



RUSHMOOR BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

*at the Council Offices, Farnborough on
Wednesday, 2nd November, 2016 at 10.00 am*

Membership:

Cllr Liz Corps

Cllr B. Jones

Cllr J.E. Woolley

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 VARIATION OF A PREMISES LICENCE IN RESPECT OF THE FUNKY END, STATION ROAD, ALDERSHOT –**
(Pages 1 - 52)

To consider the Head of Environmental Health and Housing's Report No. EHH_LICSUB_A&E1625 (copy attached) setting out details of an application for the variation of a premises licence.

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AGENDA ITEM NO. 1

**LICENSING SUB-COMMITTEE
(ALCOHOL & ENTERTAINMENTS)
2ND NOVEMBER 2016**

**DIRECTORATE OF
ENVIRONMENTAL SERVICES**

LICENSING REPORT NO. EHH_LICSUB_A&E1625

**DETERMINATION OF AN APPLICATION FOR
VARIATION OF A PREMISES LICENCE**

THE FUNKY END, STATION ROAD, ALDERSHOT GU11 1HT

1.0 INTRODUCTION

- 1.1. This report concerns an application to vary a premises licence made under section 34 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 variation of an existing premises licence was submitted on 8th September 2016 by Punch Taverns PLC, in respect of the premises.
- 2.2. A map of the area showing the general location of the premises is given at **appendix A**.

2.3. Existing premises licence

- 2.4. The application requests the variation of the existing premises licence 16/00234/LAPRER, varied on 17th May 2016. The original premises licence was granted on the 24th November 2005.

- 2.5. The current licence was subject to a review on the 17th May 2016, which resulted in a reduction in hours for licensable activities and some additional conditions.

- 2.6. A copy of the premises licence is given as **appendix B**.

2.7. Nature of the application

- 2.8. The application seeks to amend the permitted hours for all licensable activities on Thursday's to Saturdays to 11:00am – 02:00am. The application also seeks to amend conditions on the premises licence.

2.9. A copy of the application form is given at **appendix C**.

2.10. Advertising of the application

2.11. 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 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 6th October 2016.

3.0 APPLICATION AMENDMENTS

3.1. Hampshire Constabulary

3.2. The applicant has agreed to a number of amendments to the operating schedule of the application in the form of conditions. These changes were made in negotiation with Hampshire Constabulary and are set out in the correspondence given at **appendix D**.

4.0 OTHER PERSON REPRESENTATION

4.1. One representation by way of an objection and seven representations by way of support were received in respect of the application as outlined below.

4.2. A copy of the representations are given at **appendix E**. For ease of reference the representations have been marked E1 to E8.

4.3. Relevance of Representation(s)

4.4. To be eligible to be considered, the Act requires a(ny) representation(s) to be '*relevant*'. A '*relevant representation*' is one that has been made by 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.

4.5. The licensing objectives are defined in the Act and include -

- (a) the prevention of crime and disorder;
- (b) ensuring public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

4.6. Relevance of representations

4.7. Against the above criteria the 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.

5.0 DATA PROTECTION ISSUES

- 5.1. 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.

6.0 DETERMINATION

- 6.1. 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.

7.0 RELEVANT CONSIDERATIONS

7.1. Licensing Objectives

- 7.2. In determination of the application, the licensing authority must have regard to the promotion of the licensing objectives. These are set out at paragraph 4.8 above.

7.3. Licensing policy & S182 Guidance

- 7.4. 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 F** to this report.

8.0 OPTIONS

- 8.1. 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 vary the licence as applied for*; or
- (b) to modify the conditions of the licence, or
- (c) to reject the whole or part of the application.

** Subject to any relevant mandatory conditions (as shown on Annex 1 of the premises licence), 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).

9.0 RECOMMENDATION(S)

9.1. 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

BACKGROUND

PAPERS:

Premises licence application 16/00693/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:

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John McNab, Environmental Health Manager (Licensing)

