



RUSHMOOR BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

*at the Council Offices, Farnborough on
Tuesday, 4th July, 2017 at 10.00 am*

Membership:

Cllr L.A. Taylor

Cllr Jacqui Vosper

Cllr Sue Carter

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

A G E N D A

1. **DETERMINATION OF AN APPLICATION FOR THE TRANSFER OF A PREMISES LICENCE AND A CHANGE OF DESIGNATED PREMISES SUPERVISOR IN RESPECT OF NO. 310 FERNHILL ROAD, FARNBOROUGH – (Pages 1 - 30)**

To consider the Head of Environmental Health and Housing's Report No. EHH_LICSUB_A&E1726 (copy attached) setting out details of an application for the transfer of a premises licence and a change of Designated Premises Supervisor.

2. **DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE IN RESPECT OF NOS. 38 - 40 ALEXANDRA ROAD, FARNBOROUGH – (Pages 31 - 78)**

To consider the Head of Environmental Health and Housing's Report No. EHH_LICSUB_A&E1725 (copy attached) setting out details of an application for a premises licence.

AGENDA ITEM NO. 1

LICENSING SUB-COMMITTEE
(ALCOHOL & ENTERTAINMENTS)
4th July 2017

DIRECTORATE OF
ENVIRONMENTAL SERVICES

LICENSING REPORT NO. EHH_LICSUB_A&E1726

DETERMINATION OF AN APPLICATION FOR TRANSFER OF A PREMISES LICENCE AND CHANGE OF DPS

310 Fernhill Road, Farnborough, Hampshire, GU14 9EE

1.0 INTRODUCTION

- 1.1 This report concerns an application for the transfer of a premises licence made under section 42 of the Licensing Act 2003 (the 'Act'), and a simultaneous application to specify an individual as a Designated Premises Supervisor (DPS) made under section 37 of the Act in respect of the same premises. An objection notice has been received in respect of the applications and invokes a statutory requirement to hold a hearing with members.
- 1.2 The report provides details of, and background to the applications, 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 applications.

2.0 BACKGROUND

- 2.1 An application for transfer of an existing premises licence (see below) was submitted on 25th May 2017 by Amarjeet Kaur Maddan in respect of premises at 310 Fernhill Road, Farnborough, Hampshire, GU14 9EE. A map of the area showing the general location of the premises is given at **appendix A**.
- 2.2. A simultaneous application was made by Amarjeet Kaur Maddan to vary the premises licence to specify an individual as the DPS. The proposed DPS is named as Kulraj Singh Maddan. Both applications were made with immediate effect.
- 2.3. Amarjeet Kaur Maddan previously held a premises licence and was named as DPS for the premises concerned between 27th March and 8th June 2012 and between 22nd November 2013 and 20th March 2015. The premises licence was surrendered on 20th March 2015.

2.3 Existing premises licence

- 2.4 The applications concern an existing premises licence (number 14/00311/LAPRE) which was originally granted on 26th June 2014 to Mr Pritpal Singh who was also named as the DPS. Whilst a copy of the

premises licence is given as **appendix B**, the licence, subject to conditions, authorises the retail sale of alcohol for consumption off the premises between 08:00am and 23:00pm Sundays – Thursdays and 08:00am – 23:30pm on Fridays and Saturdays.

2.4 Nature of the applications

2.5 The applications seek to transfer the existing licence from Mr Pritpal Singh to Amarjeet Kaur Madann, and to specify her as the DPS. Copies of the applications are given at **appendix C**.

2.6 Advertising of the application

2.7 I can confirm that Hampshire Constabulary (as the only Responsible Authority required to be notified by the Act) has received a copy of the application. The last date for objections from them was 9th June 2017.

3.0 OBJECTION

3.1 An objection notice has subsequently been received in respect of the applications from Hampshire Constabulary. A copy of the notice is given at **appendix D**.

4.0 DATA PROTECTION ISSUES

4.1 In accordance with data protection requirements, any personal details, addresses, contact details and/or signatures submitted on any application, representation or other relevant document etc have been redacted.

5.0 DETERMINATION

5.1 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.

6.1 Licensing Objectives

6.2 In considering the application the licensing authority must have regard to the promotion the licensing objective, the prevention of crime and disorder.

6.3 Licensing Policy and Secretary of States Guidance

6.4 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.

6.5 Details of the parts of the policy and guidance that may be relevant to this application are given in **appendix E**.

7.0 OPTIONS

7.1 In determining these applications the Sub-Committee must determine each application on its own merits, and may take any of the following steps; namely -

- (a) to transfer the licence as applied for; or
- (b) having regard to the objection notice, reject the application if it considers it necessary for the promotion of the crime prevention objective (i.e. to prevent crime and disorder) to do so. **NB:** if this is the case, members need to consider that the applicant for the change to the DPS, will no longer be the premises licence holder, therefore it may be inappropriate to change the DPS in accordance with their instructions; and
- (c) To allow the application to specify a new DPS as applied for **NB:** Members should be aware that the current conditions of the premises licence (Annex 2, Condition 3) state that the proposed DPS shall be excluded from involvement in any licensable activities at the premises. No application has been made to remove / amend this condition; or
- (d) Having regard to the objection notice, reject the application to specify a new DPS if it considers it necessary for the promotion of the crime prevention objective (i.e. to prevent crime and disorder) to do so.

8.0 RECOMMENDATION(S)

The Sub-Committee is asked to determine the applications 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 crime prevention objective.

WENDY HARDEN
Licensing Officer
Environmental Health & Housing Services
licensing@rushmoor.gov.uk

Background Papers: Premises licence14/00311/LAPRE

Public Documents:

- 1) **HMSO (2003)**, The Licensing Act 2003
- 2) **Home Office (April 2017)**, Guidance issued under Section 182 of the Licensing Act 2003

Contact:

Wendy Harden, Licensing Officer (01252 398245)

Shelley Bowman, Principal Licensing Officer (01252 398162)

Appendices:

- Appendix A - Map of the area (page 5)
- Appendix B - Existing premises licence (pages 7 - 14)
- Appendix C - Application to transfer premises licence (pages 15 - 24)
- Appendix D - Police objection notice (pages 25 - 27)
- Appendix E - Relevant Considerations (page 29)

APPENDIX A

MAP SHOWING LOCATION OF PREMISES

310 Fernhill Road, Farnborough, Hampshire, GU14 9EE



EXISTING PREMISES LICENCE
310 Fernhill Road, Farnborough, Hampshire, GU14 9EE

| | |
|--|--|
| | Premises Licence Number 14/00311/LAPRE- 1/8 |
|--|--|



PREMISES LICENCE
 Licensing Act 2003

Part 1 – Premises Details

| Postal address of premises, or if none, ordnance survey map reference or description | | | |
|--|---|---------------------|--------------|
| Address: | 310 Fernhill Road Farnborough Hampshire GU14 9EE | Map Ref (E): | 485415 |
| | | Map Ref (N): | 157580 |
| | | UPRN: | 100062327736 |
| Telephone | 01276 600038 | | |

| Where the licence is time limited the dates | |
|---|---|
| > | This licence is NOT time limited |

| Licensable activities authorised by the licence | |
|---|---|
| > | The retail sale / supply of alcohol ONLY |

| Times the licence authorises the carrying out of licensable activities | |
|--|--|
| > | The retail sale / supply of alcohol:- |
| > | Sunday to Thursday – 08:00am to 23:00pm; AND |
| > | Fridays and Saturdays – 8.00am to 23.30pm |

| The opening hours of the premises | |
|-----------------------------------|--|
| > | Sunday to Thursday – 08:00am to 23:00pm; AND |
| > | Fridays and Saturdays – 08.00am to 23:30pm. |

| Where the licence authorises supplies of alcohol whether these are on and/or off supplies | |
|---|---|
| > | Alcohol may be sold/ supplied for consumption OFF the premises ONLY |

