



RUSHMOOR BOROUGH COUNCIL

LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

*to be held remotely on
Monday, 7th December, 2020 at 10.00 am*

To:

Cllr Veronica Graham-Green

Cllr Christine Guinness

Cllr S.J. Masterson

Enquiries regarding this agenda should be referred to the Committee Administrator:
Chris Todd, Democracy and Community, 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 HORIZON, NOS. 9A - 11A HIGH STREET, ALDERSHOT – (Pages 1 - 50)**

To consider the Head of Operational Services' Report No. OS2016 (copy attached) setting out details of an application for the variation of a premises licence.

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LICENSING SUB-COMMITTEE
(ALCOHOL & ENTERTAINMENTS)
7 DECEMBER 2020

OPERATIONAL SERVICES

LICENSING REPORT NO. OS2016

**DETERMINATION OF AN APPLICATION FOR
THE VARIATION OF A PREMISES LICENCE
HORIZON, 9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW**

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 20th October 2020 by Hori2on Limited, 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 20/00470/LAPRET, transferred on 23rd September 2020. The original premises licence was granted on the 10th January 2008.
- 2.5. A copy of the premises licence is given as **appendix B**.

2.5. Nature of the application

- 2.6. The application seeks to amend the permitted hours for the sale of alcohol, provision of late night refreshment and the provision of regulated entertainment by way of live and recorded music, performance of dance, anything similar, indoor sports and the exhibition of films from 11:00am to 03:00am on any day, with seasonal variations as follows:
 - 11:00am to 04:00am on Easter Sunday, Easter Monday and any Bank Holiday Monday in May and August

- 11:00am to 05:00am on Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, New Year's Day and the Sunday preceding any Bank Holiday in May and August
 - An additional hour the day after British Summertime commences
- 2.7. The application also seeks to remove the requirement that alcohol may only be sold and consumed with a table meal, and therefore that the venue may only operate as a restaurant.
- 2.8. A copy of the application form is given at **appendix C**. Whilst the application form refers to the showing of televised boxing events outside of these hours, this is not a licensable activity, therefore does not form part of the application.

2.6. Advertising of the application

- 2.7. 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 17th November 2020.

3.0 REPRESENTATIONS

- 3.5. Three representations by way of an objection were received in respect of this variation application. The representations made were by responsible authorities, namely, Hampshire Constabulary, The Licensing Authority and Environmental Health. A copy of each representation is given at **appendix D, E and F**.

3.6. Relevance of Representation(s)

- 3.7. 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.
- 3.8. 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.

3.9. Relevance of representations

- 3.10. Against the above criteria the representations are considered to be relevant as they were submitted by responsible authorities, within the prescribed period and concern all of the licensing objectives.

4.0 DATA PROTECTION ISSUES

- 4.5. 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

- 5.5. 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

6.5. Licensing Objectives

- 6.6. In determination of the application, the licensing authority must have regard to the promotion of the licensing objectives. These are set out at paragraph 3.8 above.

6.7. Licensing policy & S182 Guidance

- 6.8. 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 H** to this report.

7.0 OPTIONS

- 7.5. 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^t 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)

- 8.5. 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.

SHELLEY BOWMAN
Licensing Manager
Operational Services
licensing@rushmoor.gov.uk

BACKGROUND PAPERS:

Variation application 20/00516/LAPRE

PUBLIC DOCUMENTS:

- 1) HMSO (2003), The Licensing Act 2003
- 2) Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

CONTACT:

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

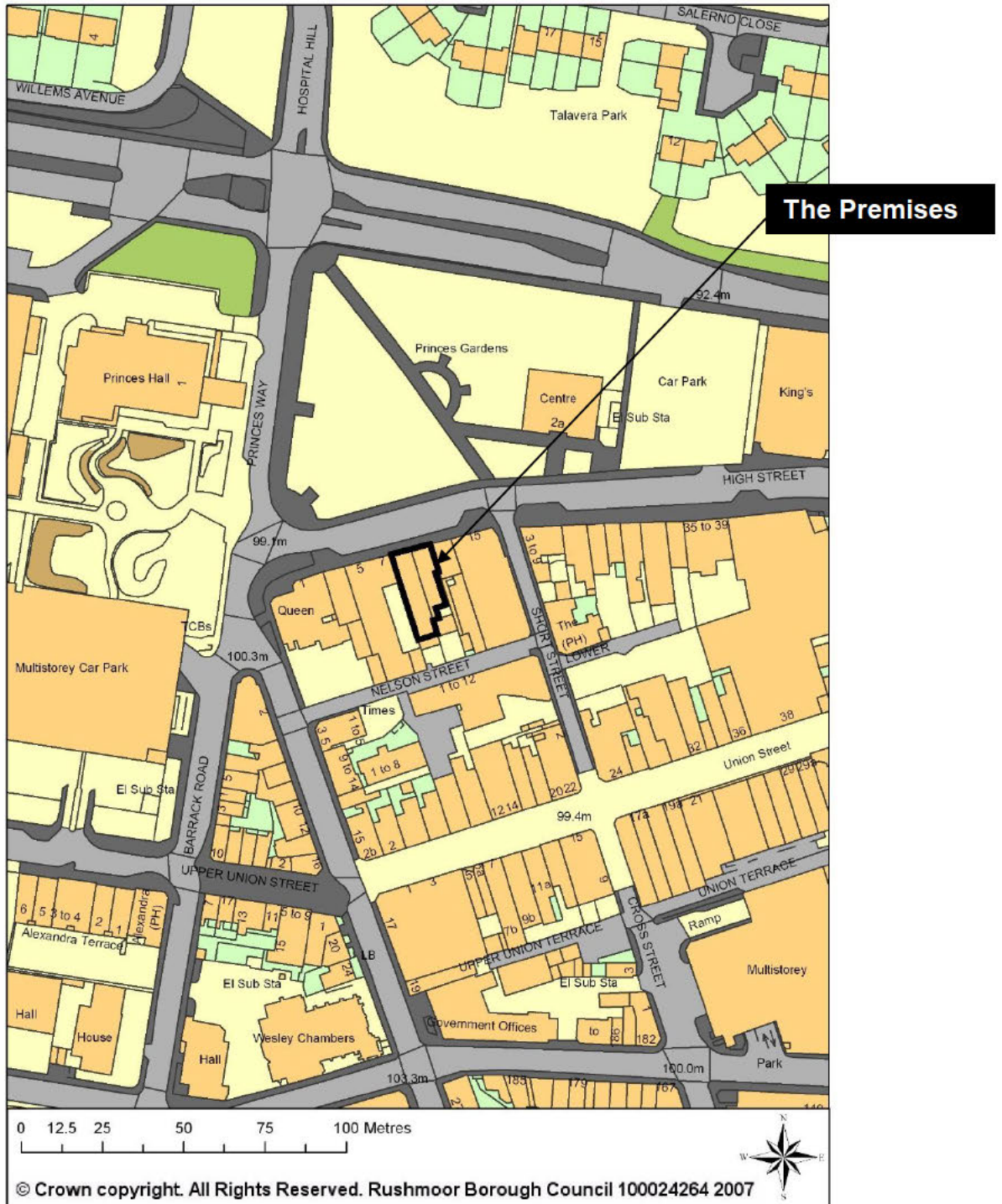
APPENDICES:

Appendix	Description	Page Ref.
A	- Map of the area	Page 5
B	- Copy of Premises Licence	Page 7
C	- Application Form	Page 19
D	- Representation – Hampshire Constabulary	Page 39
E	- Representation – Licensing Authority	Page 43
F	- Representation – Environmental Health	Page 47
H	- Relevant Considerations	Page 49

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MAP OF THE AREA

9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW



PREMISES LICENCE

9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW

Premises Licence Number
20/00470/LAPRET - 1/11



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:	9A – 11A High Street Aldershot Hampshire GU11 1BH
	Map Ref (E): 486144 Map Ref (N): 150801 UPRN: 100060529975
Telephone	Not Known

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

Licensable activities authorised by the licence
(1) The sale by retail of alcohol; (2) The exhibition of films (Nepalese movies and documentary only) (indoors only); (3) The provision of regulated entertainment by way of live music (indoors only); (4) The provision of regulated entertainment by way of recorded music; (5) The performance of dance (Nepalese Cultural dance only) (indoors only); (6) The provision of <u>late night</u> refreshment (by way of restaurant meals only) (indoors only).



Times the licence authorises the carrying out of licensable activities

- (1) The sale by retail of alcohol:
 - On Monday's to Thursday's – 12:00pm to 23:00pm;
 - On Friday's, Saturday's and Sunday's – 12:00pm to 23:30pm;
 - On New Years Eve and on Bank Holiday Monday's – 12:00pm to 01:00am the following day.
- (2) The exhibition of films:
 - On Monday's – 11:00am to 22:30pm;
 - On Friday's and Saturday's – 11:00am to 23:30pm;
 - On Sunday's – 11:00am to 23:00pm.
- (3) The performance of live music:
 - On Monday's to Wednesday's – 19:00pm to 22:30pm;
 - On Thursday's and Sunday's – 19:00pm to 23:00pm;
 - On Friday's and Saturday's – 19:00pm to 23:30pm;
 - On New Years Eve and Bank Holiday Monday's – 19:00 to 00:30am the following day.
- (4) The playing of recorded music:
 - On Monday's to Thursday's – 12:30pm to 23:00pm;
 - On Friday's, Saturday's and Sunday's – 12:30pm to 23:30pm;
- (5) The performance of dance:
 - On Sunday's, Monday's and Thursday's – 14:00pm to 23:00pm;
 - On Friday's and Saturday's – 14:00pm to 23:30pm
 - On New Years Eve and Bank Holiday Monday's – 19:00 to 00:30am the following day.
- (6) The provision of late night refreshment:
 - On Saturday's – 23:00pm to 00:00midnight
 - On Sunday's – 23:00pm to 23:30pm

The opening hours of the premises

- (1) On any day – 12:00noon to 15:00pm
- (2) On Monday's to Thursday's 17:30pm to 23:00pm
- (3) On Friday's and Saturday's 17:30pm to 24:00midnight
- (4) On Sunday's – 17:30pm to 23:30pm
- (5) On New Years Eve and on Bank Holiday Monday's – 17:30pm to 01:15am 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** the premises **ONLY**.