Tel: (01252) 398886, Email: john.mcnab@rushmoor.gov.uk

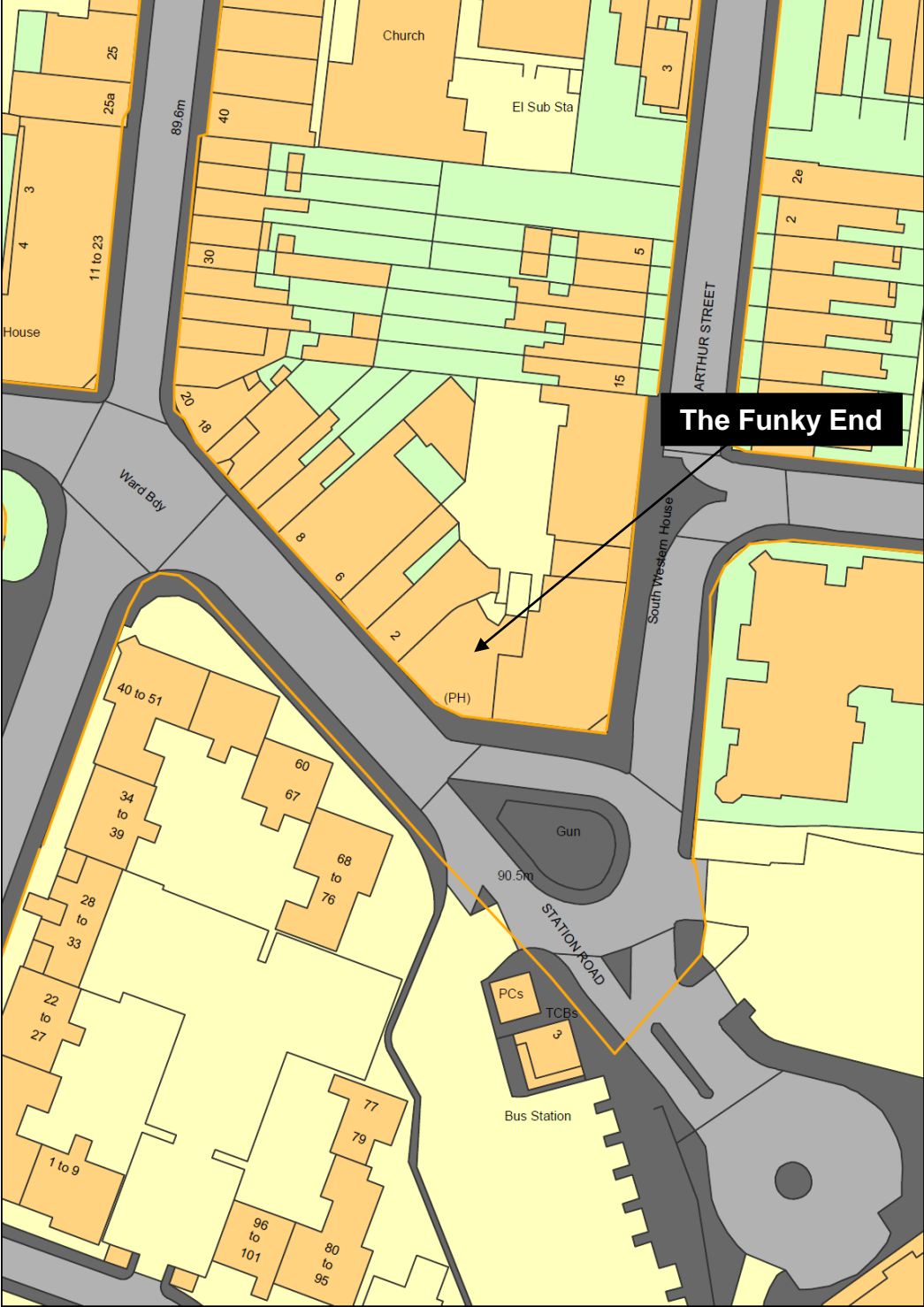
APPENDICES:

Appendix	Description	Page Ref.
A	- Map of the area	Page 5
B	- Copy of Premises Licence	Page 7
C	- Application Form	Page 21
D	- Amendment to Application via Hampshire Constabulary	Page 41
E	- Representations	Page 43
F	- Relevant Considerations	Page 51

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MAP OF THE AREA

The Funky End, Station Road, Aldershot GU11 1HT



PREMISES LICENCE

The Funky End, Station Road, Aldershot, GU11 1HT

Premises Licence Number
16/00234/LAPRER - 1/13



RUSHMOOR
BOROUGH COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Address:	Funky End Station Road Aldershot Hampshire GU11 1HT
	Map Ref (E): 486576 Map Ref (N): 150512 UPRN: 200003212419
Telephone	01252 695911
Where the licence is time limited the dates	
	➤ This licence is NOT time limited
Licensable activities authorised by the licence	
	(1) The retail sale / supply of alcohol; (2) The provision of regulated entertainment by way of indoor sporting events (celebrity pool and/or darts exhibitions only); (3) The provision of regulated entertainment by way of live music (including Karaoke), (indoors only); (4) The provision of regulated entertainment by way of recorded music (indoors only); and (5) The provision of regulated entertainment by way of anything of a similar description to live or recorded music (indoors only).
Times the licence authorises the carrying out of licensable activities	
	For all permitted licensable activities:- ➤ Sundays - 12:00noon to 23:00pm; ➤ Monday to Wednesday - 11:00am to 24:00midnight; ➤ Thursday to Saturday - 11:00am to 01:00am the following day; ➤ On public and bank holidays where they fall on Sundays to Thursdays – one additional hour; ➤ On New Year's Eve, except on a Sunday – 11:00am to 23:00pm; ➤ On New Years Eve on a Sunday – 12:00noon to 22:30pm; and ➤ On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.
The opening hours of the premises	
	(1) Sundays - 12:00noon to 23:30pm; (2) Monday to Wednesday - 11:00am to 00:30am the following day; (3) Thursday to Saturday - 11:00am to 01:30am the following day;

- (4) On public and bank holidays where they fall on Sundays to Thursdays – one additional hour;
- (5) On New Year's Eve, except on a Sunday – 11:00am to 23:00pm;
- (6) On New Years Eve on a Sunday – 12:00noon to 22:30pm; and
- (7) On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

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

➤ Alcohol may be sold / supplied for consumption **ON** and **OFF** the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Name: Punch Taverns Plc
Address: Jubilee House
Second Avenue
Burton-upon-Trent
Staffordshire
DE14 2WF

Telephone: 01283 501600
Email: Not Known

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

➤ 03752645 (Company number)

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

Name: Mr Oliver Cluskey
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: 05/00292/LAPER2
Issuing authority: Rushmoor Borough Council

Granted by Rushmoor Borough Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder

Date Licence Granted: 11th October 2005
Date Licence Effective: 24th November 2005
Date last modified: 17th May 2016
(Review of licence)

SIGNED on behalf of the
Head of Environmental Health & Housing 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 must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (iii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- (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. 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 formula –
$$P = D + (D \times V)$$Where –
 - (i) P is the permitted price
 - (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

- (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;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (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
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (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.
 - (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.
 - (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.
- (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.
- (ii) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities,

carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (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
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (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;
 - (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;
 - (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;
 - (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).
- (6) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (7) The responsible person must ensure that—
- (a) 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—

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) 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.
- (8) Where, at any specified time(s), one or more individuals must be at the premises to carry out a security activity (within the meaning of the Private Security Industry Act 2001), each individual must be licensed by the Security Industry Authority (SIA).