Part 2



| Name, (registered) address, telephone number and email (where relevant) of holder of premises licence | | |
|--|-----------------------------|--|
| Name: Mr Pritpal Singh | | |
| Address: | | |
| | Telephone: Not Known | |
| | Email: Not Known | |

| Registered number of holder, e.g. company number, charity number (where applicable) |
|--|
| > Not applicable |

| Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol | | |
|---|-----------------------------|--|
| Name: Mr Pritpal Singh | | |
| Address: | | |
| | 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: 03504 | |
| Issuing authority: London Borough of Ealing | |

| | | |
|--|----------------------------|--|
| Granted by Rushmoor Borough Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder | | |
| Date Licence Granted: | 26 th June 2014 | |
| Date Licence Effective: | 26 th June 2014 | |
| | | SIGNED on behalf of the Head of Environmental Health 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 shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (ii) 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 a holographic mark.
- (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.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) The premises licence holder shall not purchase any alcohol from door-to-door sellers.
- (2) The premises licence holder shall ensure all receipts for goods bought include the following details:
 - (i) Seller's name and address
 - (ii) Seller's company details, if applicable
 - (iii) Seller's VAT details, if applicable
- (3) Mr Kulraj Singh Madaan and Mr Harmon Singh Madhan shall be excluded from any involvement in any licensable activity related to the business.
- (4)
 - (i) The premises shall have sufficient CCTV cameras located within the premises to cover all public areas including outside the premises covering the entrance and exit.
 - (ii) The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.
 - (iii) CCTV warning signs are to be on display in public areas.
 - (iv) The CCTV system must be operating at all times whilst the premises are open for licensable activities. All equipment shall have a constant and accurate time and date generation.
 - (v) The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - (vi) Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.
 - (vii) The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.
 - (viii) There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. 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) In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS must report the failure to the Police Licensing Unit within 24 hours.
 - (5) (i) A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.
 - (ii) The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by any responsible authority. The record of refusals will be retained for 12 months.
 - (6) (i) There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.
 - (ii) Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.
 - (iii) If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
 - (iv) 'Challenge 25' posters shall be displayed in prominent positions at the premises.
 - (7) (i) Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.
 - (ii) All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.
-

- (iii) All training records will be made immediately available for inspection by any responsible Authority upon request.
- (iv) Training records will be kept for a minimum period of two years.
- (v) Training records will be kept on the licensed premises to which they relate.
- (8) A suitable written policy on the control of patrons in the area directly outside the premises shall be developed. This policy shall be actively implemented and enforced at the premises and shall be reviewed, revised and updated as often as may be necessary.
- (9) Prominent, clear and legible notices must be displayed at all exits requesting patrons and staff to respect the needs of local residents and to leave the premises and area quietly.
- (10) Alcohol shall not be displayed alongside confectionary or other products of particular interest to children.
- (11) Spirits and cigarettes shall be located behind the main point of sale counter in an area accessible only to and/or physically and directly supervised by staff.
- (12) A written record of any incidents shall be maintained at the premises and made available to responsible authorities on request.

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 14/00311/LAPRE – 9.



RUSHMOOR BOROUGH COUNCIL, Environmental Health Services,
Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU, Telephone: (01252) 398 398
Fax: (01252) 524 011 • Minicom: (01252) 371 233 • Email: licensing@rushmoor.gov.uk • DX 122250 FARNBOROUGH 2

APPLICATION TO TRANSFER PREMISES LICENCE

310 Fernhill Road, Farnborough

Application to transfer premises licence to be granted 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.

I/We AMARJEET KAUR MADDAAN

(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

14/00311/LAPRE

Part 1 – Premises details

| | |
|--|---------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description 310 FERNHILL ROAD | |
| Post town FARNBOROUGH | Post code GU14 9EE |
| Telephone number at premises (if any) 01276600038 | |

| |
|--|
| Please give a brief description of the premises (see note 1) OFF LICENCE AND CONVENIENCE STORE |
|--|

| |
|---|
| Name of current premises licence holder PRITPAL SINGH |
|---|

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick yes
- a) an individual or individuals* please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)

- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in respect of an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Date of birth 11-09-83
Nationality BRITISH

I am 18 years old or over

Please tick yes

Current residential address if different from premises address

[Redacted]

Post town

[Redacted]

Post code

[Redacted]

Daytime contact telephone number

[Redacted]

E-mail address (optional)

[Redacted]

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

[Redacted]

First names

[Redacted]

Date of birth

I am 18 years old or over

Please tick yes

Nationality

Current residential address if different from premises address

[Redacted]

Post town

[Redacted]

Post code

[Redacted]

Daytime contact telephone number

[Redacted]

E-mail address (optional)

[Redacted]

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| |
|---|
| Name |
| Address |
| Registered number (where applicable) <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div> |
| Description of applicant (for example partnership, company, unincorporated association etc.) |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

| | | |
|----------------------|----------------------|----------------------|
| Day | Month | Year |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today

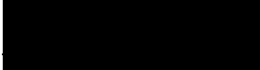
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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 LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO 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.

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 2)

Part 4 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 25-05-2017

Capacity DULY AUTHORISED AGENT

For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent (please read guidance note 5). **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 6) PERSONAL LICENCE COURSES LTD INFOTREE HOUSE NEWPORT ROAD | |
| Post town HAYES | Post Code UB4 8JX |
| Telephone number (if any) 020 8606 0558 | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@personallicensecourses.co.uk | |

Application to vary a premises licence 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.

I / we AMARJEET KAUR MADAN

(full name(s) of premises licence holder)

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

Premises licence number

14/00311/LAPRE

Part 1 – Premises details

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

310 FERNHILL ROAD

Post town

FARNBOROUGH

Post code (if known)

GU14 9EE

Telephone number (if any)

01276600038

Description of premises (please read guidance note 1)

OFF LICENCE AND CONVENIENCE STORE

Part 2

| |
|--|
| Full name of proposed designated premises supervisor KULRAJ SINGH MADAAN |
| Nationality BRITISH |
| Place of birth JALALABAD/AFGHANISTAN |
| Date of birth [REDACTED] |

| |
|--|
| Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any) 02113 – LONDON BOROUGH OF EALING |
|--|

| |
|---|
| Full name of existing designated premises supervisor (if any) PRITPAL SINGH |
|---|

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 licence 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 |
| |

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 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 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 LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO 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.

