



LICENSING ACT 2003

Application for a New Premises Licence

Decision Record

APPLICANT: PRB Hampshire Limited

PREMISES: The Empire, The Kings Centre, High Street,
Aldershot

DATE OF HEARING: 8th December, 2015

MEMBERS SITTING: Cllrs R. Cooper, L.A. Taylor and Jacqui
Vosper (Chairman)

DECISION

To grant the application for the premises licence, as amended by agreement with Hampshire Constabulary and Rushmoor Environmental Health Service together with the amended hours offered by the applicant in their letter dated 2nd December, 2015 and the removal of all references to 'religions' and 'religious holidays' from the application and subject to the mandatory conditions imposed by the Licensing Act, 2003.

The Sub-Committee was of the view that these steps were, on the balance of probabilities, appropriate in order to promote the licensing objectives, particularly the prevention of public nuisance and the prevention of crime and disorder.

The premises licence shall take effect immediately.

REASONS

In coming to its decision, the Sub-Committee has taken into account:

- The Licensing Act Section 18, which states that, having regard to relevant representations that are made, the Sub-Committee must take such steps it considers appropriate for the promotion of the licensing objectives;
- The Secretary of State's Guidance issued under section 182 of the Licensing Act 2003 in March 2015, particularly paragraph 2.1, which says that local authorities should look to the Police as the main source of advice on crime and disorder. Also paragraph 9.41, which states that all licensing applications should be considered on a case-by-case basis and paragraph 9.43, that the basis of the determination is to be limited to consideration of the promotion of the licensing objectives and nothing outside those parameters;
- The Council's Statement of Licensing Policy 2010–11. The Sub-Committee has taken into account the fact that the Council's Licensing Policy has yet to be revised following changes in the legislation and has disregarded any parts that are now out of date. In particular, it was noted that the Cumulative Impact Policy, that had formed an addendum to the Council's Statement of Licensing Policy, had now lapsed; and
- Written and oral evidence presented at the hearing.

The Sub-Committee heard from the Ward Councillor much about the concerns of the Police about crime and disorder in Aldershot town centre and their operational difficulties after 2.00am. However, the Police did

not make any representations and their specific concerns were met by the agreement of the applicant to the inclusion of a number of conditions.

The Sub-Committee heard a great deal about the possible use of the premises as a nightclub but Councillor Crawford did not raise this as a concern in his representation and confirmed in his presentation that he was not concerned with this as a possible use, his main focus being the ability to supply alcohol up to 3.00am.

The difficulty in identifying religious holidays for all religions was discussed and the applicant acknowledged this by offering to delete reference to this in the application.

The Sub-Committee has not taken into account the conditions attached to other licensed premises in Aldershot, as each application is to be considered on a case-by-case basis.