Annex 2 – Conditions consistent with the Operating Schedule

- (1) No licensable activities shall be undertaken except during permitted hours.
- (2) The above restriction does not prohibit:-
 - (i) during the first thirty minutes after the permitted hours, the consumption of alcohol on the premises;
 - (ii) the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
 - (iii) during the first thirty minutes after the permitted hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - (iv) the consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - (v) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - (vi) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - (vii) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - (viii) the taking of alcohol from the premises by a person residing there;
 - (ix) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
 - (x) the supply of alcohol for consumption on the premises to persons employed there for the purpose of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.
- (3) The premises shall remain open for 30 minutes following the last sale of alcohol during permitted hours. This period may be used for drinking-up and the use of lavatories only.

- (4) No children shall be allowed on the premises at any time unless accompanied by an adult
- (5)
 - (i) Exits or escape routes from the premises are to be maintained clear of any objects that may impair the ability of persons to use said exits or escape routes at all times.
 - (ii) All exits and escape routes shall be clearly marked by suitable and sufficient signage in accordance with the attached plan(s).
 - (iii) A suitable and sufficient evacuation policy shall be developed and maintained for the premises and implemented as may be appropriate in the event of emergency.
- (6)
 - (i) A suitable, sufficient and well-maintained emergency lighting and fire alarm system shall be maintained at the premises in accordance with the attached plan(s).
 - (ii) Suitable and sufficient fire extinguishers shall be maintained at the premises in accordance with the attached plan(s). All such equipment must be regularly serviced and maintained in such condition that it may be effectively used at all times.
- (7) The rear courtyard area of the premises shall be served by suitable and sufficient lighting when used in hours of darkness.
- (8) Suitable and sufficient supplies of first aid equipment / materials must also be made available to members of the public on request. Dependant on the activities, events and risks at the premises, a suitably trained first aider or an appointed person for first aid must also be present on the premises at all times during licensable activities.
- (9) Prominent, clear and legible notices shall be located at all exits of the licensed premises requesting patrons and staff to leave the premises and area quietly.
- (10) By way of preventing public nuisance, the main entrance to the front aspect of the premises shall be served by a suitable lobby that ensures, so far as is reasonably practicable, the main entrance to the premises is closed and kept closed at all times, save for access and egress thereof.

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

- (1)
 - (i) All external doors and the front internal lobby doors shall be kept closed, other than during access and egress from 21.00 hrs until the end of specified opening hours on any day.
 - (ii) All external doors and front internal lobby doors shall be fitted with self-closing devices.
 - (iii) All external windows shall be kept closed from 21.00 hrs until the end of specified opening hours on any day.
- (2)
 - (i) All sound amplification systems shall be played through a suitable sound-limiting device.
 - (ii) The sound level from this device shall be set at a level agreed with Environmental Health Services at Rushmoor Borough Council and shall be secured from adjustment thereafter.
 - (iii) Any change to this sound level shall be agreed in advance with Environmental Health Services on giving at least five working days notice.
- (3)
 - (i) Notwithstanding the requirements above, the licence holder or nominated representative(s) shall carry out a regular noise assessment of the area adjacent to the premises whilst licensable activities are taking place.
 - (ii) Noise assessments shall take place on all sides of the premises at the boundary of the nearest residential premises. Steps shall be taken to reduce the level of the noise where it is likely to cause a nuisance to local residents.
 - (iii) These assessments shall be undertaken at hourly intervals starting from 22:30pm.
 - (iv) Written records of these assessments and any remedial action taken should be kept and made available to either the local authority or the Licensing Authority when requested.
- (4)
 - (i) A suitable written policy on the dispersal of patrons leaving the premises shall be developed for the premises. This policy shall be actively implemented and enforced at the premises and shall be reviewed, revised and updated as often as may be necessary.
 - (ii) All staff and door supervisors will be required to read and sign a copy of the policy as part of their training and to assist in its enforcement as necessary.