Part 3 – Signatures (please read guidance note 2)

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

Signature



Date 25.05.2017

Capacity DULY AUTHORISED AGENT

For joint applicants signature of 2nd applicant 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)
PERSONAL LICENCE COURSES LTD
INFOTREE HOUSE
NEWPORT ROAD

Post town
HAYES

Post Code
UB4 8JX

Telephone number (if any) 020 8606 0558

If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@personallicensecourses.co.uk

Consent of individual to being specified as premises supervisor

I KULRAJ SINGH MADAN
[full name of prospective premises supervisor]

of


[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

TRANSFER & VARY OF OPS.
[type of application]

by

ANARJEET KAUR MADAN
[name of applicant]

relating to a premises licence 14/00311/LAPRE.
[number of existing licence, if any]

for

310 FERNHILL ROAD
FARNBOROUGH
HAMPSHIRE
GU14 9EE

[name and address of premises to which the application relates]

OBJECTION NOTICE

310 Fernhill Road, Farnborough, Hampshire, GU14 9EE



RESTRICTED

G89
Page 1 of 3

**New grant or variation of premises licence
Or club premises certificate
Form for representations 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 representation regarding under the Licensing Act 2003, regarding the:

| | | |
|-------------------------------------|---|---------------------------------|
| <input type="checkbox"/> | 1: Grant for a personal licence | (Object within 14 days) |
| <input type="checkbox"/> | 2: Grant for a temporary event notice (TEN) | (Object within 3 days) |
| <input checked="" type="checkbox"/> | 3: Transfer of a premises licence | (Object within 14 days) |
| <input type="checkbox"/> | 4: Variation of designated premises supervisor | (Object within 14 days) |
| <input type="checkbox"/> | 5: Grant/Variation of a premises licence/club prem' certificate | (Object within 28 days) |
| <input type="checkbox"/> | 6: Minor variations | (Object within 10 working days) |

| | |
|-----------------------|----------------------|
| Name of Applicant: | Amarjeet Kaur Madaan |
| Name of Proposed DPS: | Kulraj Singh Madaan |

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

| | |
|-----------------------------|---|
| Postal address of premises: | 310 Fernhill Road, Farnborough, Hampshire |
| Postcode: | GU149EE |

Details of responsible authority applicant

| | | | | | |
|--|--|-------------------------------|-----------------------------|--------------------|----|
| Mr <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other title /Rank: | PC |
| Surname: | Ladhams | First Names: | Steve | | |
| Current postal address : | C/O Parklands, London Road, Basingstoke Hampshire | | | | |
| Postcode: | RG21 4AH | | | | |
| Daytime telephone number: | 02380479572 | | | | |
| E-mail address: (optional) | | | | | |

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



**New grant or variation of premises licence
Or club premises certificate
Form for representations 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 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 representation:

Hampshire Constabulary formally objects to the transfer of this premises licence and the proposed DPS variation of Kulraj Singh Madaan. The Police National Computer shows convictions for Fraud type offences related to running a business in 2013 at Winchester Crown Court where a 9 month suspended sentence was imposed. The convictions relate to offences that were taking place in June 2011 when the same shop was visited by HMRC and Trading Standards Officers where a quantity of Counterfeit and duty free alcohol and counterfeit DVDs were seized.

A van at the location was identified as being owned by Kulraj and a search revealed further quantities of counterfeit and duty free alcohol and a quantity of 'duty paid stamps'; A further search of a storage unit owned by Kulraj in Hawley Lane, Farnborough was searched after Kulraj unlocked it for officers, the storage unit was similar in size to a residential single garage and inside a further substantial quantity of counterfeit and duty free alcohol was discovered.

In total the quantity of counterfeit or duty free alcohol was as follows;

1206.75 ltrs of wine
888 ltrs of beer
671.70 litres of spirits

The estimated value of this seized alcohol was £16,500

Local RMS searches show intelligence relating to large quantities of Counterfeit Alcohol when Kulraj was the manager.

Prior to June 2011 Amarjeet had arranged a bank loan to purchase the shop for her husband Kulraj, this was confirmed during her interview following her arrest for the same offences though she was never charged with any offences.

In addition to this it is clearly stated on the premises licence of 310 Fernhill Road that 'Mr Kulraj Singh Madaan and Mr Harmon Singh Madhan (his brother) shall be excluded from any involvement in any licensable activity related to the business.' as stated in Annex 2 paragraph 3.

The Applicant for this transfer is Amarjeet Kaur Madaan who is the wife of Kulraj so it is clear that Kularaj will have significant influence in the complete running of the venue and it is the perfect outlet for counterfeit goods and other illegal activities with a ready made customer base.

There was also a Proceeds of Crime Act confiscation order attached to both brothers in 2011.



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

The sale of counterfeit alcohol results in the supply of an inferior product, the contents of which have not been produced to the higher standards of the genuine manufacturer and therefore are not to the standard that is expected of the paying customer who is ultimately being mis-led at the time of the sale. Counterfeit alcohol also carries a risk to the health of the customer, who may not be aware that the product is not genuine and therefore its contents could be very harmful as the necessary quality control measures are unlikely to be in place due to its sub-standard method of manufacturing.

The significant quantity of duty free alcohol that was seized at the various locations that are controlled by the licence holders, and the seizure of the counterfeit 'duty paid stamps' demonstrates a calculated intention to evade the legal obligation of all individuals and business within the United Kingdom to pay tax, and demonstrates a disregard for the law. It is the belief of the Hampshire Constabulary that the conduct of the applicants for 310 Fernhill Road has shown that they are unable to meet the required standard and responsibility to run a licensed premises.

For this reason we do not believe that the imposition of any conditions on the premises licence would be appropriate in this case and we urge the sub-committee to take only one course of action, refusal of this transfer.

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)

Reject application for transfer and variation of DPS

Signature of Officer Completing

| | | | |
|------------|---------------|----------------|------------|
| Name | Steve Ladhams | Collar Number: | 2373 |
| Signature: | [Redacted] | Date: | 31/05/2017 |

Signature of Authorising Officer

| | | | |
|------------|------------|----------------|------------|
| Name | [Redacted] | Collar Number: | [Redacted] |
| Signature: | [Redacted] | Date: | [Redacted] |

APPENDIX E

RELEVANT CONSIDERATIONS

310 Fernhill Road

1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2017)

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 |
| 2 | - | 2.1 | 2.32 | The licensing objectives | 10 | 17 |
| 2 | - | 2.1 | 2.6 | Crime and Disorder | 10 | 11 |
| 4 | - | 4.1 | 4.67 | Personal Licences | 25 | 37 |
| 4 | - | 4.31 | 4.38 | Specification of new designated premises supervisor | 30 | 31 |
| 4 | - | 4.39 | 4.42 | Police objections to new designated premises supervisors | 31 | 32 |
| 8 | - | 8.1 | 8.108 | Applications for a premises licence | 52 | 69 |
| 8 | - | 8.97 | 8.100 | Transfers of premises licences | 66 | 67 |
| 9 | - | 9.1 | 9.45 | Determining applications | 70 | 78 |
| 9 | - | 9.31 | 9.41 | Hearings | 75 | 77 |
| 13 | - | 13.1 | 13.12 | Appeals | 105 | 107 |
| 13 | - | 13.10 | 13.10 | Reasons for decision | 106 | 106 |

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 principals, objectives & General considerations | 16 | 20 |
| 3 | Part C | 3.12 | 3.14 | General licensing principals | 17 | 17 |
| 12 | Part L | 12.1 | 12.16 | Transfer of Premises Licence | 36 | 37 |
| 12 | Part L | 12.7 | 12.8 | Police objection to transfer of a premises licence | 48 | 48 |
| 12 | Part L | 12.9 | 12.13 | Relevant considerations to police objection(s) | 48 | 49 |

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

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AGENDA ITEM No. 2

LICENSING SUB-COMMITTEE
(ALCOHOL & ENTERTAINMENTS)
4 JULY 2017

DIRECTORATE OF
ENVIRONMENTAL SERVICES

LICENSING REPORT NO. EHH_LICSUB_A&E1725

DETERMINATION OF AN APPLICATION FOR
A PREMISES LICENCE
38-40 ALEXANDRA ROAD, FARNBOROUGH GU14 6DA

1.0 INTRODUCTION

- 1.1. This report concerns an application for a premises licence made under section 17 of the Licensing Act 2003 (the 'Act'). Representations have been received in respect of the application and invoke 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 for a premises licence was submitted on 18th May 2017 by Mrs Tahereh Nezam-Tehrani, in respect of a premises known as 38-40 Alexandra Road, Farnborough GU14 6DA. A map of the area showing the general location of the premises is given at **appendix A**.
- 2.2. **Nature of the application**
- 2.3. The application originally sought to allow the provision of regulated entertainment by way of recorded music between Midday and 23:00pm, indoors and outdoors, the retail sale of alcohol, for consumption on and off the premises, between Midday and 01:00am, and the provision of late night refreshment between 23:00pm to 01:00am on any day. A copy of the application is given as **appendix B** for reference.
- 2.4. Following a number of representations the applicant has amended the application and is no longer seeking the provision of alcohol for consumption on the premises, or the provision of regulated entertainment outdoors. Therefore, the application is now seeking the retail sale of alcohol for consumption off the premises between Midday and 01:00am on any day, the provision of regulated entertainment by way of recorded music indoors between Midday and 23:00pm on any day and the provision of late night refreshment between 23:00pm and 01:00am on any day. An email received from the applicant confirming the amendment to the application is given at **appendix C**.