Part 2

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

Name: Hori2on Limited
Address: 9A-11A High Street
 Aldershot
 GU11 1BH
Telephone: 01252 959340
Email: Not known

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

> 12455672

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

Name: Mr Keith Cupid
Address: 9A-11A High Street
 Aldershot
 GU11 1BH
Telephone: Not known
Email:

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: 19/00086/LAPER
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: 10th January 2008
Date Licence Effective: 10th January 2008
Date Last Modified: 23rd October 2020
 (Change of DPS)



SIGNED on behalf of the
Head of Operations
(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)
- (i) In respect of the exhibition of films, the admission of children (i.e. 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.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) No licensable activities shall be undertaken except during permitted hours.
- (2)
 - (i) The premises to which this licence relates shall only be operated as a restaurant.
 - (ii) Alcohol may be supplied on the premises only to persons who are taking table meals there, or who have a booking and are waiting to do so.
- (3) The premises shall, ~~at all times~~ licensable activities are being undertaken, be under the personal supervision of the premises licence holders.
- (4) The licence holder shall ensure that children are not permitted to enter or remain on the premises at any time, unless they are accompanied by a parent or guardian.
- (5) The Designated Premises Supervisor, manager or other suitable representative of the premises shall actively participate in any local pubwatch scheme.
- (6) Except for access and egress, all external windows and doors to the premises shall be closed and kept closed between 20:00pm and the end of opening hours on any day. Staff shall actively enforce this and check all windows and doors regularly.
- (7)
 - (i) ~~Except of access and egress, the rear internal door of the premises shall be closed and kept closed at all times.~~
 - (ii) This door shall be fitted with a suitable self closing device, which ~~must be adequately maintained in good working order at all times.~~
 - (iii) This door shall not be allowed to be obstructed or otherwise propped open at any times whilst licensable activities take place.
- (8)
 - (i) Notwithstanding the above, the licence holder or nominated representative(s) shall carry out a regular noise assessment of the area adjacent to the premises.
 - (ii) Noise assessments shall take place on all sides of the premises at the boundary of the nearest residential premises, and if audible, steps shall be taken to reduce noise from the premises to a level where noise is no longer audible at the monitoring points.
 - (iii) As a minimum, noise assessments shall be undertaken at half-hourly intervals starting from 21:00pm.

- (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.
- (9)
 - (i) A suitable noise complaints procedure must be established and be in operation at the premises (e.g. all staff must be familiar with the complaints procedure and any complaint(s) made in respect of the premises, its customers, staff and/or the activities carried on there must be investigated and remedied as soon as, and, so far as is reasonably practicable to prevent public nuisance).
 - (ii) Suitable written records (e.g. 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) must be kept and made available to officers of Rushmoor Borough Council on request.
- (10) Suitable, prominent, clear and legible notices shall be located at all exits of the premises requesting patrons and staff to leave the premises and area quietly.
- (11) Disposal of refuse such as waste bottles into external receptacles, where the noise may be audible to neighbouring properties, shall not occur between 23:00pm and 08:00am.
- (12)
 - (i) The two central ventilation ducts leading directly through the roof shall be suitably stopped or sealed so as to prevent noise escaping through these ducts.
 - (ii) In support of the above, the premises shall be provided with a suitable and sufficient air conditioning system.
- (13)
 - (i) Suitable, prominent, clear and legible notices shall be located within the premises requesting patrons to dispose of litter responsibly, including waste arising from smoking activities.
 - (ii) The licence holder shall provide suitable and sufficient receptacles within the premises and at the entrance to the premises for this purpose.
- (14) The area in the immediate vicinity of the premises shall be cleared of litter on a regular basis and always at the close of business.
- (15) All employees and staff shall be made aware of the conditions of this licence by a mechanism in writing.