- (iii) This policy will be made available to police and licencing officers on request.
- (5) Suitable written records of any complaints about the premises, its customers, staff and/or the activities carried on there must be kept and made available to officers of Rushmoor Borough Council on request. These records should include, but not be limited to, the nature of any complaint(s), action(s) taken in response, the date(s) and time(s) when any complaint was made, together with the name of the person(s) who handled the complaint.
- (6) With the exception of bona fide employees and staff, no individuals shall be permitted to enter or re-enter the premises at any time between 00.00midnight and the end of specified opening hours on a Thursday, Friday or Saturday.
- (7) Local residents, particularly those inhabiting Ascot Court and Kingsley Court, shall be provided with a direct number to contact the premises should they wish to make complaint.
- (8)
 - (i) On any day where the premises is open past midnight, from 21.00 hrs, only drinking vessels made from polycarbonate or plastic may be used to serve drinks to customers at the premises. No drinks are to be served to customers in glass bottles. In every case, they will be poured into appropriate vessels by the bar staff.
 - (ii) Any drinks which have already been served to patrons in a glass vessel shall be dispensed into a polycarbonate or plastic vessel.
- (9) No amplification equipment shall be used on live or recorded music playing in the rear back room of the premises.
- (10) Suitable and sufficient signage shall be displayed in the rear external drinking area asking patrons to be mindful and considerate of neighbours of the premises and to use the premises quietly after 23.00 hrs.
- (11) The DPS must have passed the BIIAB Level 2 Award for Designated Premises Supervisors (ADPS) or equivalent qualification by 4th July 2016. Any new DPS must have completed the same prior to their appointment.
- (12)
 - (i) On Thursdays from 21.00 hrs where regulated entertainment is to be provided and the DPS intends to trade beyond midnight, there will be a minimum of two Security Industry Authority (SIA) registered security staff on duty at the premises.

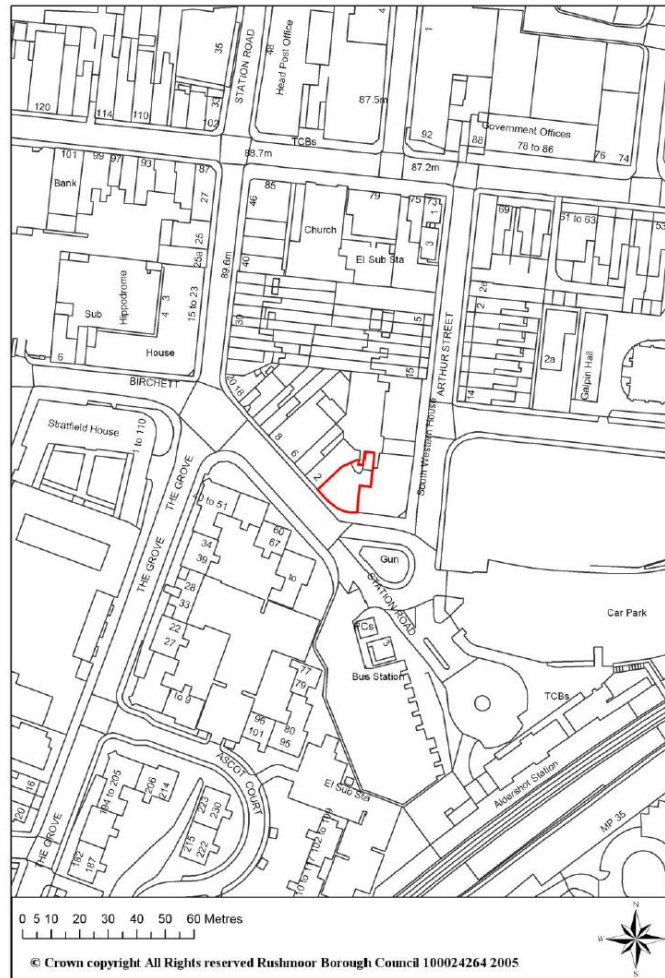
- (ii) On Fridays and Saturdays from 21.00 hrs on nights where regulated entertainment is to be provided and the DPS intends to trade beyond midnight, there will be a minimum of four SIA licensed door supervisors on duty at the premises, of which two are to be provided from 21.00 hrs and a further two from 22.00 hrs.
- (iii) Of the four SIA staff on Friday and Saturday nights (where required from the above condition) at least two must be positioned at the front door and at least one must be dedicated to inside the venue.
- (iv) With a view to preventing crime and disorder, the duties of door supervisors shall include regular checks and monitoring of sanitary conveniences and all external drinking areas. Access to and from the premises and its grounds at the rear shall be under the direct control and supervision of a door supervisor.
- (v) In addition, the duty manager must make a dynamic risk assessment of the premises' circumstances at the time based on customers or the type of function at the venue and the number of SIA door supervisors increased where circumstances dictate.
- (vi) A log book shall be kept on the premises by the DPS, which will contain the following details:
 - (a) the door supervisor's name
 - (b) his/her SIA number
 - (c) time and date he/she starts and finishes duty
 - (d) each entry shall be signed by the door supervisor
- (vii) The log book shall be immediately available for inspection on demand by an authorised officer of the Council, the SIA or the Police.
- (viii) All searches conducted on female customers shall only be undertaken by a female SIA registered door supervisor.
- (ix) The duty manager shall ensure that all security staff will be readily identifiable to members of the public at all times by wearing high visibility clothing (agreed by Police) to enable their identification on CCTV.
- (x) At the terminal hour of operation, the licence holder shall ensure that adequate numbers of door supervisors are employed to assist with the management of customers leaving the venue, as well as those remaining in the vicinity of the premises. Two members of door staff are to patrol the vicinity of the venue for

fifteen minutes after closing, to assist with safe dispersal from the area.

- (13) (i) To assist the prevention of crime and disorder a suitable and sufficient, well-maintained CCTV camera system, linked to a suitable recording facility, shall be in operation throughout the premises.
- (ii) In compliance with the above, the provision of CCTV shall include cover of the front external aspect and the rear courtyard area of the premises.
- (iii) So far as is reasonably practicable, the CCTV system must be maintained to a standard acceptable to the relevant Police Licensing Department, in good working order at all times and shall be serviced at least every twelve months.

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 16/00234/LAPRER - 14.