2.5. Advertising of the application

- 2.6. I can confirm that each responsible authority (as specified in the Act) has received a copy of the application. Similarly, the application was advertised by the applicant in accordance with the requirements of the legislation both at the premises and in a local newspaper. The last date for representations was given as the 15th June 2017.

3.0 REPRESENTATION(S)

- 3.1 Eighteen representations were received in respect of the application, one from a ward councillor and the remaining from members of the public.

- 3.2. Following on from the amendment to the application, two members of the public have withdrawn their representations, therefore they have not been included in this report and there are 16 representations for consideration. A copy of the representations are given at **appendix D**, marked **D1** to **D10** respectively.

3.2. Relevance of Representation(s)

- 3.3. 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 a responsible authority, any other person, a body representing such persons or a Member of the relevant licensing authority (i.e. elected councillors). Similarly, representations must not be frivolous or vexatious and must be about the likely effect of the grant of the licence on the promotion of the licensing objectives.

- 3.4. 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.

- 3.5. Against the above criteria, the representations are considered relevant in this case, as they have been made by other persons and concern the licensing objective prevention of public nuisance.

4.0 OTHER DATA PROTECTION ISSUES

- 4.1 In accordance with data protection requirements, any personal details, addresses, contact details and/or signatures submitted on any application, representation or other relevant document etc. have been redacted.

5.0 DETERMINATION

- 5.1. Further to the receipt of the relevant representations 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

6.1. Licensing Objectives

- 6.2. In considering the application the licensing authority must have regard to the promotion of the licensing objectives given at paragraph 3.4 of this report.

6.3. Licensing Policy and Secretary of States Guidance

- 6.4. 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.
- 6.5. 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

- 7.1 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 grant the licence as applied for*; or
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates*; or
- (c) to reject the whole or part of the application.

** Subject to any relevant mandatory conditions, amendments agreed by the applicant and/or such other conditions that are consistent with the operating schedule which, with the exception of mandatory conditions, may be modified (which may include the alteration or omission of a condition or the addition of any new condition(s)) to such extent as may be necessary to promote the licensing objectives.*

8.0 RECOMMENDATION(S)

- 8.1. 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 objectives.

AIMEE VOSSER
Licensing Officer
Environmental Health & Housing Services
licensing@rushmoor.gov.uk

Public Documents:

- 1) **HMSO (2003)**, The Licensing Act 2003.
- 2) **Home Office (March 2015)**, Guidance issued under Section 182 of the Licensing Act 2003

Contact:

Aimee Vosser, Licensing Officer (01252 398131)
Shelley Bowman, Principal Licensing Officer (01252 398162)

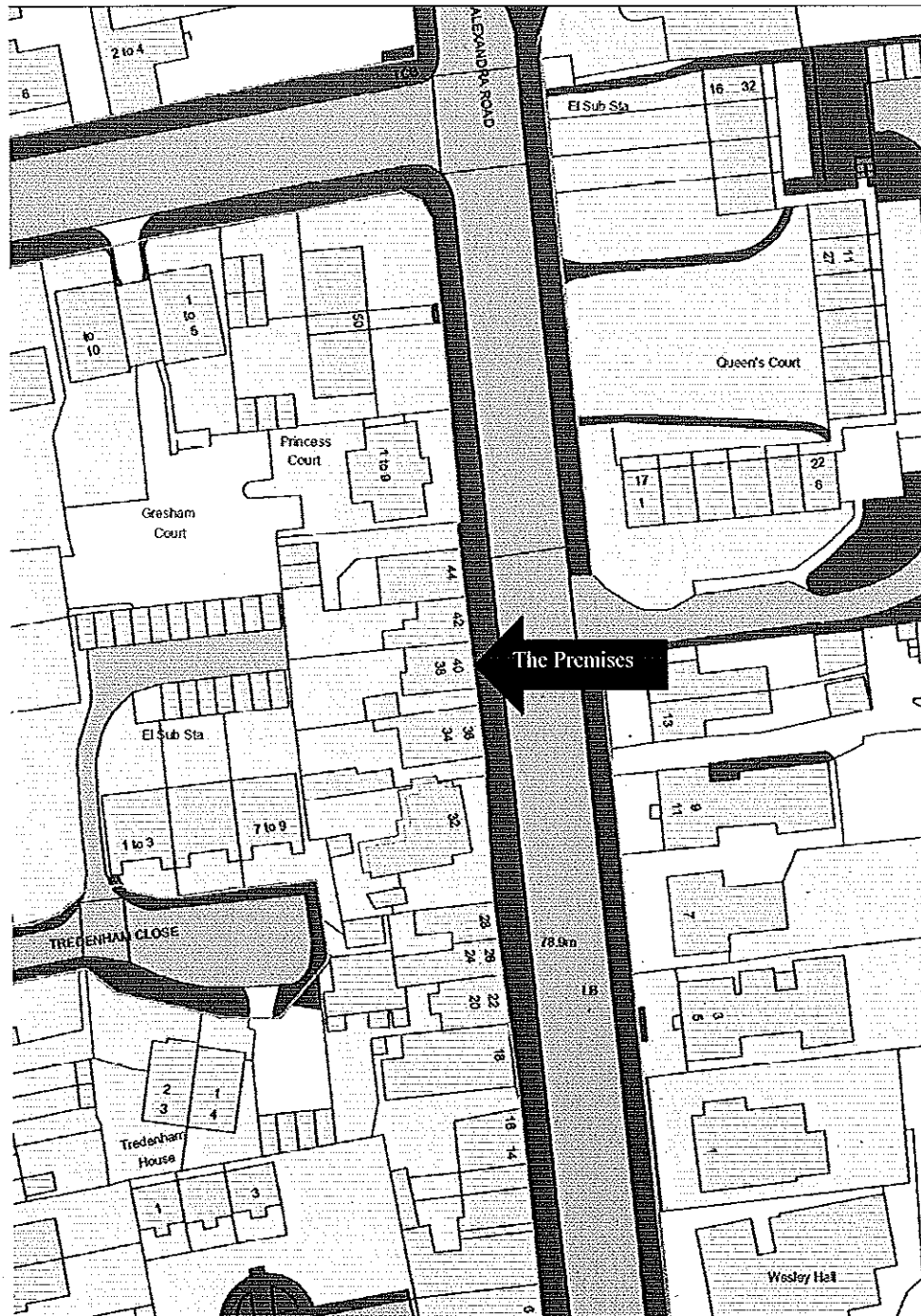
Appendices:

- Appendix A - Map of the area (page 5)
- Appendix B - Application for a premises licence (pages 7 - 25)
- Appendix C - Amendment to application (pages 27 - 28)
- Appendix D - Representations (page 29 - 43)
- Appendix E - Relevant Considerations (Page 45)

APPENDIX A

MAP SHOWING LOCATION OF PREMISES

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA



APPLICATION FOR A NEW PREMISES LICENCE

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

Application for a premises licence to be granted
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.

