer.

Re: Temporary Event Notice



Puran Giri <empirealdershot@gmail.com>

To: Aimee Vosser



If there are problems with how this message is displayed, click here to view it in a web browser.

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Aimee,

Thank you for spotting the error.

Yes please, if you can correct it then that would be great.

I think we have submitted 7 so far but might need to be double checked on that.

Many thanks,

Puran Giri

On Tue, 30 Nov 2021 at 15:49, Aimee Vosser <aimee.vosser@rushmoor.gov.uk> wrote:

Hi Puran,

I am processing your temporary event notice and have noticed on the form that you have not completed the number of applications you have made for temporary event notices in 2021.

You ticked that you have not had any temporary event notices at the premises. For your reference, the venue has had 3 separate temporary event notices that total 6 days.

Please can you confirm that you are happy for me to amend the application form to reflect the correct number of notices for Empire?

Thank you

Aimee

Aimee Vosser

Licensing Officer

Rushmoor Borough Council

01252 398131 / 07341521940

APPENDIX B


MAP OF THE AREA

Empire Banqueting and Hall, High Street, Aldershot, GU11 1DJ



OBJECTION NOTICE RECEIVED FROM POLICE

Empire Banqueting and Hall, High Street, Aldershot, GU11 1DJ

| | | |
|---|--|-------------------------------|
|  | 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 type="checkbox"/> | 4: Variation of DPS | Object within 14 days |
| <input type="checkbox"/> | 5: Transfer of premises licence | Object within 14 days |
| <input checked="" 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: | Mr Puran GIRI |
| Name of Proposed DPS: | |

| | |
|--|--|
| Details of relevant conviction (Personal Licence Applications ONLY) | |
| | |

| | |
|-----------------------------|--|
| Postal address of premises: | EMPIRE BANQUETING HALL HIGH STREET ALDERSHOT |
| Postcode: | GU11 1DJ |

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 LONDON ROAD BASINGSTOKE | | | |
| Postcode: | | RG214AH | | | |
| Daytime telephone number: | | | | | |
| 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

RESTRICTED



RESTRICTED

G89
Page 2 of 3

**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 checked="" 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 objection on behalf of the Chief of Hampshire Police in regards to a temporary event notice submitted by Puraan GIRI. Mr Giri is the designated premises supervisor for the Empire Banqueting Hall in the High Street in Aldershot. Mr Giri has submitted the TEN in regards to staging a rugby celebration night on the 17/12/21 23:00 – 18/12/21 03:00. It is prudent to mention that on the 25/11/21 Mr Giri attended a hearing at Rushmoor Borough Council before the licensing Sub – committee whereby he applied to vary the licence of the premises to remove the condition of operating hours and also to remove the capacity restriction. It was decided by the panel that this was to be refused. During the hearing it clearly evidenced an issue in regards to a Fijian Party night on the 18/09 whereby numerous issues took place that showed that the licensing objectives were not being adhered to. This included bulk serving of alcohol and a male suffering cardiac issues whilst requiring the immediate fetching of a defibrillator. This male was needed to be transported to hospital with assistance of security and police. This male was over intoxicated and suffered with a heart condition. There were numerous ejections of which one of those persons was later arrested for drink driving having damaged police vehicles after a pursuit. There were issues in regards to the poor dispersal and this was evidenced with the footage shown at the hearing with the immediate outside road being blocked and police having to move patrons out of the carriageway. It was established during the hearing that Mr Giri via his representative wished to speak with police in regards to how the issue of poor dispersal can be resolved. However a mere 5 days after the hearing of which the variation applied for by Mr Giri was refused a Temporary Event Notice has been submitted without any prior engagement with the authorities to attempt to remedy this issue. It would be fair to request that Mr Giri works with the Local licensing Authority and police in the future to negate any possible issues. The event in question bares similarities with the event on the 18/09/21 which had no control by staff excerpted on it. If this Temporary event was to go ahead the Chief of Police would have grave concerns that injury, disorder, over intoxication and lack of dispersal would occur.

