



RUSHMOOR BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

*at the Council Offices, Farnborough on
Thursday, 14th July, 2016 at 10.00 am*

Membership:

Cllr Liz Corps

Cllr B. Jones

Cllr L.A. Taylor

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 A PREMISES LICENCE IN RESPECT OF NO. 3 UNION STREET, ALDERSHOT – (Pages 1 - 38)**

To consider the Head of Environmental Health and Housing's Report No. EHH_LICSUB_A&E1621 (copy attached) setting out details of an application for a premises licence.

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AGENDA ITEM NO. 1

**LICENSING SUB-COMMITTEE
(ALCOHOL & ENTERTAINMENTS)
14th JULY 2016**

LICENSING REPORT NO. EHH_LICSUB_A&E1621

**DETERMINATION OF A PREMISES LICENCE
3 UNION STREET, ALDERSHOT, GU11 1EG**

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 (made under section 17 of the Act) was submitted to the licensing authority on the 23rd May 2016, by Mr Ayman Ahmed Sharif, in respect of proposed premises located at 3 Union Street, Aldershot, GU11 1EG.
- 2.2. For reference, a map of the area showing the general location of the premises is given at **appendix A**.

2.3. Nature of the application

- 2.4. The application seeks authorisation for the retail sale of alcohol and seeks to provide the licensable activity from 07:00am to 23:00pm Monday to Saturday and 09:00am to 18:00pm on Sunday as detailed in Part 3 of the application. A copy of the application is given at **appendix B**.

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. I can also confirm that the application was also advertised by the applicant in accordance with the requirements of the legislation both at the premises and in a suitable newspaper. The last date for representations was given as the 20th June 2016.

3.0 REPRESENTATIONS

Two representations were received in respect of the application, both from members of the public. A copy of the representations are given at **appendices C and D**.

3.1. Relevance of Representation(s)

3.2. 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 or any other person within the prescribed period permitted. 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.

3.3. 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.

3.4. Relevance of representations

3.5. Against the above criteria both representations are considered to be relevant as they were submitted within the prescribed period and concern two of the licensing objectives; namely the prevention of crime and disorder and public nuisance.

4.0 DATA PROTECTION ISSUES

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

5.0 DETERMINATION

5.1. Further to the receipt of 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 determination of the application, the licensing authority must have regard to the promotion of the licensing objectives. These are set out at paragraph 3.3 above.

6.3. Licensing policy & S182 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. Details of the parts of the policy and guidance that may be relevant to this application are given in **appendix E** to this report.

6.5. Mandatory Conditions

- 6.6. In addition, there are mandatory conditions that must be applied to a premises licence where appropriate. These are detailed at **appendix F**.

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 -

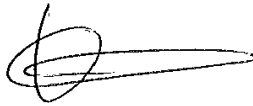
- (a) to grant the licence as applied for*; or
- (b) to refuse to specify a person as the premises supervisor; or
- (c) to reject the application.

** 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[†] to such extent as may be appropriate to promote the licensing objectives.*

[†] Modifications may include the alteration or omission of a condition or the addition of any new condition(s).

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.



Kelly Wilkinson
Licensing Officer
Environmental Health & Housing Services
licensing@rushmoor.gov.uk

BACKGROUND

PAPERS:

Premises licence application 16/00402/LAPRE

PUBLIC DOCUMENTS:

- 1) **HMSO (2003)**, The Licensing Act 2003
- 2) **Department for Culture, Media & Sport (2015)**, Guidance issued under Section 182 of the Licensing Act 2003

CONTACT:

John McNab, Environmental Health Manager (*Licensing*)
Tel: (01252) 398886, Email: john.mcnab@rushmoor.gov.uk