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RUSHMOOR BOROUGH COUNCIL, Environmental Health Services,
Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU. Telephone: (01252) 398 398

Fax: (01252) 524 017 • Minicom: (01252) 371 233 • Email: licensing@rushmoor.gov.uk • DX 122250 FARNBOROUGH 2

APPLICATION FOR A PREMISES LICENCE

The Funky End, Station Road, Aldershot GU11 1HT

Application to vary a premises licence 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 Punch Taverns PLC

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 16/00234/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Funky End Station Road			
Post town	Aldershot	Postcode	GU11 1HT
Telephone number at premises (if any)	01252 695911		
Non-domestic rateable value of premises	£22,750		

Part 2 – Applicant details

Daytime contact telephone number	01283 501600		
E-mail address (optional)	risk@punchtaverns.com		
Current postal address if different from premises address	Jubilee House Second Avenue		
Post town	Burton Upon Trent	Postcode	DE14 2WF

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

This is a variation to amend the hours of operation at the premises and to amend conditions on the premises licence.

Hours

To extend the hours for licensable activities as currently permitted by the licence to 02:00am
Thursday to Saturday the following day (currently permitted to 01:00am)

To extend the opening hours of the premises to 02:30am for the following morning after Thursday to
Saturday night's trading

To amend conditions on the premises licence as set out in the application.

All other activities and days to remain as currently permitted.

This application has been made following discussions with the police and other local authorities.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

NA

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

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 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			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			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)		
Thur					
Fri					
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)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<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 6)
	11:00		
Fri		02:00	
	11:00		
Sat		02:00	
	11:00		
Sun		02:00	

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				
Mon			Please give further details here (please read guidance note 4)			
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 checked="" 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			State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed					
Thur	11:00				
Fri		02:00	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)		
		11:00			
Sat		02:00			
		11:00			
Sun		02:00			

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	<input checked="" 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 the playing of recorded music (please read guidance note 5)			
Thur						
	11:00					
Fri		02:00	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)			
	11:00					
Sat		02:00				
	11:00					
Sun		02:00				

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

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing Anything similar to live or recorded music		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
	11:00				
Fri		02:00	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)		
	11:00				
Sat		02:00			
	11:00				
Sun		02:00			

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 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 provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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					
Sun					

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			State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Tue						
Wed						
Thur	11:00		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	11:00	02:00				
Sat	11:00	02:00				
Sun		02:00				

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).

No new activities, services or entertainment to be provided at the premises than those currently permitted by the premises licence

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The following conditions on the premises licence to be removed from Annex 3:

(8)- Replaced as set out in section M
(12) (v) – to be moved to paragraph (12) (iii)

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

Please see the attached proposed full operating schedule

Current condition (annex 3) to be amended to read:

(6) With the exception of bona fide employees and staff and residents, no individuals shall be permitted to enter or re-enter the premises at any time between 00:30 and the end of specified opening hours on a Thursday, Friday or Saturday.

b) The prevention of crime and disorder

Please see the attached proposed operating schedule

Current condition (annex 3) to be amended to read:

(12) (i) On Thursdays from 21.00 hrs where regulated entertainment is to be provided and the DPS intends to trade beyond midnight, there will be a minimum of two Security Industry Authority (SIA) registered security staff on duty at the premises.

(ii) On Fridays and Saturdays from 21.00 hrs on nights where regulated entertainment is to be provided and the DPS intends to trade beyond midnight, there will be a minimum of three SIA licensed door supervisors on duty at the premises, of which two are to be provided from 21.00 hrs and a further one from 22.00 hrs.

(iii) the duty manager must make a dynamic risk assessment of the premises' circumstances at the time based on customers or the type of function at the venue and the number of SIA door supervisors increased where circumstances dictate or moved to a different area.

(iv) Of the three SIA staff on Friday and Saturday nights (where required from the above condition) at least two must be positioned at the front door and one must be dedicated to inside the venue.

(v) With a view to preventing crime and disorder, the duties of door supervisors shall include regular checks and monitoring of sanitary conveniences and all external drinking areas. Access to and from the premises and its grounds at the rear shall be under the direct control and supervision of a door supervisor.

New condition (annex 3) to be added:

Body Worn Video: Where more than one SIA staff member is on duty, A minimum of one body worn video cameras ('BWV') will be worn by SIA staff. The camera will be have an ability to record and any recordings will be kept for a minimum of 28 days and made available to the Responsible Authorities (as defined by the Licensing Act 2003) upon request (but only as required/ permitted by the Data Protection Act and Information Commissioner's guidelines). Should such a camera break or otherwise become inoperable, it will be replaced with 48 hours.

c) Public safety

Please see the attached proposed operating schedule

Current condition (annex 3) to be amended to read:

(8) On any day where the premises are open after midnight, no glassware to be used for lager and cider based products. All glass pints and half-pints to be cleared by 10pm

d) The prevention of public nuisance

Please see the attached proposed operating schedule

Current conditions (annex 3) to be amended to read:

(1) (i) All external doors and the front internal lobby doors shall be kept closed, other than during access and egress from 21.00 hrs until the end of specified opening hours on any day when regulated entertainment takes place

(3) (iii) These assessments shall be undertaken at hourly intervals starting from 22:30pm when regulated entertainment takes place

e) The protection of children from harm

Please see the attached proposed operating schedule

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; **Paid online**
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. – **online application, to be distributed by the Local Authority. No plan required (no changes)**
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	8 September 2016
Capacity	Solicitor to applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application (please read guidance note 14)