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)

REFUSE TEMPORARY EVENT NOTICE

RESTRICTED



RESTRICTED

G89
Page 3 of 3

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

Signature of Officer Completing

| | | | |
|------------|---------------------|----------------|-----------------|
| Name | <u>PHIL DENNETT</u> | Collar Number: | <u>3715</u> |
| Signature: | <u>PC DENNETT</u> | Date: | <u>02/12/21</u> |


Signature of Authorising Officer

| | | | |
|------------|------------------|----------------|-----------------|
| Name | <u>ROB COHEN</u> | Collar Number: | <u>2849</u> |
| Signature: | <u>PS COHEN</u> | Date: | <u>02/12/21</u> |

RESTRICTED

COPY OF PREMISES LICENCE

Empire Banqueting and Hall, High Street, Aldershot, GU11 1DJ

| | |
|---|---|
| Premises Licence Number 20/00325/LAPREM- 1/16 | |
|  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: | Empire High Street Aldershot Hampshire GU11 1DJ |
| Telephone | Not Known |
| Map Ref (E): | 486261 |
| Map Ref (N): | 150861 |
| UPRN: | 100062322596 |
| 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 (indoors only); |
| (2) | The provision of regulated entertainment by way of indoor sporting events (indoors only); |
| (3) | The provision of regulated entertainment by way of performance of plays (indoors only); |
| (4) | The provision of regulated entertainment by way of exhibition of films (indoors only); |
| (5) | The provision of regulated entertainment by way of boxing or wrestling (indoors only); |
| (6) | The provision of regulated entertainment by way of live music (indoors only); |
| (7) | The provision of regulated entertainment by way of recorded music (indoors only); |
| (8) | The provision of regulated entertainment by way of performance of dance (indoors only); |
| (9) | The provision of regulated entertainment by way of anything similar to live music, recorded music or performance of dance (indoors only); and |
| (10) | The provision of late night refreshment (indoors only). |

Times the licence authorises the carrying out of licensable activities

- (1) The retail sale / supply of alcohol:-
 - Monday's – Wednesday's – 09:00am to 00:00midnight;
 - Thursday's – Saturday's – 09:00am to 03:00am the following day;
 - Sunday's – 09:00am to 02:00am the following day;
 - On New Year's Eve, New Year's Day and any Bank or Public Holiday – 09:00am to 03:00am the following day; and
 - An additional hour on the day when British Summer Time commences.
- (2) The provision of regulated entertainment by way of indoor sporting events:-
 - Monday's – Saturday's – 09:00am to 23:00pm;
 - Sunday's – 09:00am to 22:00pm; and
 - On any Bank or Public Holiday – 09:00am to 03:00am the following day.
- (3) The provision of regulated entertainment by way of exhibition of films:-
 - Monday's – Saturday's – 10:00am to 23:00pm;
 - Sunday's – 10:00am to 22:00pm; and
 - On any Bank or Public Holiday – 10:00am to 03:00am the following day.
- (4) The provision of regulated entertainment by way of Boxing or Wrestling:-
 - Saturday's – 10:00am to 23:00pm;
 - Sunday's – 10:00am – 22:00pm; and
 - On any Bank or Public Holiday – 10:00am to 03:00am the following day.
- (5) The provision of regulated entertainment by way of Live Music:-
 - Monday's – Wednesday's – 12:00noon to 23:00pm;
 - Thursday's – 12:00noon to 00:00midnight;
 - Friday's - Sunday's – 09:00am to 03:00am the following day;
 - On New Year's Eve, New Year's Day and any Bank or Public Holiday – 09:00am to 03:00am the following day; and
 - An additional hour on the day when British Summer Time commences.
- (6) The provision of regulated entertainment by way of Recorded Music:-
 - Monday's – Wednesday's – 09:00am to 00:00midnight;
 - Thursday's – Sunday's – 09:00am to 03:00am the following day;
 - On New Year's Eve, New Year's Day and any Bank or Public Holiday – 09:00am to 03:00am the following day; and
 - An additional hour on the day when British Summer Time commences.
- (7) The provision of regulated entertainment by way of Performance of Dance:-
 - Monday's – Wednesday's – 09:00am to 22:00pm;
 - Thursday's – 09:00am to 00:00midnight;
 - Friday's – 09:00am to 02:00am the following day;
 - Saturday's – 09:00am to 03:00am the following day;
 - Sunday's – 09:00am to 23:00pm;
 - On New Year's Eve, New Year's Day and any Bank or Public Holiday – 09:00am to 03:00am the following day; and
 - An additional hour on the day when British Summer Time commences.

- (8) The provision of Late Night Refreshment:-
- Monday's – Wednesday's – 23:00pm to 00:00midnight;
 - Thursday's – Sunday's – 23:00pm – 03:00am the following day;
 - On New Year's Eve, New Year's Day and any Bank or Public Holiday – 23:00pm to 03:00am the following day; and
 - An additional hour on the day when British Summer Time commences.