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

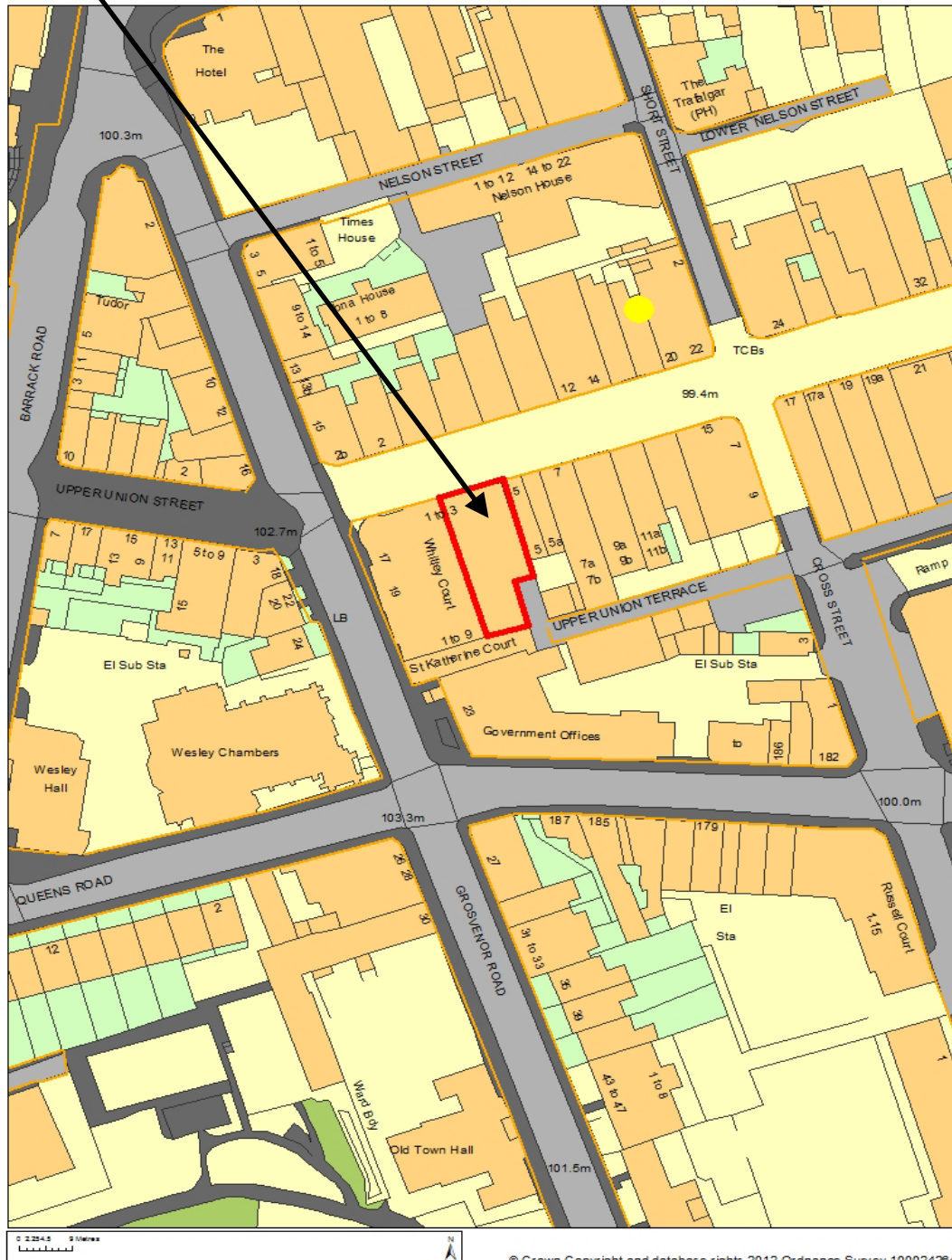
APPENDICES:

Appendix	Description	Page Ref.
A	- Map of the area	Page 5
B	- Application for grant of a premises licence	Page 7
C	- Representation viz member of the public	Page 29
D	- Representation viz member of the public	Page 31
E	- Summary of relevant considerations	Page 33
F	- Mandatory conditions	Page 35

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MAP OF THE AREA

3 Union Street, Aldershot, GU11 1EG



APPLICATION

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

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 AYMAN AHMED SHARIF
(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/we 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

3 UNION STREET
ALDERSHOT
GU11 1EG

Post town	ALDERSHOT	Postcode	GU11 1EG
-----------	-----------	----------	----------

Telephone number at premises (if any)	
---------------------------------------	--

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 * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> 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)
- 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 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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>	MR
Surname AHMED SHARIF			First names AYMAN		
I am 18 years old or over <input checked="" type="checkbox"/>			Please tick yes		
Current postal address if different from premises address					
Post town 1			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

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		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
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)

When do you want the premises licence to start?

Soon as possible.

DD	MM	YYYY

CURRENTLY TRADING AS A DELI
LOOKING TO TURN TO A OFF LICENSE

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

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

Provision of regulated entertainment

Please tick any 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>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</u> (please read guidance note 5)			
Sun						

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)	
Thur				
Fri			<u>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</u> (please read guidance note 5)	
Sat				
Sun				

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue				<u>Please give further details here</u> (please read guidance note 3)	
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat					
Sun					
			<u>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</u> (please read guidance note 5)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07-00	23-00	CHRISTMAS PERIOD – CLOSED EASTER PERIOD – CLOSED NEW YEARS PERIOD – DAY – CLOSED 8 BANK HOLIDAYS – 0900 – 18:00		
Tue	07-00	23-00			
Wed	07-00	23-00			
Thur	07-00	23-00	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 5)		
Fri	07-00	23-00			
Sat	07-00	23-00			
Sun	09-00	18-00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	AYMAN AHMED SHARIF
Address	
Postcode	
Personal licence number (if known)	08/00199 / PERSON
Issuing licensing authority (if known)	WOKING BOROUGH COUNCIL