I/We TAHEREH VEZAM-TEHRANI
(insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/ave are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

| | | | |
|--|----------------------|----------|----------|
| Postal address of premises or, if none, Ordnance Survey map reference or description | | | |
| 40 ALEXANDRA ROAD FARNBOROUGH HAMPSHIRE GU14 6DA | | | |
| Post town | GU14 6DA FARNBOROUGH | Postcode | GU14 6DA |
| Telephone number at premises (if any) | 01252 520111 | | |
| Non-domestic rateable value of premises | £ | | |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- gn) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|--|---|-------------------------------|---|--------------------------------|-----------------|
| Mr <input type="checkbox"/> | Mrs <input checked="" type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname NEZAM-TEHRANI | | First names TAKEREH | | | |
| Date of birth | [REDACTED] | | I am 18 years old or over <input checked="" type="checkbox"/> | | Please tick yes |
| Nationality BRITISH | | | | | |
| Current residential address if different from premises address | | [REDACTED] | | | |
| Post town | [REDACTED] | | | Postcode | [REDACTED] |
| Daytime contact telephone number [REDACTED] | | | | | |
| E-mail address (optional) | | [REDACTED] | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | First names | | | |

| | | | |
|---|--|--|--|
| Date of birth | | I am 18 years old or over <input type="checkbox"/> Please tick yes | |
| Nationality | | | |
| Current postal address if different from premises address | | | |
| Post town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| |
|---|
| Name |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (If any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----|----|------|
| DD | MM | YYYY |
| | | |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| | | |
|----|----|------|
| DD | MM | YYYY |
| | | |

Please give a general description of the premises (please read guidance note 1)

TAKE AWAY, MEDIUM SIZED,
PIZZA & CATCH HOT & COLD FOOD.
CARDS AVAILABLE, TO SIT IN BUT NOT A
RESTAURANT.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

| |
|--|
| |
|--|

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L, and M



A

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 7) | | | Will the performance of a play take place <u>indoors or outdoors or both</u> -- please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

B

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 7) | | | Please give further details (please read guidance note 4) |
|---|-------|--------|---|
| Day | Start | Finish | |
| Mon | | | State any seasonal variations for indoor sporting events (please read guidance note 5) |
| Tue | | | |
| Wed | | | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6) |
| Thur | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

| | | | | | | |
|--|--------------|---------------|--|--|---|--|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 3) | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> | | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | | |
| Mon | | | | | | |
| Tue | | | | | | |
| Wed | | | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | |
| Thur | | | | | | |
| Fri | | | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) | |
| Sat | | | | | | |
| Sun | | | | | | |

E

| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|---|-------|--------|--|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors |
|---|-------|--------|--|-------------------------------------|
| Day | Start | Finish | | Outdoors |
| Mon | 12.00 | 23.00 | Please give further details here (please read guidance note 4) | <input checked="" type="checkbox"/> |
| Tue | 12.00 | 23.00 | | <input checked="" type="checkbox"/> |
| Wed | 12.00 | 23.00 | State any seasonal variations for the playing of recorded music (please read guidance note 5) | <input type="checkbox"/> |
| Thur | 12.00 | 23.00 | | <input type="checkbox"/> |
| Fri | 12.00 | 23.00 | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) | <input type="checkbox"/> |
| Sat | 12.00 | 23.00 | | <input type="checkbox"/> |
| Sun | 12.00 | 23.00 | | <input type="checkbox"/> |

G

| Performances of dance Standard days and timings (please read guidance note 7) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
|--|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of dance (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | | | |

H

| | | | | | |
|---|-------|--------|---|----------|--------------------------|
| <p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p> | | | <p>Please give a description of the type of entertainment you will be providing</p> | | |
| Day | Start | Finish | <p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p> | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <p>Please give further details here (please read guidance note 4)</p> | | |
| Wed | | | | | |
| Thur | | | <p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p> | | |
| Fri | | | | | |
| Sat | | | <p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)</p> | | |
| Sun | | | | | |

I

| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
|---|---------------------------|--------|--|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | Both <input type="checkbox"/> | | |
| Mon | 23.00 23.00 | 01.00 | Please give further details here (please read guidance note 4) SHOP WILL BE SHUT FOR CUSTOMERS TO ENTER AFTER 23.00HRS. HOWEVER PHONE ORDERS TAKEN BETWEEN 23.00HRS & 01.00HRS. | | |
| Tue | 23.00 23.00 | 01.00 | | | |
| Wed | 23.00 23.00 | 01.00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Thur | 23.00 23.00 | 01.00 | | | |
| Fri | 23.00 23.00 | 01.00 | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | 23.00 23.00 | 01.00 | | | |
| Sun | 23.00 23.00 | 01.00 | | | |

J

| | | | | | |
|--|-------|--------|--|---------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption - please tick (please read guidance note 8) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input checked="" type="checkbox"/> |
| Mon | 12.00 | 01.00 | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| Tue | 12.00 | 01.00 | | | |
| Wed | 12.00 | 01.00 | | | |
| Thur | 12.00 | 01.00 | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Fri | 12.00 | 01.00 | | | |
| Sat | 12.00 | 01.00 | | | |
| Sun | 12.00 | 01.00 | | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|--|--------------------------|
| Name | HAMID GHAFOURI - HASHQIN |
| Date of birth | [REDACTED] |
| Address | [REDACTED] |
| Postcode | [REDACTED] |
| Personal licence number (if known) | 00742 |
| Issuing licensing authority (if known) | BALFOG |

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
|--|------------------|------------------|---|
| Day | Start | Finish | |
| Mon | 12.00 | 01.00 | |
| Tue | 12.00 | 01.00 | |
| Wed | 12.00 | 01.00 | |
| Thur | 12.00 | 01.00 | |
| Fri | 12.00 | 01.00 | |
| Sat | 12.00 | 01.00 | |
| Sun | 12.00 | 01.00 | |

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

A Suitable CCTV camera system
CHALLENGE 25

b) The prevention of crime and disorder

CCTV to be fitted in the store. 6
Separate camera. External & internal.
CHALLENGE 25
ALCOHOL to be kept in locked storage.

c) Public safety

Fire exit signs placed
Food Hygiene certificate held.

d) The prevention of public nuisance

No late night operating hours
shop to be closed no later -
door to be closed 23.00 hrs not to disturb
neighbours, with telephone orders only after this time
CD player background music (additional)
notice asking people to leave quiet.

e) The protection of children from harm

CHALLENGE 25 posters.
Training in underage sales and intoxicated
people.
Receipts log.
Refrigerator training every six months
on deliveries driver will ask for ID before
handing over alcohol. Record will be kept.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO 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 LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO 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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

| | |
|--------------------|--|
| Declaration | <ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature |  |
| Date | 4,05/2017 |
| Capacity | owner |

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)

| | | | |
|---|--|-----------------|--|
| | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

AMENDMENT TO APPLICATION

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

From:Tahereh Nezam
Sent:14 Jun 2017 11:10:17 +0100
To:Aimee Vosser
Subject:Re: Drop application for garden entertaining

Hello Aimee

I confirm that we are not using the outside area for any licensable activities.
we still wish to sell alcohol off the premises as delivery/ take away only.

thank you

Tahereh Nezam-Telraui

From: Aimee Vosser <aimee.vosser@ruslmoor.gov.uk>
Sent: 12 June 2017 11:43:10
To: [REDACTED]
Subject: RE: Drop application for garden entertaining

Good morning,

Please could you confirm the following with regards to your application amendments...