The opening hours of the premises

- (1) Monday's – Wednesday's - 09:00am to 02:00am the following day;
- (2) Thursday's – Sunday's – 09:00am to 03:00am the following day;
- (3) On New Year's Eve, New Year's Day and any Bank or Public Holiday – 09:00am to 03:00am the following day; and
- (4) An additional hour on the day when British Summer Time commences.

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

- Alcohol may be sold / supplied for consumption **ON** the premises **ONLY**.

Part 2

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

Name: PRB Hampshire Ltd.
Address: High Street
 Aldershot
 Hampshire
 GU11 1DJ
Telephone: 07799 844109
Email: empirealdershot@gmail.com

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

- 09644459 (Company number)

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

Name: Mr Puran Giri
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: 16/00667/LAPER
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: 8th December 2015
 Date Licence Effective: 8th December 2015
 Date Last Modified: 20th August 2020
 (Minor Variation)

SIGNED on behalf of the
 Head of Operational 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) 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.

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—

- (i) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (a) 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
 - (b) drink as much alcohol as possible (whether within a time limit or otherwise);
- (ii) 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;
- (iii) 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;
- (iv) 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;
- (v) 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)

- (4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (5)
 - (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.
- (6) The responsible person must ensure that—
 - (i) 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—
 - (a) beer or cider: ½ pint;
 - (b) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (c) still wine in a glass: 125 ml;
 - (ii) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (iii) 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."
- (7) 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 –
 - (i) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

- (ii) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (a) P is the permitted price
 - (b) 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
 - (c) 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;
- (iii) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
- (a) The holder of the premises licence
 - (b) The designated premises supervisor (if any) in respect of such a licence, or
 - (c) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "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
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (vi) Where the permitted price given by paragraph (ii) 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.
- (vii) Paragraph (ii)(b) applies where the permitted price given by paragraph (ii) 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.
- (viii) 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.

- (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).
- (9)
 - (i) In respect of the exhibition of films, the admission of children (ie: anyone aged under 18) must be restricted in accordance with any recommendation(s) made by the film classification body specified (as designated by S4 of the Video Recordings Act 1984 - the British Board of Film Classification).
 - (ii) Where a film classification body is not specified, the admission of children must be restricted in accordance with any recommendation(s) made by the licensing authority.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) (i) A suitable and sufficient digital CCTV camera system linked to a suitable recording facility, which captures images of evidential quality, shall, so far as is reasonably practicable, be operational at the premises. Cameras covering internal areas shall be operational during any period in which licensable activities are taking place. Cameras covering external areas shall be operational during any period that the premises is open to members of the public.
- (ii) The CCTV system shall incorporate cameras covering both the internal areas of the premises and the external area immediately outside the front of the premises, the ground floor lobby area, to capture image of persons entering the venue and a camera covering the area immediately outside the front 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 12 months.
- (iv) CCTV recordings and footage must be retained for a minimum period of 28 (twenty-eight) days and be made available for review by the Police upon request (subject to the requirements of the Data Protection legislation in force at the time).
- (v) The CCTV system shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.
- (vi) All CCTV recorded images / footage and copies thereof shall, so far as is reasonably practicable, display the correct time and date of each recording. The system clock shall be checked regularly for accuracy taking account of GMT and BST.
- (vii) Suitable and sufficient warning signs shall be displayed in the public areas of the premises advising that CCTV is in operation at the premises.
- (viii) A competent person conversant with the operation and retrieval of information contained in the CCTV system / footage shall be available to provide immediate copies of footage to the police on request. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