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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08-00	22-00	<p>CHRISTMAS PERIOD - CLOSED</p> <p>EASTER PERIOD - CLOSED</p> <p>NEW YEARS PERIOD - DAY - CLOSED</p> <p>8 BANK HOLIDAYS - 09:00 - 18:00.</p>
Tue	08-00	22-00	
Wed	08-00	22-00	
Thur	08-00	22-00	
Fri	08-00	22-00	
Sat	08-00	22-00	
Sun	09-00	17-00	
			<p><u>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 5)</u></p>

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 9)

PLEASE SEE ATTACHED DOCUMENT
LICENSING OBJECTIVE -1-

b) The prevention of crime and disorder

PLEASE SEE ATTACHED DOCUMENT
LICENSING OBJECTIVE -2-

c) Public safety

PLEASE SEE ATTACHED DOCUMENT
LICENSING OBJECTIVE -3-

d) The prevention of public nuisance

PLEASE SEE ATTACHED DOCUMENT
LICENSING OBJECTIVE -4-

e) The protection of children from harm

PLEASE SEE ATTACHED DOCUMENT
LICENSING OBJECTIVE -5-

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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. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	19-05-2016
Capacity	Owner

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). 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 13)

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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Licensing Objectives

1 – General

Strong management controls and effective training of all staff so that they are aware of the premises licence and the

requirements to meet the four licensing objectives with particular attention to

a- No selling of alcohol to underage people

b- No drunk and disorderly behavior on the premises area

c- Vigilance in preventing the use and sale of illegal drugs at the retail area

d- No violent and anti-social behaviour

e- No any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.

- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good

training for staff on the Licensing Act (Training Record), to make or authorize each sale

- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.

- CCTV system installed with recording option available.

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures

(including staff training and qualifications, policies, and strategic partnerships with other agencies)

2 – The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

3 – Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made;

those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

4 – The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises after opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

5 – The protection of children from harm

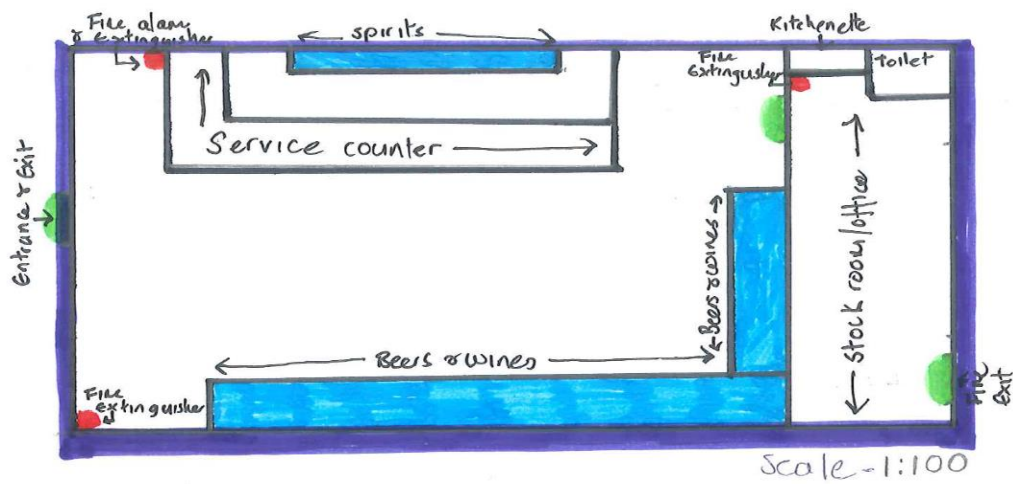
"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit.

Log Book will be kept upon the premises all the time.

Nothing belong existing Health & Safety requirements



- - FIRE ALARM / EXTINGUISHER
- - ENTRANCE & EXIT / FIRE EXIT
- - SALE OF BEERS - WINES & SPIRITS
- - Retail sale of alcohol

REPRESENTATION

<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>AWDERSHOT HANTS</p> <p>[REDACTED]</p> <p>DOCT SIR OR Maelan</p> <p>I'm writing object against the proposal of the off licence opening below my address is [REDACTED] as my sitting room is above. The hours are too long, and would cause a public nuisance, and crime + disorder. Less hours would be more suitable, 11.00hrs - 19.00hrs</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>MOBILE [REDACTED]</p>	<p>RUSHMOOR BOROUGH COUNCIL ENVIRONMENTAL HEALTH AND HOUSING</p> <p>REC'D - 1 JUN 2016</p> <p>REFERRED TO:</p>
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REPRESENTATION

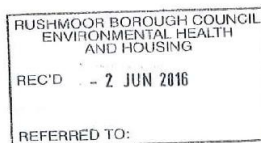
The Environmental
Health Manager (Licensing)

Rushmoor Borough Council

Environmental Health Services

Council Offices, Farnborough Road, Farnborough

Hampshire GU14 7JU



Aldershot

Dear Sir/Madam

I would like to object to the off-licence opening in Union Street. My daughter's bedroom and my sitting room are directly above, which would keep my daughter awake and disturb her, while she's doing her school work. I also think it would be a public nuisance as the long hours of opening times.