Amy King
TLT Solicitors
One Redcliff Street

Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0333 00 60472		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) amy.king@tltsolicitors.com			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example state 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

AMENDMENT TO THE APPLICATION

The Funky End, Station Road, Aldershot, GU11 1HT

From: Amy King
Sent: 5 Oct 2016 15:44:38 +0100
To: Licensing
Subject: Funky End Station Road Aldershot GU11 1HT [TLT-TLT.FID3846639]
Importance: High

Dear Aimee

Further to discussions, I can confirm that we have agreed to amend the conditions as follows:

- Replace annex 3, conditions 1(i) with 'When regulated entertainment is taking place, all external door and the internal lobby doors shall be kept closed, other than during access and egress from 21:00 hrs until the end of specified opening hours on any day.
- Replace annex 3, condition 12(iv) with 'of the three SIA staff on duty on Friday and Saturday nights (where required from the above condition) at least two will be positioned at the front door, unless following a dynamic risk assessment the duty manager deems it necessary for SIA staff to be deployed elsewhere on the premises. One SIA staff will be dedicated to the inside of the premises.
- When the premises trades past midnight, the duty manager will be available to supervise the premises and not restricted to service behind the bar.
- Amend annex 3, condition 8 to read 'On any day where the premises is open after midnight, no glassware to be used for lager or cider based products after 21:00 hrs. All glass pints and half-pints to be cleared by 22:00 hrs.

I understand that the Police will not be making an objection to the application, but PC Ladhams will confirm.

Can you confirm if you have received any representations against our application?

If you have any questions, please do not hesitate to contact me.

Kind Regards

Amy King
Legal Assistant - Leisure & Retail
for TLT LLP
D: +44 (0)333 006 0472
F: +44 (0)333 006 1492
www.TLTsolicitors.com

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REPRESENTATIONS

APPENDIX E
E1

The Funky End, Station Road, Aldershot GU11 1HT

TO: HEAD OF LICENSING COMMITTEE
AND ENVIRONMENTAL HEALTH
RUSHMOOR Council
FRANBOROUGH MANE



RUSHMOOR BOROUGH COUNCIL LICENSING DEPARTMENT
REC'D 23 SEP 2016

THURSDAY 22nd SEPTEMBER 2016

THE FUNKY END STATION ROAD ALDERSHOT

DEAR SIR OR MADAM,

ON READING A NOTICE IN THE WINDOW OF THE FUNKY END TO EXTEND LICENSING HOURS TO 2-30 AM THURSDAY TO SATURDAYS, FROM THE PRESENT TIME OF 1 AM MY FIRST THOUGHTS WERE, HERE WE GO AGAIN, THE SAGA OF THE FUNKY END RETURNS, WHICH I HAVE FOUGHT SINCE THE YEAR 2008,

I WAS UNDER IMPRESSION THAT ON THE 17th MAY LAST WHEN MYSELF ASSISTED BY COUNCILLOR ALEX CRAWFORD ATTENDED A LICENSING REVIEW CHAIRED BY OUR PRESENT MAYOR COUNCILLOR JACQUI YOSPER "WHO I REGARD AS A CARING AND COMPASSIONATE LADY" WHERE UPON THE MANAGER OF THE FUNKY END WAS INFORMED HIS HOURS OF BUSINESS WAS REDUCED TO 1 AM WEEK-ENDS THE PREMISES TO BE CLEARED BY 1-30 AM,

SINCE THEN THE MANAGER HAS HAD TWO LATE NIGHTS GRANTED BY SPECIAL LICENCES TO FUNCTION UNTILL 2-30 AM BOTH TIMES PERSONS LEAVING THE FUNKY HAVE CAUSED PROBLEMS OF DIS ORDER. WHERE I HAVE SEEN A POLICE VAN IN ATTENDANCE ON SUNDAY. THE 18th OF SEPTEMBER MYSELF AND SOME RESIDENTS WERE AWAKENED AT 2-10 AM BY A LARGE CROWD OF PERSONS SHOUTING ABUSIVE LANGUAGE LEAVING THE FUNKY END IT CONTINUED FOR SOME LONG TIME, THE POLICE WERE IN ATTENDANCE, (CAN BE SEEN ON C.C.T.V.) I HAVE RECEIVED MANY COMPLAINTS FROM THE RESIDENTS OF KINGSLEY COURT,

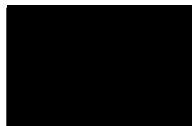
COPY TO FILE
AND COUNCILLOR ALEX CRAWFORD

Yours most sincerely

To:Aimee Vosser
Subject:FW: THE FUNKY END ALDERSHOT

Shelley Bowman
Principal Licensing Officer
Rushmoor Borough Council
01252 398162

-----Original Message-----
From: [REDACTED]
Sent: 13 September 2016 17:40
To: Licensing
Subject: THE FUNKY END ALDERSHOT



13/9/16

Dear Sir/Madam,

Having just passed The Funky End and noticed the application to extend there license to 2am. I thought I would send an email to show my support for the application. The Funky End offers so much to the town for people who are not interested in being around 18-21 year olds in venues such as Popworld. I have been a regular in the pub for many years and find the owners and staff very polite, it has a wide variety of activities in the week and different types of music and events at weekends, also holding special events bringing people in to the town.