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

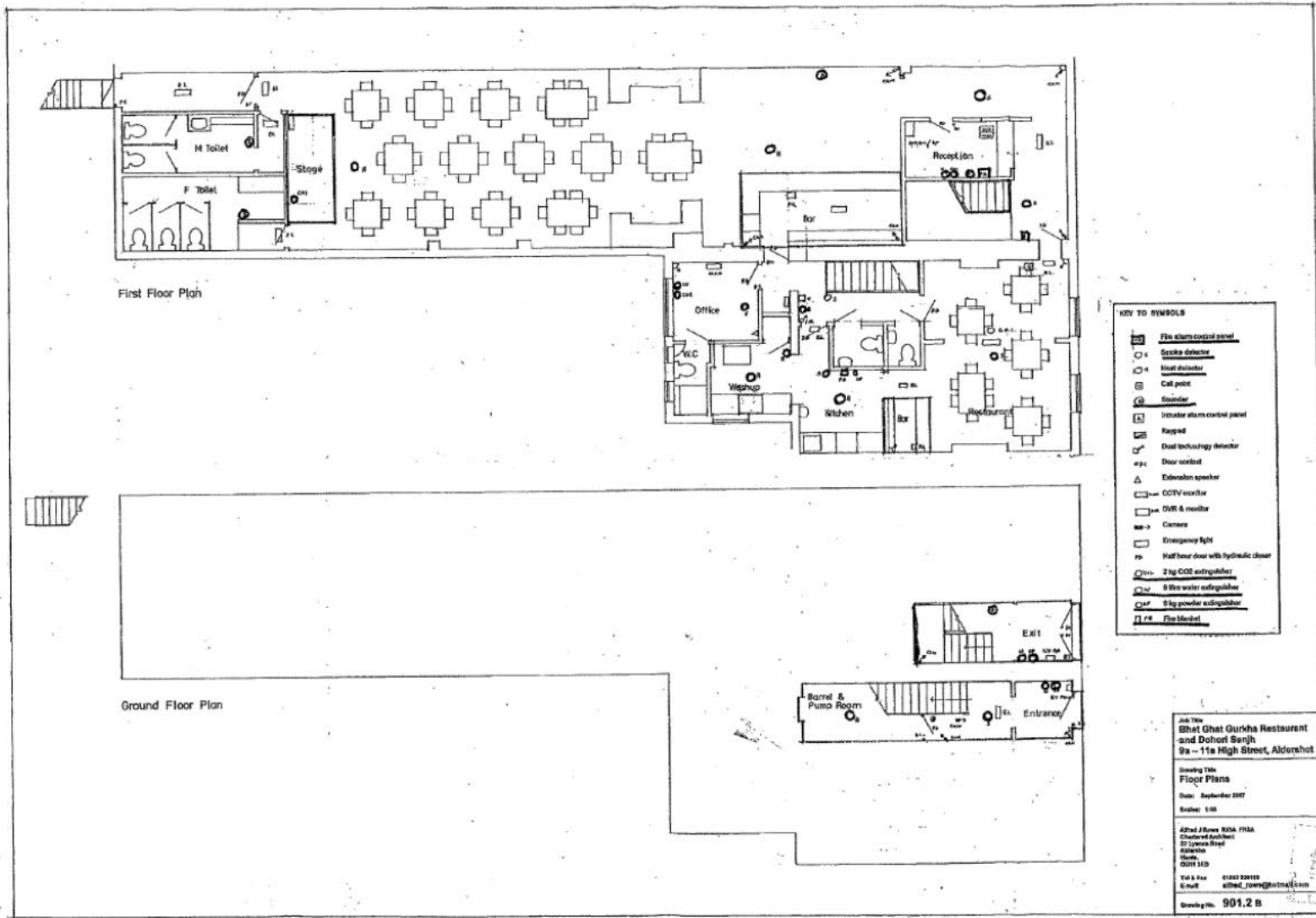
- (1)
 - (i) Any sound passed through a sound amplification system shall be played through a suitable sound-limiting device.
 - (ii) The sound-limiting device referred to above shall be set up by a competent person (i.e. professional installer of such equipment).
 - (iii) The limiting device shall be set at a level that ensures that the sound level output from any amplified sound arising on the premises is inaudible at the boundary of the nearest residential premises on all sides of the licensed premises.
 - (iv) The sound level output of this device shall be set at a level to be agreed by the licence holder and an authorised officer of the local authority and, once set, shall not be altered, amended or changed.
- (2)
 - (i) ~~Except of access and egress, the rear internal door of the premises shall be closed and kept closed at all times.~~
 - (ii) This door shall be fitted with a suitable self closing device, which ~~must be adequately maintained in good working order at all times.~~
 - (iii) This door shall not be allowed to be obstructed or otherwise propped open at any times whilst licensable activities take place.
- (3) All speakers and other such amplification equipment shall be placed on suitable and ~~sufficient~~ anti-vibration mountings using 10mm neoprene when in use.

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 20/00470/LAPRET – 12.



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APPLICATION FOR VARIATION

9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW



Rushmoor
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@rushmoor.gov.uk
Telephone: 01252 398855

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:
 Applying as a business or organisation, including as a sole trader
 Applying as an individual
 A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No
 Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country The country where the headquarters of your business is located.