Yours Sincerely

[Redacted signature]

RELEVANT CONSIDERATIONS

3 Union Street, Aldershot, Hampshire, GU11 1EG

1.0 Guidance issued under S182 of the Licensing Act 2003 (March 2015)

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

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

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
1		1.1	1.19	Introduction	1	5
2		2.1	2.5	The licensing objectives - Crime and disorder	6	6
2		2.14	2.20	The licensing objectives – Public nuisance	8	9
8		8.1	8.103	Applications for premises licences	39	54
9		9.1	9.44	Determining applications	55	62
10		10.1	10.68	Conditions attached to premises licences and club premises certificates	63	74
12		12.1	12.11	Appeals	81	82
13		13.1	13.63	Statements of licensing policy	83	95
15		15.1	15.72	Regulated Entertainment	98	114

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.

LICENSING ACT 2003 MANDATORY CONDITIONS

3 Union Street, Aldershot, Hampshire, GU11 1EG

Where applicable in the circumstances, one or more of the mandatory conditions listed in following table **must** be applied to a premises licence where the licence authorises the sale / supply of alcohol, the provision of regulated entertainment by way of the exhibition of film(s) and/or requires the provision of door supervision or similar security service(s).

<i>When Applicable</i>	<i>Mandatory Condition</i>	<i>Reference</i>
Where the premises licence authorises the retail sale of alcohol.	(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.	S19(2) Licensing Act 2003
	(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.	S19(3) Licensing Act 2003
	(3) (i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.	Regulation 1(4) of the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by Regulation 2 of the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014.
	(ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.	
	(iii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.	
	(4) (i) 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.	Regulation 2 of the Licensing Act 2003 (Mandatory Conditions) Order 2014.
	(ii) For the purposes of this condition – (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979. (b) “permitted price” is the price found by applying the	

	<p>formula $P = D + (D \times V)$ Where –</p> <p>(i) P is the permitted price;</p> <p>(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and</p> <p>(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;</p> <p>(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –</p> <p>(i) The holder of the premises licence;</p> <p>(ii) The designated premises supervisor (if any) in respect of such a licence, or</p> <p>(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence.</p> <p>(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and</p> <p>(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.</p> <p>(f) Where the permitted price given by Paragraph (b) would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.</p> <p>(g) Paragraph (b)(ii) applies where the permitted price given by Paragraph (b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.</p> <p>(h) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.</p>	
Where the sale / supply of alcohol is for consumption on the premises.	<p>(5) (i) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</p> <p>(ii) For the purposes of this condition, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premise –</p>	Regulations 1(1), 1(2) and 1(3) of the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by Regulation 2 of the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014.

	<p>(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –</p> <p>(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or</p> <p>(ii) drink as much alcohol as possible (whether within a time limit or otherwise).</p> <p>(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;</p> <p>(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;</p> <p>(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;</p> <p>(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).</p>	
	<p>(6) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.</p>	
	<p>(7) The responsible person must ensure that—</p> <p>(i) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –</p> <p>(a) beer or cider: ½ pint;</p> <p>(b) gin, rum, vodka or whisky: 25 ml or 35 ml; and</p> <p>(c) still wine in a glass: 125 ml;</p> <p>(ii) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and</p> <p>(iii) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.</p>	<p>Regulation 1(5) of the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by Regulation 2 of the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014.</p>

Where there is any exhibition of film.	(8) (i) In respect of the exhibition of films, the admission of children (ie: anyone aged under 18) must be restricted in accordance with any recommendation(s) made by the film classification body specified (as designated by S4 of the Video Recordings Act 1984 - the British Board of Film Classification). (ii) Where a film classification body is not specified, the admission of children must be restricted in accordance with any recommendation(s) made by the licensing authority.	S20 Licensing Act 2003
Where door supervisors are required.	(9) Where, at any specified time(s), one or more individuals must be at the premises to carry out a security activity (within the meaning of the Private Security Industry Act 2001), each individual must be licensed by the Security Industry Authority (SIA).	S21 Licensing Act 2003

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