- (ix) All operators shall receive training on how to operate the CCTV system from the installer, at the time of installation. This training shall be cascaded down to all new members of staff expected to operate the system. A simple operators manual shall be available at the premises to assist in replaying and exporting data from the CCTV system.
- (x) A written record shall be kept of any access made to the CCTV system, and shall be made available to the responsible authorities on request.
- (2) A suitable written policy on the ejection and refusal of entry of patrons shall be developed for the premises, and be agreed with Hampshire Constabulary (Licensing team). This policy shall be actively implemented and enforced at the premises and shall be reviewed, revised and updated as often as may be necessary.
- (3) A suitable written policy on how the venue will deal with drugs, and drug prevention shall be developed for the premises, and be agreed with Hampshire Constabulary (Licensing team). This policy shall be actively implemented and enforced at the premises and shall be reviewed, revised and updated as often as may be necessary.
- (4) (i) A written incident log shall be kept and maintained at the premises, and shall contain the following details of any incident of a violent, criminal or anti-social nature, namely the –
 - (a) Time and date
 - (b) Nature of the incident
 - (c) People involved
 - (d) Action(s) taken; and
 - (e) Details of the person responsible for the management of the premises at the time of the incident.
- (ii) The incident log shall be retained for a minimum period of 12 months, and be made available to the responsible authorities on request.
- (5) Except for in an emergency, all patrons shall exit the premises via the front doors onto High Street only.
- (6) (i) Anyone authorised to sell or supply alcohol at the premises shall request and ensure sight of suitable photographic identification, for proof of age, of any person appearing to them to be under the age of 25 (twenty-five) and who is attempting to purchase alcohol.
- (ii) Further to the above, anyone authorised to sell or supply alcohol at the premises shall be instructed that no sale of alcohol shall be made unless suitable identification, for proof of age, can be provided.

- (ii) Suitable and sufficient warning signs shall be displayed in the premises providing information in respect of the above challenge 25 policy and the request for suitable identification in connection thereof.
- (7) (i) Anyone authorised to sell alcohol at the premises shall (before being permitted to make sales of alcohol) be suitably trained in respect of the following matters to a level commensurate with their duties and responsibilities:-
 - (a) the refusal of the sale of alcohol to those who appear intoxicated and how to recognise them; and
 - (b) the appropriate precautions to prevent the sale of alcohol to persons under the age of 18, including the above Challenge 25 policy.
- (ii) suitable and sufficient refresher training shall be provided at least every 6 months.
 - (iii) Written records of such training shall be produced, and be signed and dated by the member of staff receiving the training. They shall be kept on the premises to which they relate for a minimum of 2 years and be made available to the responsible authorities immediately on request.
- (8) (i) A written log shall be kept of all refusals, including refusals to serve alcohol. The holder of the premises licence shall ensure that the refusals log is properly maintained and this shall involve, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
 - (ii) Written records of any refusals shall be maintained at the premises for 12 (twelve) months and be made available to the responsible authorities immediately on request.
- (9) If more than one floor of the premises is being utilised at any one time, for different events;
 - (i) The two functions shall be kept separate and no patrons shall be permitted to move between events. Suitable and sufficient staff shall be positioned to enforce this.
 - (ii) The terminal hour for each event shall be a minimum of 1 (one) hour apart to avoid dispersal at the same time.

- (10) The sale of alcohol shall cease a minimum of 30 (thirty) minutes prior to the end of any event.
- (11) The area in the immediate vicinity of the premises shall be cleared of litter (including waste arising from smoking activities) on a regular basis and always at the close of business each day.
- (12) All lighting (including external lighting) shall be correctly adjusted so that it only illuminates the surface(s) intended and does not throw light onto or into neighbouring property.
- (13) No flashing or flood lighting shall be fitted to the exterior of the premises.
- (14) All external doors shall be fitted with a suitable self-closing device, which must be adequately maintained in good working order at all times.
- (15) (i) Except for access and egress, all external doors and windows of the licensed premises shall be closed and kept closed on any floor where regulated entertainment is taking place.
 - (ii) Except for access and egress, the door between the lobby and the main hall on the ground floor, shall be closed and kept closed at any time where regulated entertainment is taking place in the main hall.
- (16) (i) A suitable noise complaints procedure must be established and be in operation at the premises (e.g. all staff must be familiar with the complaints procedure and any complaint(s) made in respect of the premises, its customers, staff and/or the activities carried on there must be investigated and remedied as soon as, and, so far as is reasonably practicable to prevent public nuisance).
 - (ii) Suitable written records (e.g. 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) must be kept and made available to officers of Rushmoor Borough Council on request.
- (17) Disposal of refuse such as waste bottles into external receptacles, where the noise will be audible to neighbouring properties, must not occur between 2300 and 0800 hrs.
- (18) Prominent, clear and legible notices in the predominant language of the patrons at the event, shall be displayed at all exits and bars of the

premises requesting patrons and staff to respect the needs of local residents and to leave the premises and area quietly.