Registered Address Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address
 OS map reference
 Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

- Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

- Yes No

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.

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

Describe Briefly The Nature Of The Proposed Variation

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.

The venue is an open plan restaurant layout with bar. The variation is to cover extending opening hours and allowing for the consumption of alcohol without meals.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 11:00

End 03:00

Provide 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.

Start

End

TUESDAY

Start 11:00

End 03:00

Start

End

WEDNESDAY

Start 11:00

End 03:00

Start

End

THURSDAY

Start 11:00

End 03:00

Start

End

FRIDAY

Start 11:00

End 03:00

Start

End

SATURDAY

Start 11:00

End 03:00

Start

End

SUNDAY

Start 11:00

End 03:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

SHORT FILMS

State any seasonal variations for the exhibition of film.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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.

THIS WOULD BE BY WAY OF TELEVISED SPORTING ACTIVITIES

State any seasonal variations for indoor sporting events.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

ON SOME OCCASIONS WE ME REQUIRE TO OPEN UNTIL 5AM FOR BOX OFFICE EVENTS.

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

BOX OFFICE EVENTS - PRIME / PAY PER VIEW EVENTS SHOWN PRIMARILY AT 5/6AM

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

OPEN MIC / KARAOKE EVENT DAY/NIGHT

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

SUNDAY TO WEDNESDAY, MUSIC PLAYED TO CREATE AMBIENCE .

THURSDAY, FRIDAY & SATURDAY WITH ADDITION OF LIVE DJ AFTER 1800HRS

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

THERE MAY BE OCCASIONS WHERE MID WEEK BOOKINGS MAY BE TAKEN FOR PRIVATE PARTIES WHICH MAY ALSO REQUIRE A LIVE DJ

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1. EASTER SUNDAY, EASTER MONDAY, ANY BANK HOLIDAY MONDAY IN MAY OR AUGUST, OPEN 11:00 TO 04:00 THE FOLLOWING DAY
2. CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY, NEW YEARS EVE, NEW YEARS DAY AND ON THE SUNDAY PRECEEDING ANY BANK HOLIDAY MONDAY, 11:00 TO 05:00
3. ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES, AN ADDITIONAL HOUR AFTER PERMITTED HOURS

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

Cultural Dance performances and or artist dance performances

State any seasonal variations for the performance of dance.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

LIVE BAND,
ARTISTS
DJ PERFORMANCES,
MOTIVATIONAL SPEAKERS

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations for entertainment.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

PROVISION OF POTABLE WATER AT THE END OF THE NIGHT.
OCCASIONALLY LIGHT FOOD/ SNACK MAY BE PREPARED BY KITCHEN

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1. EASTER SUNDAY, EASTER MONDAY, ANY BANK HOLIDAY MONDAY IN MAY OR AUGUST, OPEN 11:00 TO 04:00 THE FOLLOWING DAY
 2. CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY, NEW YEARS EVE, NEW YEARS DAY AND ON THE SUNDAY PRECEEDING ANY BANK HOLIDAY MONDAY, 11:00 TO 05:00
 3. ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES, AN ADDITIONAL HOUR AFTER PERMITTED HOURS

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

1. EASTER SUNDAY, EASTER MONDAY, ANY BANK HOLIDAY MONDAY IN MAY OR AUGUST, OPEN 11:00 TO 04:00 THE FOLLOWING DAY
 2. CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY, NEW YEARS EVE, NEW YEARS DAY AND ON THE SUNDAY PRECEEDING ANY BANK HOLIDAY MONDAY, 11:00 TO 05:00
 3. ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES, AN ADDITIONAL HOUR AFTER PERMITTED HOURS

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

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Venue will be covered by CCTV to identify and deter/prevent crime.
Challenge 25 age verification process.
Bottles will be disposed of during daytime hours to avoid noise disturbance

b) The prevention of crime and disorder

The supply of alcohol will always be ancillary to the principal purpose of the premises.
When booked/ hired out, the Designated Premises Supervisor will still be responsible for adherence to the license conditions and the promotion of the licensing objectives.
SIA licensed door supervisors shall be employed on any occasion when a requirement is identified by licence holder or requested by the authorities.

c) Public safety

Free drinking water must be made available at all times the premises is open to the public.
The telephone numbers of local taxi operators must be prominently displayed at the premises for the benefit of customers.
Fire exits and trigger points a clearly labeled around the venue.

d) The prevention of public nuisance

Staff will encourage customers to leave the premises quietly, recognising the needs of local residents and businesses.
We shall ensure that prominent clear and legible notices are displayed at all exits requesting customers to leave the premises and the area quietly.
Where reasonably practicable, all doors and windows will be kept closed during regulated entertainment, other than for customer access.

e) The protection of children from harm

No unaccompanied person under the age of eighteen will be permitted in the premises from 22:00 until close unless accompanied by an adult (a person aged 18 or over).
The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/rushmoor/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