You will not be using the outside area for any licensable activities ?

You still wish to have music within side the prenises and sell alcohol off the premises (e.g take away/delivery only)

You have stated this is temporary if you amend your operating schedule as above and later decide to use the garden you will need to apply for a full variation in the future.

Thank you

Aimee

Aimee Vosser
Licensing Officer
Ruslmoor Borough Council
01252 398131

Please note my working days are Moudays, Wednesdays and Thursdays.

-----Original Message-----

From: Tahereh NezamTehrani [REDACTED]
Sent: 07 June 2017 14:38
To: Wendy Harden
Subject: Drop application for garden entertaining

Dear Wendy

As the garden is not ready yet, we drop this part of application temporary and we just go for permission for delivery the alcohol.

Thank you for your help,
Tahereh Nezam-Tehrani
Sent from my iPhone

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REPRESENTATIONS

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

D1

The Licensing Authority
c/o Rushmoor Borough Council
Council Offices
Farnborough Road
Farnborough GU14 7JU

29 MAY 2017

| | |
|---|-------------|
| RUSHMOOR BOROUGH COUNCIL ENVIRONMENTAL HEALTH AND HOUSING | |
| REC'D | 31 MAY 2017 |
| REFERRED TO: | |

Dear Sir or Madam

LICENSING ACT 2003
Ref No 17/00380/LAPRE
38-40 Alexandra Road, Farnborough GU14 6DA

I write to express my horror at the proposals made with this licensing application.

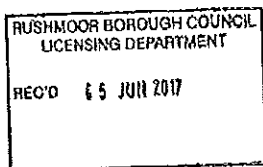
Tredenham Close is a quiet, residential area immediately behind 38/40 Alexandra Road, and the Close is populated by a mixture of all ages, including the elderly such as myself and young families. The rear of 38/40 Alexandra Road is visible from both my bedroom and living room, and is close enough to hear conversations when people are in the garden area of that building.

Astonishingly, the applicant wishes to subject me and the other residents of the Close to recorded music in the outdoor area immediately adjacent to us from twelve noon to eleven in the evening, seven days a week, 52 weeks a year. Sound from CD players carry very far, and the thought of being subjected to this each and every day is nauseating. I simply want to sit in my own home, or the garden of Tredenham Close, without having someone else's music being forced on me. Is this too much to ask?

The proposal is also to allow alcohol to be served at these premises (surely a peculiar feature of a "takeaway") and for customers to be allowed to sit in the garden area of the premises which back directly on to us. So not only would I be subjected to someone else's music all day long but also the chatter of customers, no doubt sometimes rather loud as is the case so often with those consuming alcohol in public places, especially in the evenings. (Incidentally, the applicant who wants to subject me to music and chatter all day long says they will erect a notice asking customers to leave quietly because of local residents. I take it that this is the applicant's attempt to show a sense of humour.)

In summary, acceptance of these proposals would transform Tredenham Close, and other nearby homes, from a quiet residential area where people quietly get on with their lives to an adjunct of a music and alcohol fuelled establishment. To accept the proposals would be an act of environmental vandalism.

Yours faithfully



31st May 2017

The Licensing Authority
c/o Rushmoor Borough Council
Council Offices
Farnborough Road
Farnborough
GU14 7JU

Dear Sir or Madam

LICENSING ACT 2003
Ref. No. 17/00380/LAPRE
38-40 Alexandra Road, Farnborough GU14 6DA

It was by pure chance that I saw the small blue notice in the window of 38-40 Alexandra Road stating their proposal to apply for a premises licence to enable the sale of alcohol and the playing of recorded music both inside and outside the premises and was shocked when I realised the huge impact this would have on myself and my neighbours.

The rear of these premises backs on to our quiet residential area with a mixed age community, several of whom have lived there since the early 70s, bringing up families and now enjoying a well earned retirement, alongside young families with small children and all ages in between. The applicant is proposing to bombard us with recorded music from 12 noon to 23.00 every day of the week and on top of that is requesting that they be allowed to sell alcohol from the same time until 01.00 which can be consumed on the premises. They have opened up an area which they are saying is for their customers to sit in and the constant talking (probably quite loud if alcohol is involved) on top of the music will be completely unbearable. The description of the business is described as a 'take away pizza and grill, hot and cold food' so I cannot even begin to understand why any of the proposed plans would be needed by their customers. I find it so hard to believe that the applicant is so insensitive and selfish not to have any thought for the residents living alongside their business; it is just not how we behave in our area. What has happened to courtesy and consideration?

The business side of the premises should stop at their back door and under no circumstances should their customers be allowed to intrude on our residential area even without alcohol and music, voices can carry a long way and will be extremely annoying when there is no let up.

I strongly oppose this proposal, every aspect of which is completely unacceptable on all counts. If any single part of this plan is allowed to go ahead in any way, it will completely ruin what has always been a quiet residential area.

Yours faithfully,





31/05/2017

The Environmental Health Manager (Licensing)
c/o Rushmoor Borough Council
Council Offices
Farnborough Road
GU14 7JU

Dear Sir/Madam

Licensing Act 2003
Ref No17/00380/LAPRE
38-40 Alexandra Road, Farnborough, Hampshire, GU14 6DA

I would like to protest in the strongest possible terms to the application for an alcohol license and the change to a music venue. The premises in question was a hair dressing establishment for many years with normal business hours this was then changed to straightforward pizza takeaway.

The boundary between these premises to the back of Tredenham Close is a wooden fence; in the past when people have been working and talking in the rear of the premises we can clearly hear conversations and noise of whatever has been going on there.

We would like to point out the following: an elderly, disabled person of 91 that already has problems sleeping could be disturbed at night by such an establishment; I myself, am a health care worker and have to get up very early in the morning, which means that I have to go to bed early. I would be very disturbed by any noise such as music and rowdy behaviour.

Could I suggest that a representative of the council actually visits the back of Tredenham Close and the areas that could be affected where I am sure the problems would be obvious.

I have no objection to the premises staying as a takeaway business, but vehemently object to a music and alcohol licence being granted.



RUSHMOOR BOROUGH COUNCIL
ENVIRONMENTAL HEALTH
AND HOUSING
REC'D - 5 JUN 2017
REFERRED TO:

From: publicaccess@rushmoor.gov.uk [mailto:publicaccess@rushmoor.gov.uk]
Sent: 06 June 2017 18:33
To: Licensing
Subject: Comments for Licensing Application 17/00380/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 6:32 PM on 06 Jun 2017 from [REDACTED]

Application Summary

Address: 38 - 40 Alexandra Road Farnborough Hampshire GU14
6DA
Proposal: Premises Licence
Case Officer: Aimee Vosser
[Click for further information](#)

Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED]

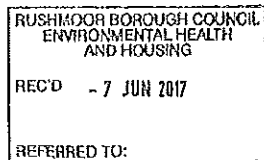
Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 6:32 PM on 06 Jun 2017 This is a wholly inappropriate application for a premises bordering a residential area in a conservation area. Particularly as the application includes music being played outside when the premises backs on to a quiet residential road. This is NOT acceptable. There are no other similar establishments on that part of Alexandra Road, the only other places licenced to sell alcohol are high end restaurants. We OBJECT whole heartedly and ask that this application be refused.



05/06/2017

The Environmental Health Manager (Licensing)
c/o Rushmoor Borough Council
Council Offices
Farnborough Road
GU14 7JU

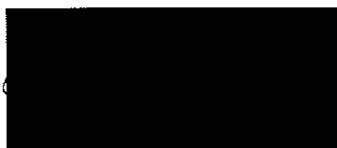
Dear Sir/Madam

Licensing Act 2003
Ref No17/00380/LAPRE
38-40 Alexandra Road, Farnborough, Hampshire, GU14 6DA

I would like to make my objections to this proposal for a premises licence in the strongest possible terms. If this application were granted, I believe it would adversely impact myself and other local residents; it would be more than a nuisance.