I know the pub has had its reputation tarnished recently by some very harsh press reports and being blamed for trouble outside the venue, which in my opinion wouldn't have happened had the policing been better in the town. I personally feel extremely safe in the pub unlike other establishments in the town and have witnessed a very professional door team at work.

I do hope the licensing committee can see that The Funky End has done its very best to eradicate any problems there may have been, and that they grant the 2am license. As it is not only a great venue for the local community but also a business run by 2 local guys as a local public house with personality and drive and not a large money grabbing brewery with no soul.

Yours faithfully,



Sent from my iPad

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Shelley Bowman
Principal Licensing Officer
Rushmoor Borough Council
01252 398162

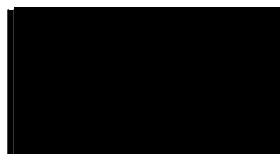
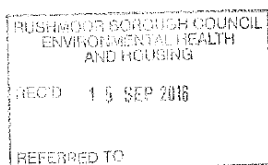
From: [REDACTED]
Sent: 14 September 2016 08:04
To: Licensing
Subject: 16/00693/LAPRE

I am writing to you to make representation regarding the Licencing application for The Funky End , Aldershot REF 16/00693/LAPRE

I am a local resident that is 47 years young living just 200 yards from the premises and a regular patron for the last 15 years, Having watched the efforts of the owners to provide an enjoyable and freindly pub I feel that recent events have put a massive strain on the buisness with the possible outcome being closure should a late license not be granted. This would be a crying shame as I feel it to be only 1 of 2 venues within the town centre where I feel completely at ease . At no time in all the years that I have drunk at the venue have I ever felt threatened or uncomfortable weather it just be for an after work drink to wind down after a a tough day or to enjoy a dance and drink with freinds both old and new. In a town which has numerous shop and pubs boarded up to have this venue go the same way would be very sad indeed not to mention the loss of jobs for staff members, owners and dj's which all bring a very welcoming atmosphere. Please dont let the actions of a very minor few ruin what is a great venue and asset to Aldershot

Regards [REDACTED]

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14th September 2016

Rushmoor Borough Council Licensing Authority,
Council Offices
Farnborough Road
Farnborough
GU14 7JU.

In support of The Funky End's 2am license application

To whom it may concern:

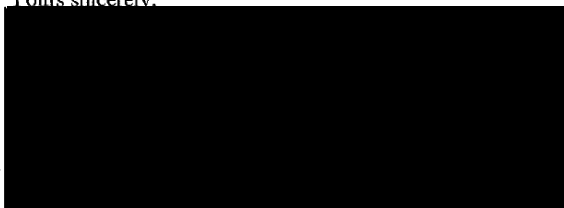
I'm a local resident and regular visitor to the Funky End and I'm very much in favour for it getting a late license back to 2am.

I work from home and can go for days without interacting directly with people so for me the Funky is a lifeline and a chance to meet people. I've built up a great set of friends with both staff and regulars over the last 2 years and would hate to have to start all over again with a different venue. Being single I know I can go in there on my own and guarantee I will see somebody I know and not feel uncomfortable that I'm in a place with a load of strangers. When I am out on a Friday or Saturday, the Funky End has a friendly and safe atmosphere unlike some of the other venues in Aldershot which up till now I have not ventured into.

The Funky End is a great little establishment and I would hate to loose it, as I know if they don't get the extension it will most likely close down. This would be a shame to all who use the place regularly. For a lot of us the Funky End is not just a place to let of steam on a Friday or Saturday night but it is somewhere to go and unwind after work or blow away the cobwebs with a midweek quiz on a Wednesday.

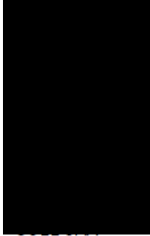
Over the last few months, as somebody who lives opposite the venue and sometimes home on a Friday or Saturday night, I'm in a good position to tell you that there haven't been any incidents or loud noise coming from the venue even on its 2am closing. Due to this I can't see a reason to reject the application this time.

Yours sincerely,



Shelley Bowman
Principal Licensing Officer
Rushmoor Borough Council
01252 398162

From: [REDACTED]
Sent: 23 September 2016 13:55
To: Licensing
Subject: FUNKY END LICENSE ALDERSHOT
Importance: High



Good Afternoon

To Whom It May Concern ,

I would like to say since I moved to Aldershot about 10 years ago the funky has become my local , It is a great pub with a great set of regulars and owners ,& I can say hand on heart Ive seen less trouble here than I have in both of the other 2 pubs located in centre of town , Infact im astonished that the best managed pub had their licence revoked when others haven't. I believe this to be totally unjust , If you asked any of the majority of people who live in Aldershot which is best pub , with least trouble , 99% would say The funky without a doubt.

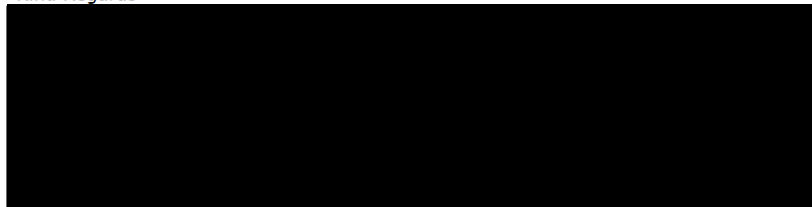
I have got to know both owners during my time here and both work extremely hard for the pub to become a place for Aldershot to be proud of and regularly hold family days and support local bands etc.