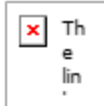
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REPRESENTATION HAMPSHIRE CONSTABULARY

9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW



RESTRICTED

G89
Page 1 of 4

Form for representations/objections from Hampshire Constabulary

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a **representation** under the Licensing Act 2003, regarding the:

<input type="checkbox"/>	1: New Premises licence/club prem certificate	Representation within 28 days
<input checked="" type="checkbox"/>	2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input type="checkbox"/>	4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	5: Transfer of premises licence	Object within 14 days
<input type="checkbox"/>	6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	11: Interim authority notice	Object within 2 working days

Name of Applicant:	Mr Keith CUPID
Name of Proposed DPS:	Mr Keith CUPID

Details of relevant conviction (Personal Licence Applications ONLY)
N/A

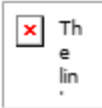
Postal address of premises:	9A - 11A HIGH STREET ALDERSHOT
Postcode:	GU111BH

Details of responsible authority applicant

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	PC
Surname:		DENNETT		First Names:	
Current postal address		PARKLANDS BUILDING LONDON ROAD BASINGSTOKE			
Postcode:					
Daytime telephone number:		101			
E-mail address: (optional)		philip.dennett@hampshire.pnn.police.uk			

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

RESTRICTED



RESTRICTED

G89
Page 2 of 4

Form for representations/objections from Hampshire Constabulary

This application to object relates to the following licensing objective(s)

- | | | |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select
one or more
boxes</i> |
| 2) Public safety | <input checked="" type="checkbox"/> | |
| 3) The prevention of public nuisance | <input checked="" type="checkbox"/> | |
| 4) The protection of children from harm | <input checked="" type="checkbox"/> | |

Please state the ground(s) for ~~representation~~:

I am making this representation in respect of an application to vary a Licence submitted by Keith CUPID and in respect of Hori2on. The application is to effectively change the premises from a restaurant to a nightclub and this is very clear to see. The premises is registered to Hori2on LTD of which Mr Cupid is a director. The current premises licence is 17/00302/LAPRET-1/11. The address in question is 9a to 11a High Street, Aldershot. I would like to evidence my representation in regards to the 4 licensing Objectives and in my view the clear failure to promote them. This is, of course, bearing in mind that Mr Cupid was one of the owners and DPS of the nearby Fu5ion nightclub which is now not trading.

The Prevention of Crime and Disorder

In relation to this licensing objective I will refer to incidents since the start of 2020 (please note that the premises has been shut since the start of the national lockdown) related to Fu5ion. I am doing this as Keith Cupid was the DPS of the premises and was part of a group of owners.

From the start of 2020 until the National Lockdown due to Covid – 19 there were 2 assaults and a nasty sexual assault within the toilets at the premises.

The sexual assault occurred on the evening of 01/01/20. This was whereby a female went to use the cubicle within the toilets and a male forced his way into the cubicle itself and sexually assaulted her despite the female saying "NO" numerous times. It was claimed that staff did not detain the male despite interrupting the scene and just gave the female some water as it was suspected she was drunk. The police reference number for this is 44200155738.

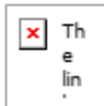
On the 28/02/20 one of the partners in terms of ownership of the premises was assaulted by a business partner. This happened whilst the premises was fully open. (44200076805)

On the 08/02/20 another assault was reported whereby one of the security staff had allegedly assaulted a customer and also started grabbing customers throats. (44200048799)

On the 25/01/20 there was mass disorder outside the premises whereby extra police resources had to be requested to deal. In fact the Royal Military Police assisted beyond their remit. During this time and prior to it the security at the venue were ineffective and there was no visible ownership or management on display until this was mentioned by police. A minor variation was then applied for in order to have body worn video on security staff. (processed by police on the 19/02/20).

Prevention of Public nuisance

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**Form for representations/objections
from Hampshire Constabulary**

I have immediate concerns with the above in regards to the prevention of public nuisance. There are no premises in the Aldershot area at this time that remain open until 05:00 or later and I would strongly object to this even if there were box office sports events. This very late closing time would attract longer drinking times and the chance for patrons to become more intoxicated and therefore the risk of violence is very real. In regards to the general application to allow the premises to provide the above entertainment until 03:00 I would also strongly object to. Mr Cupid was one of the owners / managers of FU5ION nightclub which was situated within the Empire Building. This premises also started out with the intention of being a restaurant but turned into a full nightclub. This premises caused no end of issues.

The protection of children from harm.

In terms of the protection of children from harm the application states that under 18s will be allowed in the premises until close if they are accompanied by an adult. This is entirely unacceptable and would place those under 18 at definite risk. There is no mention of staff training which is so very important within a licensed premises, recording of any incidents, refusals of service logs all of which would show due diligence by the operator. There is also no mention of Body Worn Video or indeed the ID scanner that is imperative in these modern times within the NTE in regards to premises with early morning closing.