The proposal to have recorded music from 12 noon until 11 pm being played just over our communal fence appals me. In addition, I do not want to hear prolonged talking which, if I read the application correctly, could be present until 1 a.m. I am sure that this would be even louder if alcohol was involved. I have double-glazing and yet I can still hear talking in the back yards of adjacent properties in Alexandra Road. I therefore do not wish to be subjected to even more disturbance; it would be even worse in the summer months when I have my windows open. It would also mean that I would not be able to sit quietly and enjoy our communal garden here in the Close. I am quite bemused that a 'Take Away' would require an open space to provide music and late night refreshments.

Tredenham Close is a quiet, friendly part of the South Farnborough Conservation Area and I cannot think that granting this license would enhance this in any way.





Friday 10 June 2017

Dear Sir / Madam,

RE: 17/00380/LAPRE

We are writing to object to the above application for a Premises Licence at 38-40 Alexandra Road, Farnborough, Hampshire.

We are residents of Winchester Street, located just behind these premises. This is a quiet residential street and home to many elderly citizens and young families. We have two young daughters ourselves and would only find the loud music and consequences of an alcohol licence a disruption.

Winchester Street and its adjoining roads are quiet, peaceful and feel safe at night. We object to this being compromised by premises so close to us to being permitted to stay open so late serving food and drinks and playing loud music into the early hours of the morning.

Yours faithfully,



D7 (Six Objectors On One Letter)

The Licensing Authority
Rushmoor Borough Council
Farnborough
GU14 7JU

38 - 40 Alexandra Road, Farnborough GU14 6DA – Premises licence

Ref. 17/00380/LAPRE

9th June 2017

Dear Sir/Madam

We are writing to register our opposition to, and concerns about, the above licence application. We are aware that other residents have also written individually to express their concerns.

The yard at the rear of 38 - 40 Alexandra Road backs directly on [REDACTED] Tredenham Close, a residential area which would be affected by any noise from these premises. Noise from these premises would also be audible to a large number of properties including those on Alexandra Road, Netley Street and Winchester Street.

The licence application states that there will be a "Garden available to sit in" and there will be recorded music both indoors and outdoors. Alcohol will also be available for consumption both on and off the premises. The times for these are 12.00 noon to 11.00 pm 7 days a week. In addition, it is proposed to offer a telephone order only take-away service from 11.00 pm to 1.00 am.

This application as stated is totally unacceptable for a residential area. It is inappropriate and un-necessary for a take away to provide an outdoor seating area with music and alcohol. The noise impact will be even more unbearable during the summer. This is when customers are more likely to sit outside and when residents will have their windows open.

There is a long history of noise problems from these premises from both extractor fans and a barking dog. Details of these will be on file with Rushmoor's Environmental Health department.

If you require more details please contact [REDACTED]

Please can you acknowledge receipt of this letter to all addressees listed below individually.

Yours faithfully

Re. 38 - 40 Alexandra Road, Farnborough GU14 6DA -- Premises licence

Ref. 17/00380/LAPRE



D8 - Councillor Representation

From: [REDACTED]
Sent: 13 Jun 2017 12:33:38 +0100
To: Aimee Vosser
Subject: Re: re planning application 17/00380/LAPRE

Thank you, Aimee - I wish to object on behalf of my residents regarding the issue of Public Nuisance. This property is too near to homes, and numbers of people gathering in what is a very small space to drink would seem to be a very big nuisance to our residents in that area. I still fail to see what they are going to do!!

Regards, [REDACTED]

On 12/06/2017 13:27, Aimee Vosser wrote:

> Good afternoon [REDACTED]
>
> Thank you for your email with regards to the above licensing application. My apologies in the delay of replying to you. I have been out of the office.
>
> You may already be aware that I have received a number of objections with regards to the application. At this moment in time, I am unable to accept your email as a valid representation against the application as your comments are not relevant to the licensing objectives.
>
> I understand from the content of your email that your concerns are about the use of the garden area, can I suggest that you take a look at this link <http://www.rushmoor.gov.uk/article/2782/Comment-on-a-licence-application> and if you would still like to object to the application may I ask that you do so before the 15th June 2017.
> Your comments on the application need to be relevant to the licensing objectives in order for it to be considered as a valid representation.
>
> I trust the above is self-explanatory, however should you have any queries please do not hesitate to contact me.
>
> Kind Regards,
>
> Aimee
>
> Aimee Vosser
> Licensing Officer
> Rushmoor Borough Council
> 01252 398131
>
> Please note my working days are Mondays, Wednesdays and Thursdays.
>
>
> -----Original Message-----
> From: [REDACTED]
> Sent: 05 June 2017 12:39
> To: Aimee Vosser
> Subject: re planning application 17/00380/LAPRE
>
> Hi, Aimee - I have had a number of copy letters sent to me from concerned residents regarding the above application for alcohol sales and music, and have visited the site, meeting some of the residents. I cannot

see what there is to gain by this - the premises are very small (currently a takeaway) and the rear area is a very small yard, near to houses at the back. I fail to see what the new owners think that they are going to provide there! A takeaway should not be providing a restaurant service, surely?

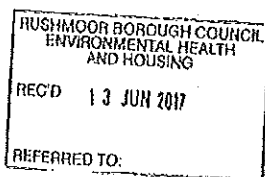
>
> If it is allowed, I would back the residents in their concerns about this as it is not - in my opinion - a suitable use of the premises and space, and would almost certainly cause problems for the residents at the back. I am, therefore, against the application.

>
> regards,



>
>

11 June 2017



Licensing Authority
c/o Rushmoor Borough Council Offices
Farnborough Road
Farnborough GU14 7JU

Ref: 17/00380/LAPRE

Dear Sir

I am writing in my capacity of Secretary to Netley and Winchester Street Residents Association.

On behalf of local residents, in particular residents of Winchester Street especially those on the East side of the street to object to the granting of the application of a licence for premises at 38-40 Alexandra Road Farnborough GU14 6DA.

The premises previously operated as a fast food takeaway pizza and grill with an entrance and shop front facing onto Alexander Road. It is described in the application as a takeaway pizza and grill, garden available, to sit in but not a Restaurant.