- (19) All kitchen extraction systems at the premises, shall be fitted with odour neutralisers, carbon filters and silencers, and shall be maintained in good working order at all times.
- (20) For any event involving Boxing, Wrestling or any other similar sporting activating, a medical practitioner shall be present for the duration of the event.
- (21) All employees shall be made aware of the conditions attached to this licence by a mechanism in writing
- (22) For the Gurkha Cup event on the Sunday of Bank Holiday weekend, at the end of May each year, an Event Management Plan will be submitted to Hampshire Constabulary Licensing Department, at least 30 days before the event. The Event Management Plan must be to the satisfaction of Hampshire Constabulary Licensing team and implemented at the event.

The following conditions shall apply for any event involving live and/or recorded music, which is not a wedding christening (or similar event in any religion), birthday celebration for someone under the age of 16 years, seated concert or function including a sit-down table meal, with the exception of any event on 31st December each year, or the Sunday of the end of May Bank Holiday weekend.

- (23) The maximum number of patrons permitted into the event shall be 300.
- (24) The sale of alcohol shall cease no later than 23:30pm
- (25) Regulated entertainment shall cease no later than midnight.

The following conditions shall apply for any event involving live and/or recorded music, which is not a wedding christening (or similar event in any religion), birthday celebration for someone under the age of 16 years, seated concert or function including a sit-down table meal.

- (26) Entry to the venue shall only be permitted by those named on a guest list or ticket purchased in advance of the event, with the numbers provided to the venue in advance of the event.
- (27) The Premises Licence Holder will operate and maintain in good working order, an electronic scanning system, such as Scannet or equivalent. All customers entering the premises shall be asked to provide suitable photo ID and agree to it being scanned. Customers who do not agree will be refused entry. Police licensing will be notified as soon as possible of any issue with the system or internet service. Details of

persons banned at venue entered onto the device and shared with other venues on same scanning system.

- (28) (i) A minimum ratio of (two) SIA licensed door supervisors per 100 (one hundred) persons, shall be employed and in attendance (i.e. on duty) at the premises solely to carry out door supervisor / security duties for the duration of the event, until such time as all patrons are dispersed from the vicinity of the premises.
- (ii) Any SIA licensed door supervisors on duty for dispersal at the end of the event shall, wear a high visibility tabard.
- (29) (i) A logbook shall be maintained at the premises that details every person employed there in the role of security / door supervisor, each time they are on duty. In particular, the log shall include the following details' namely –
- (a) The SIA licence number and name of the individual.
- (b) The time at which they commenced and finished that period of duty, including a signed acknowledgement by that person;
- (c) The name of the company who their services were engaged through
- (ii) The log must be kept on the premises to which it relates and shall be made immediately available to officers of the responsible authorities on request.
- (30) (i) Only drinking vessels made from polycarbonate or plastic, may be used to serve drinks, at any time.
- (ii) No drinks are to be served to customers in glass bottles. In every case they will be poured into appropriate vessels by the bar staff.
- (31) A suitable system shall be in place for accurately counting the number of people (including staff and entertainers) in each area of the premises and, to ensure that capacity levels are maintained in accordance with condition (23) above, and the Fire Risk Assessment.
- (32) (i) A designated and delineated smoking area shall be established at the front of the premises.
- (ii) Prominent, clear and legible notices shall be displayed in the predominant language of patrons at the event requesting patrons to utilise the area for smoking.

- (iii) The need to use this area shall, so far as is reasonable practicable, be verbally re-iterated by staff as customers leave the premises.
- (iv) No furniture shall be placed in the smoking area, with the exception of removable barriers for demarking the area, and wall mounted receptacles for associated waste materials, which must be provided.
- (v) A licensed SIA door supervisor shall be positioned at the smoking area, to ensure that anti-social behaviour and noise nuisance do not take place, and to remove the barriers in the event of an emergency evacuation.