Public Safety

The premises involved in regards to HORIZON is a 1st floor venue which is accessed via a narrow stairway passed a small foyer with access directly from the street. I would object to a late night drinking establishment being positioned in such an area. The stairs would not be safe in such a confined area and would pose a risk to those who would wear unsuitable footwear or those under the influence of alcohol.

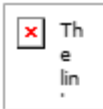
Correspondance with Mr Cupid

During the identified issues in regards to Fu5ion I have spoken with Mr Cupid via e-mail and personal visits and advised on certain issues such as BWV and the need for incident books and refusal logs along with other issues not being adhered to (31/12/20). I am therefore concerned that Mr Cupid has not spoken with me in any form prior to this application.

Summary

In summary there is not enough within the four licensing objectives summaries in order for the police to be satisfied that they will be promoted. This premises is taking the same route as Fu5ion and if granted will become a late night venue for I believe the same customer demographic and crime and disorder will occur. It is clear that there is no considered safeguarding for juveniles (U18s).

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation



RESTRICTED

G89
Page 4 of 4

Form for representations/objections
from Hampshire Constabulary

Police recommendations (including any conditions)

Rejection of application

Signature of Officer Completing

Name: PHIL DENNETT Collar Number: 3715
Signature: [Redacted] Date: 26/10/20

Signature of Authorising Officer

Name: ROB COHEN Collar Number: 2849
Signature: [Redacted] Date: 26/10/20

RESTRICTED

REPRESENTATION - LICENSING AUTHORITY

9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW

RUSHMOOR
BOROUGH COUNCIL



Council Offices, Farnborough Road,
Farnborough, Hants. GU14 7JU
Tel: (01252) 398 399
Website: www.rushmoor.gov.uk

Aimee Vosser

Our reference: 20/00516/LAPRE

01252 398131

The Licensing Authority
(by e-mail)

Aimee.vosser@rushmoor.gov.uk

4th November 2020

Dear Sir / Madam,

THE LICENSING ACT 2003

**Representation in respect of an application to vary a premises licence –
Hori2on, 9a – 11a High Street, Aldershot GU11 1BH**

Individual making representations:

My name is Aimee Vosser and I am employed as a licensing officer for Rushmoor Borough Council. I have been employed in this capacity for approximately 9 years. I hold a BIIAB National Certificate for Licensing Practitioners and a BIIAB National Certificate for Licensing Practitioners (Gambling).

Capacity and authority of individual making representations:

I am making this representation in the capacity and embodiment of a responsible authority as defined in Section 13(4) of the Licensing Act 2003 (as amended by Section 103 of the Police Reform & Social Responsibility Act 2011). For this purpose, and as outlined above, I represent the relevant licensing authority in whose area the above named premises are situated.

Relevance of representations:

As a responsible authority, I am making this representation in accordance with the procedure for a variation of a premises licence detailed in Section 34 of the Licensing Act 2003. I am also making this representation at this time and in respect of the above named premises as it is my opinion that steps are necessary to promote the licensing objectives the prevention of crime and disorder and public safety. The grounds for this opinion are outlined below.

Nature and grounds of representation:

I am making this representation at this time and in respect of the above named premises as it is my opinion that steps are necessary to promote the licensing objectives prevention of crime and disorder and public safety.

The applicant for the Hori2on premises is known to the licensing authority for being the designated premises supervisor (DPS) at another venue within Rushmoor. At the previous premises there were several concerns over how the premises was being managed and regular visits were made in order to assist with compliance of the premises licence conditions.

On the 31st December 2019, a licensing officer visited the premises with PC Dennett after an incident whereby an underage male gained entry by using another person's identification card (ID). The ID scanner in place at the premises was reviewed by the licensing authority and PC Dennett, to find the photograph on the ID used looked nothing like the underage male that had gained entry into the premises.

On the 8th January 2020, I attended a meeting with PC Dennett and Sgt Cohen to discuss concerns with the DPS (Mr Keith Cupid). During the meeting further advice was given in order to help Mr Cupid manage the premises safely and to help reduce the number of incidents that were occurring within the premises. I also advised that in order to uphold the licensing objectives the licence holder should apply for a minor variation to add conditions to the premises licence.

On the 24th January 2020, I was carrying out compliance inspections with PC Dennett. Whilst visiting a different premises on the High Street, Aldershot at approx. 00:30am, two young girls entered stating one of them had lost their ID. They were visibly intoxicated and were unable to locate the missing ID so they left. PC Dennett and I left the premises and made our way to Fu5ion at approx. 00:40am to assess how the premises was being managed at night.

Upon entry we noticed the two girls that we had seen in the previous premises, the girl who had lost her ID had been allowed entry into the premises, despite a licence condition stating that no one should be permitted into the venue after 00:30am. Customers of the venue were seen leaving and then returning to the premises after 00:30am on a few occasions.