I really hope you can see that this pub is actually an asset to the community and allow them to have their full license back as I know they will have to shut down if they can't at least be able to open the same time as other pubs in area. The last thing this town needs is another boarded up business , especially as this one is the first thing people see when they get off the train.

If anyone wishes to discuss anything with me I'd be happy to & once again I really hope you come to the right decision here.

Should further information or assistance be required please do not hesitate in contacting us.

Kind Regards



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Aldershot Civic Society
"Promoting civic pride in Aldershot"

RUSHMOOR BOROUGH COUNCIL ENVIRONMENTAL HEALTH AND HOUSING	[REDACTED]
RECD 28 SEP 2016	[REDACTED]
REFERRED TO:	[REDACTED]

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

Monday 26th September 2016

Dear Sir/Madam,

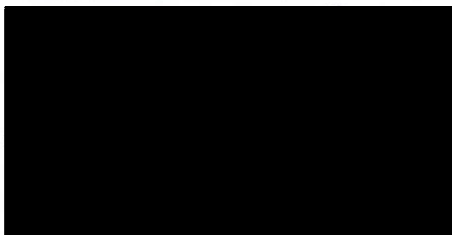
I am writing to you representing the Aldershot Civic Society and our support for the Funky Ends License.

The Funky End has hosted meetings for the Aldershot Civic Society, and the owners, Gavin and Oliver have always been welcoming and professional to our organisation. For a town centre pub/bar it is increasingly more unusual for there to be a venue that is welcoming and friendly to everyone, and I have always been surprised at the diversity people and ages that regularly attend this establishment.

From a personal point of view, the Funky End is the only late pub/bar in Aldershot I would feel safe going in after midnight, as I have always found it well managed, diverse and having a good friendly atmosphere. It would be unfair on those that use the premises with the same viewpoint as my own to be denied the one venue we feel safe in late night in Aldershot town centre.

It's location next to the station is also good for people coming back from London or surrounding towns, after a night out at the theatre etc. This means that people do not have to drive and stay late elsewhere, but can use public transport and socialise at the Funky End after their show. With this in mind it makes sense that the venue should be open until 2am or it would be closed when you return to Aldershot.

It is the society's view that the local authority should be showing the highest support for the Funky End, as being the sort of venue Aldershot needs in its town centre, and this is the sort of venue we are happy to support opening late to enhance our night time economy.



To:Aimee Vosser
Subject:FW: The funky end

Shelley Bowman
Principal Licensing Officer
Rushmoor Borough Council
01252 398162

From: [REDACTED]
Sent: 30 September 2016 16:59
To: Licensing
Subject: The funky end

Dear Sir

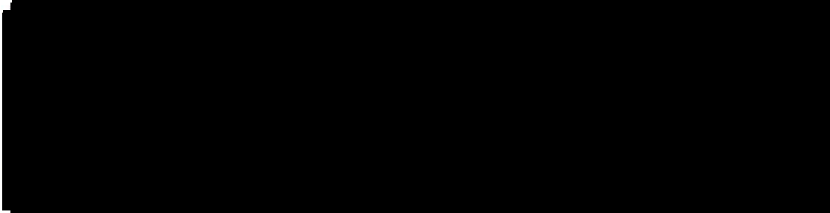
I am writing to support the application by the funky end to increase their hours of business, which I know is extremely important for their survival. I am a 73 year old male pensioner. I have had a triple heart bypass and suffer with arthritis in my lower spine. I have been using the Funky End for some fifteen years since the proprietors first purchased the lease. I have been welcomed and looked after throughout these years. In fact my 73rd birthday celebrations were held there just two weeks ago with friends I have made in there, through the years. It is also my only social outlet in Aldershot as my family live 210 miles from here in Hayle in Cornwall. so I would respectfully request that you approve these licence changes. There are many people who feel as I do about this.


I remain yours with respect.

[REDACTED]

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From: 
Sent: 15 September 2016 14:31
To: Licensing
Subject: Licensing review for The Funky End Aldershot

Dear Sir,

I am writing today to support the extended opening hours license application of The Funky End ,Aldershot.

My family and I have been drinking in The Funky End for several Years, we feel safe and happy in the very friendly environment within the pub .I am in support of the extended opening hours so that they

I visit the pub for the quiz night on Wednesday's and sometimes on a Friday evening, Saturday or Sunday lunch time and at these times it is often very quiet. In these days when public houses are closing due to poor takings and lack of customers it seems a shame to limit this and any other public houses ability to make money when they can.This pub is a meeting place for locals ,organises charity events, showcases top entertainment acts and is a big part of the local community, by allowing them to remain open later they will be able to compete with other clubs and pubs in the area and increase their profits for times when they are less busy. The Funky End also employs many wonderful staff, without the late opening their jobs would be at risk.

My only concern is to some of the restrictions that they have had placed upon them with the new licence ,e.g. the use of plastic drinking vessel after 9pm,and that drinks must be decanted into these vessels. To my knowledge there has never been glass related incidents in this pub.I am a middle aged woman who likes to drink wine or sparkling wine out of a glass and would be upset if told I was not allowed a glass, or even had my drink removed and decanted. This in my eyes would cheapen the ambiance of the public house, as well as adding further expenditure to the manager's ever increasing costs.

I respectfully ask that the Funky Ends Licence be extended to allow them to be competitive with others in the area.

Yours Sincerely



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RELEVANT CONSIDERATIONS

The Funky End, Station Road, Aldershot GU11 1HT

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 Variations	46	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.

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