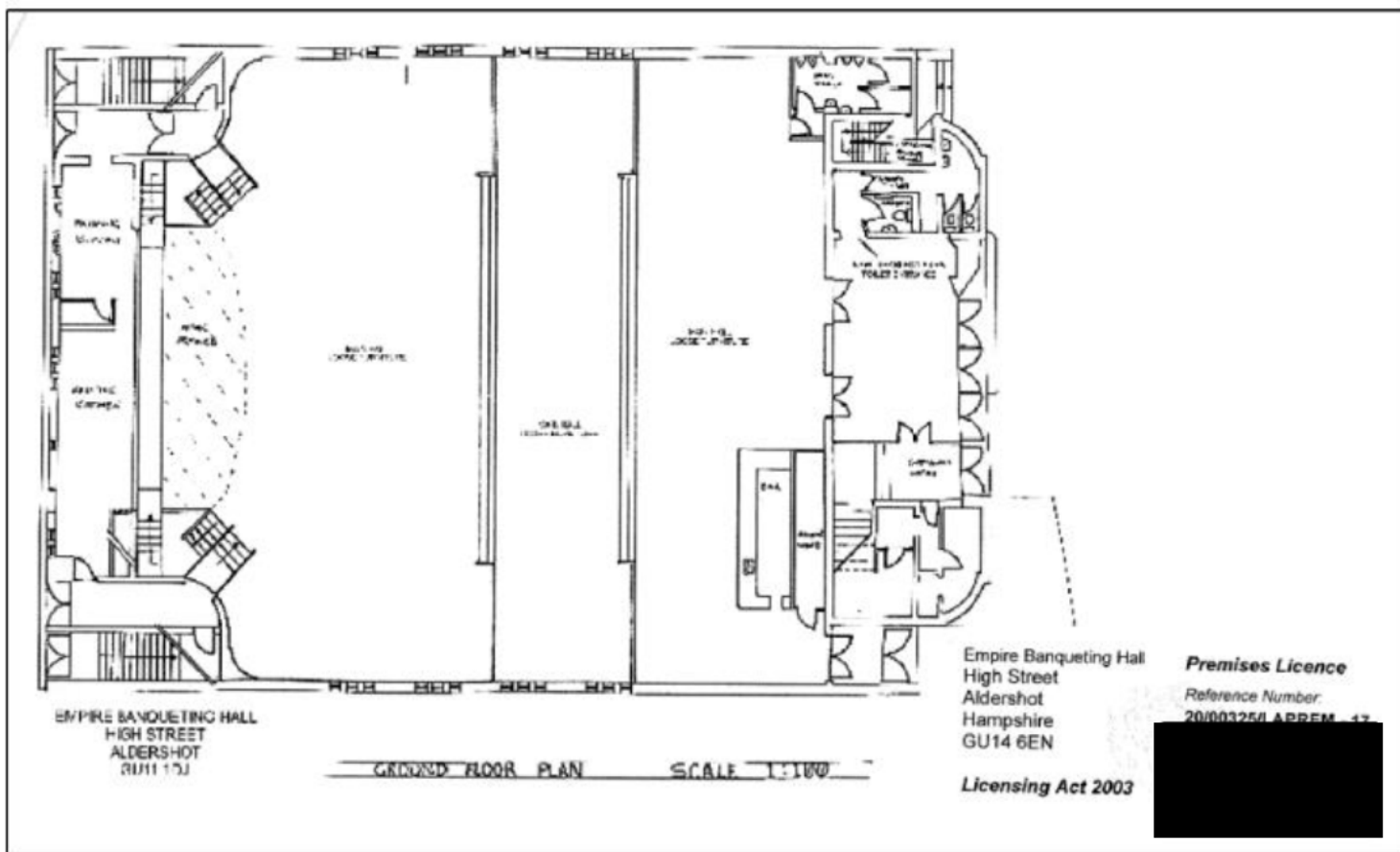
Annex 3 – Conditions attached after a hearing by the licensing authority

None

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 20/00325/LAPREM –17.





RELEVANT CONSIDERATIONS

Empire Banqueting and Hall, High Street, Aldershot, GU11 1DJ

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 |
| 2 | | 2.7 | 2.14 | The licensing objectives – Public safety | 7 | 8 |
| 2 | | 2.15 | 2.21 | The licensing objectives – Public nuisance | 9 | 10 |
| 2 | | 2.22 | 2.32 | The licensing objectives – Protection of children from harm | 10 | 13 |
| 7 | | 7.1 | 7.40 | Temporary Event Notices | 42 | 48 |
| 7 | | 7.9 | 7.11 | Standard Temporary Event Notices | 43 | 43 |
| 7 | | 7.32 | 7.36 | Police and Environmental Health Interventions | 46 | 47 |
| 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 |
| 3 | Part C | 3.10 | 3.12 | General licensing principles | 14 | 14 |
| 16 | Part P | 16.1 | 16.51 | Temporary Event Notices | 60 | 64 |
| 16 | Part P | 16.39 | 16.42 | Objection Notices | 36 | 36 |

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

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