RUSHMOOR
BOROUGH COUNCIL

LICENSING ACT 2003

Determination of an application for the review of a Premises Licence

Decision Record

APPLICANT:	HAMPSHIRE TRADING STANDARDS
PREMISES:	FLYBOX, 141 – 143 VICTORIA ROAD, ALDERSHOT, GU11 1JW
DATE OF HEARING:	Monday, 9 February 2026
MEMBERS SITTING:	Cllrs A.H. Crawford (Chair), P.J. Cullum and Bill O'Donovan

DECISION

By majority decision, the Sub-Committee determined:

- To suspend the licence for a period of 6 weeks from 10 February 2026;
- That the Designated Premises Supervisor be changed within 10 working days;
- Modifications to the existing conditions are to be agreed by the licence holder and the licensing authority within 10 working days; and
- That the Licensing Authority and Licence Holder will agree the wording of new conditions.

REASONS

1. At the outset of the hearing, the Sub-Committee determined not to exclude the public from the hearing. Whilst an application had been received for the public to be excluded to avoid the disclosure of exempt information within Schedule 12A to the Local Government Act 172, specifically information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime it was confirmed to the Sub-Committee that no further action was being taken in relation to the alleged offences.

2. The Sub-Committee, as a whole, took into account that it must promote the licensing objectives and must have regard to the Secretary of State's National Guidance, made under s.182 of the Licensing Act along with the Council's own Licensing Policy. Due consideration was given to the written material contained in the paperwork and the oral evidence and representations at the meeting as well as the relevant legislation, guidance and policies of Rushmoor Borough Council.

3. The Sub-Committee heard representations on behalf of the Licence Holder, Trading Standards, the Police and the Licensing Authority. The responsible authorities having had the opportunity to discuss the matter with the Licence Holder's representative prior to the hearing and had changed their recommendations which had been set out in the report. The Licence Holder's representative informed the Sub-Committee that the parties had agreed a suitable outcome which they believed would allay the concerns regarding the operation of the premises.

4. The recommendation included suspension of the licence for a period of 6 weeks, changing the designated premises supervisor and the conditions of the licence to be varied and modified to include more robust provisions in relation to the

training of staff which were to be agreed with the licensing authority in consultation with the responsible authorities.

5. The Sub-Committee recognised that the responsible authorities are considered experts in their respective competencies and gave significant weight to their new recommendation.

6. The Sub-Committee was informed that the licence holder had voluntarily surrendered the goods which had been seized by Trading Standards and that they would be destroyed. This demonstrated his willingness to co-operate with authorities.

7. The Licence Holder's representative noted that there were minimal reported issues at the premises in relation to its licensable activities. The new conditions which would be agreed with the Licensing Authority would be demanding to comply with for the licence holder.

8. The Sub-Committee asked questions of all the parties and listened carefully to the representatives. The Responsible Authorities believed that a suspension and new conditions upon the licence would be a proportionate approach to the ensure the lawful operation of the premises and this was an adequate deterrent. The Licence Holder understood that any further breaches of the licence conditions may result in a further review of the premises licence and also prosecution.

9. The Responsible Authorities confirmed to the Sub-Committee that compliance checks would be ongoing and that if intelligence suggested that the licence was being breached that adequate measures could be taken by the authorities.

10. The Sub-Committee deliberated in private. The legal adviser and Committee Administrator were present but, save for assisting with legal advice, provision of documents and drafting the reasoning, played no part in the decision-making process.

11. The Sub-Committee took a serious view upon the events which had led to the review being requested. The decision was based upon an appreciation of the options available to the licensing committee and the promotion of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

12. The Sub-Committee was of the view that recommendations were, on the balance of probabilities, necessary for the promotion of the licensing objectives and would be a reasonable and proportionate response.

13. Any party who has made a relevant representation may appeal to the Magistrates' Court in writing within 21 days of receipt of this written decision.