Throughout the inspection both PC Dennett and I felt the venue had an unsafe atmosphere throughout, there were a number of people, heavily intoxicated, who in my opinion should not have been allowed to remain in the premises. The DPS was not working in the correct capacity at the time of the inspection, as he was found to be the DJ, and not managing the premises as he should have been.

From reviewing the variation application, I understand that the applicant has applied to be open until 3am on any day along with later times of 4am and 5am on bank holidays, which I feel is excessive for a restaurant venue.

At this time, the above named premises is a restaurant and it is my opinion that if the times applied for are granted, this will change the setting of the

premises from a restaurant to a club based premises. I am concerned that if these times are granted, we will begin to see the same issues as described above where the applicant was the DPS and there will be an increase in crime and disorder coming from the venue and a concern for public safety.

Given the above, I am mindful to recommend the times applied for are not granted and reduced to 00:30am on any day, including bank holidays.

Yours sincerely,



Aimee Vosser
Licensing Officer
Operational Services
licensing@rushmoor.gov.uk

REPRESENTATION
ENVIRONMENTAL HEALTH

9A – 11A HIGH STREET, ALDERSHOT, HAMPSHIRE, GU11 1JW

Representation in respect of the application to vary the premises licence for Hori2on, 9A-11A High Street, Aldershot, GU11 1BH.



Sandy Muirden <sandy.muirden@rushmoor.gov.uk>
To: Rushmoor Council Licensing
Cc: Shelley Bowman

Reply Reply All Forward

Tue 17/11/2020 15:11

Good Afternoon

On behalf of the Responsible Authority for the Prevention of Public Nuisance, I would like to submit a representation in respect of the application to vary the premises licence for Hori2on, 9A-11A High Street, Aldershot, GU11 1BH.

The Representation has been made on the grounds that the applicant has failed to ensure that the licensing objective – preventing public nuisance will be achieved. This premises has a long history of noise complaints to Environmental Health from local residents and businesses.

The application is to change a restaurant premises (where there is music and dancing) into a night club and to increase the opening hours and provision of regulated entertainment until 03:00 Mon-Sun, with occasional use to 05:00. The applicant has applied for amplified music, dancing, karaoke and to have live bands etc during these hours.

In terms of public nuisance, there are two concerns:

1. Noise and vibration from regulated entertainment and from people inside the premises
2. Noise from customers outside and when leaving the premises

The premises is in close proximity to residential properties, whose occupiers may be significantly affected by noise from the premises and from customers outside the premises. There are flats in High Street which adjoin the premises and flats in Nelson Street, at the rear of the premises. There is also a commercial unit below the premises.

A representation was made by Environmental Health at a review of the premises licence in 2007, in relation to noise complaints where statutory nuisance was witnessed. At this time the premises was being operated as a nightclub closing at 03:00, similar to what is proposed in this current application. At the licensing hearing, the operating hours of the premises were restricted, with the music required to finish at 23:30 and the premises closing at midnight. Noise complaints have continued to be received by Environmental Health, including two in 2019.

The applicant has failed to demonstrate in their application how they will control the noise from the premises to prevent public nuisance from arising to local residents. Given the complaint history of the premises and previous issues with inadequate sound insulation of the building structure, it brings into question the suitability of this premises as a late night entertainment venue. There is significant concern that granting the proposed application which allows the premises to operate until 03:00, will cause local residents to experience late night noise disturbance resulting in nuisance.

Regards

Sandy Muirden

Sandy Muirden
Environmental Health Technical Officer
Operational Services
Rushmoor Borough Council

RELEVANT CONSIDERATIONS

The Funky End, Station Road, Aldershot GU11 1HT

1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2018)

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	2.6	The licensing objectives - Crime and disorder	6	7
2		2.7	2.14	The licensing objectives – Public safety	8	9
2		2.15	2.21	The licensing objectives – Public nuisance	9	10
2		2.22	2.32	The licensing objectives – Protection of children from harm	10	13
8		8.74	8.87	Full Variations process	60	62
9		9.1	9.45	Determining applications	68	76
10		10.1	10.66	Conditions attached to premises licences and club premises certificates	77	88
13		13.1	13.13	Appeals	103	105
14		14.1	14.70	Statements of licensing policy	106	120

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 principles, objectives & General considerations	13	17
3	Part C	3.10	3.12	General licensing principles	14	14
6	Part F	6.1	6.56	Premises Licences	26	34
8	Part H	8.1	8.16	Variation of a Relevant Authorisation	36	37
18	Part R	18.1	18.59	Representations, Responsible authorities & Other Persons	69	75
18	Part R	18.45	18.48	The weight attached to relevant representations	73	74
19	Part S	19.1	19.29	Conditions and restrictions	76	79
19	Part S	19.10	19.15	General principles of transposition and imposition of conditions	76	77

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

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