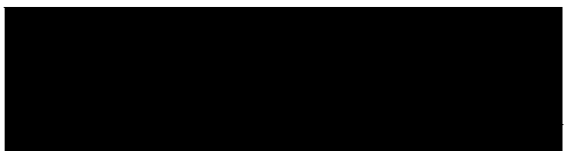
The application is for the following:-

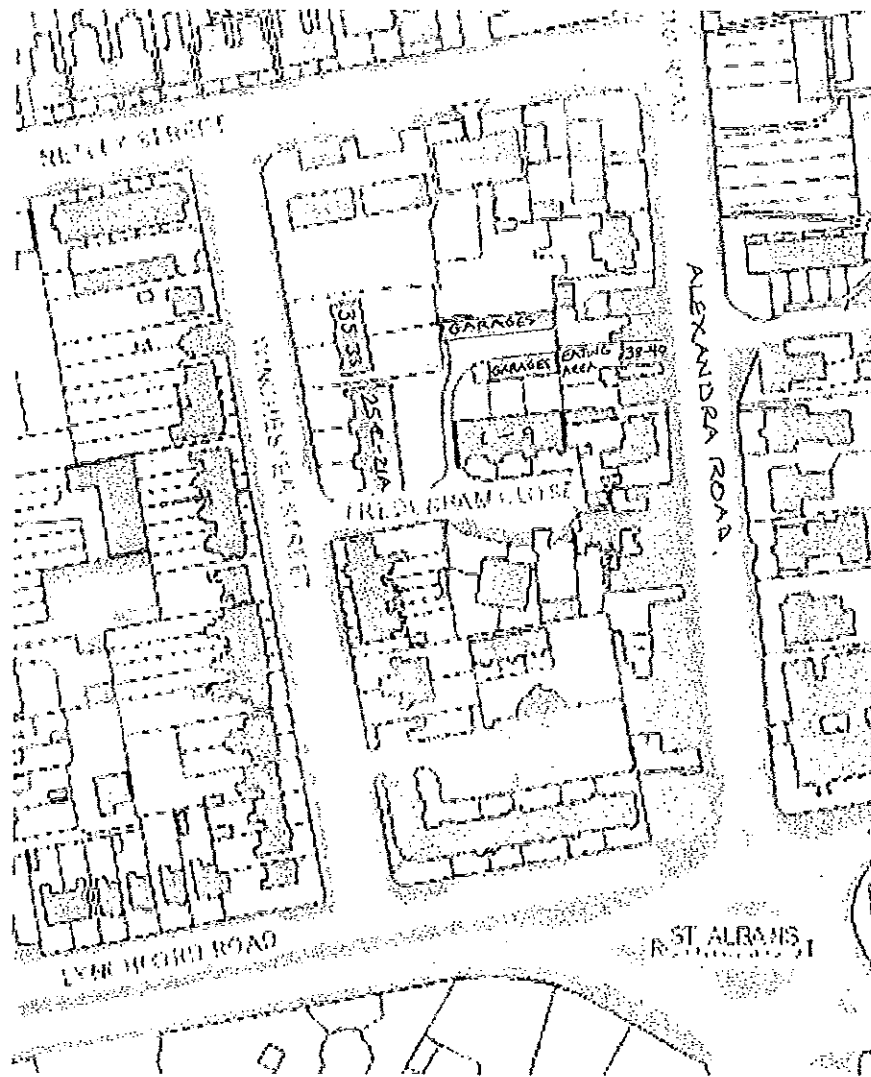
1. Playing recorded music indoors and outdoors till 2300 hrs
2. Provision of late night refreshment till 0100 hrs although shop to be shut to enter at 2300 hrs
3. Alcohol for consumption on and off the premises till 0100 hrs

The application appears to be for music and alcohol consumption to take place indoors and out, which will include the garden area at the rear. This will create noise disturbance which does not currently exist to a residential area directly abutting the premises. The garden area faces directly towards [redacted] Winchester Street and the flats and maisonettes at [redacted] Winchester Street and is in close proximity to [redacted] Winchester Street and [redacted] Tredenham Close.

The opening of licensed premises in particular the garden area facing onto a large number of residential properties will create an unacceptable level of noise nuisance.

Yours sincerely





From:Wendy Harden
Sent:14 Jun 2017 11:17:14 +0100
To:Aimee Vosser
Subject:FW: Comments for Licensing Application 17/00380/LAPRE

From: publicaccess@rushmoor.gov.uk [mailto:publicaccess@rushmoor.gov.uk]
Sent: 14 June 2017 11:00
To: Licensing
Subject: Comments for Licensing Application 17/00380/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:00 AM on 14 Jun 2017 from [REDACTED]

Application Summary

Address: 38 - 40 Alexandra Road Farnborough Hampshire GU14 6DA
Proposal: Premises Licence
Case Officer: Aimee Vosser
[Click for further information](#)

Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED]

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Reasons for comment:
Comments: 11:00 AM on 14 Jun 2017 Our Tenants living above our shop have complained to us on many occasions that their children are kept awake until the early hours by talking

and laughing and the revving of motor bikes coming and going delivering pizza's. We objected to the late opening hours and we most certainly object to a drinks licence and the opening up of a drinking garden at the rear of this property. This is wholly out of keeping with the area and will encourage development "creep"
We ask... no implore RBC to refuse this licence it will make the lives of those living adjacent to the premises a living hell!

[REDACTED]
Sent: 13 June 2017 17:05
To: Licensing
Subject: Licensing Objection

Dear Sir/Madam,

Licensing Act 2003

Ref No. 17/00380/LAPRE

38-40 Alexandra Rd, Farnborough, Hants, GU14 6DA

I wish to object to the above application for playing music and serving alcohol. My property [REDACTED] is close to the proposed 'Flamingo' premises and my lounge faces the area which the 'Flamingo' premises backs onto.

I recall an occasion a few years ago when a party or celebration of some sort was held in the back garden of either the proposed 'Flamingo' or the property next to it. I had to turn up the volume on my television quite considerably to counteract the noise coming from outside. This experience convinces me that music played outside 'Flamingo' would considerably impact me.

I have no objection to music played indoors at 'Flamingo' at a reasonable volume as it shouldn't affect me.

Yours faithfully,

[REDACTED]

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RELEVANT CONSIDERATIONS

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2017)

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 |
| 2 | - | 2.1 | 2.32 | The licensing objectives | 10 | 17 |
| 2 | - | 2.15 | 2.21 | Public Nuisance | 13 | 14 |
| 8 | - | 8.1 | 8.108 | Applications for a premises licence | 52 | 69 |
| 9 | - | 9.1 | 9.45 | Determining applications | 70 | 78 |
| 9 | - | 9.3 | 9.3 | Where representations are made | 70 | 70 |
| 9 | - | 9.31 | 9.41 | Hearings | 75 | 77 |
| 10 | - | 10.1 | 10.66 | Conditions attached to premises licences and club premises certificates | 79 | 90 |
| 10 | - | 10.8 | 10.10 | Imposed conditions | 80 | 80 |
| 12 | - | 13.1 | 13.12 | Appeals | 105 | 107 |
| 12 | - | 13.10 | 13.10 | Giving reasons for decision | 106 | 106 |

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 principals, objectives & General considerations | 16 | 20 |
| 3 | Part C | 3.12 | 3.14 | General licensing principals | 17 | 17 |
| 6 | Part F | 6.1 | 6.42 | Premises Licences | 27 | 33 |
| 18 | Part R | 18.1 | 18.61 | Representations, Responsible authorities & Interested Parties | 67 | 73 |
| 18 | Part R | 18.51 | 18.51 | The weight attached to relevant representations | 73 | 73 |
| 19 | Part S | 19.1 | 19.29 | Conditions and restrictions | 74 | 77 |
| 19 | Part S | 19.10 | 19.15 | General principles of transposition and imposition of conditions | 74 | 75 |

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

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17/00380/LAPRE

Aimee Vosser

01252 398131

Aimee.vosser@rushmoor.gov.uk

21st June 2017

Dear Sir/Madam,

**APPLICATION FOR A PREMISES LICENCE
38-40 ALEXANDRA ROAD, FARNBOROUGH GU14 6DA**

As you will be aware, a hearing has been scheduled to take place at the Council Offices on Tuesday 4th July 2017 at 14:00 in order to determine an application for a premises licence in connection with the above named premises.

Further to the information distributed, a representation has been withdrawn and should now be omitted from the report. The representation on page 37 listed as D8 has now been withdrawn and should no longer be considered.

The enclosed has been copied to all relevant parties, and should be taken to form an addition to the paperwork accompanying the report EHH_LICSUB_A&E1725.

I trust the above is self-explanatory. However, should you have any query regarding the above, please do not hesitate to contact me.

Yours faithfully,

Aimee Vosser
Licensing Officer
Environmental Health & Housing
licensing@rushmoor.gov.uk

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