

**DETERMINATION OF AN APPLICATION FOR
THE REVIEW OF A PREMISES LICENCE
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDERSHOT, GU11 1JE**

1.0 INTRODUCTION

- 1.1. This report concerns an application for the review of a premises licence made under section 51 of the Licensing Act 2003 (the 'Act'). The receipt of such an application invokes a statutory requirement to hold a hearing with Members to consider it.
- 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. On the 1st February 2024, Hampshire Constabulary submitted an application for the **review** of the premises licence held in respect of De Lounge, Townstead House, 111 - 113 Victoria Road, Aldershot, GU11 1JE. A copy of the review application together with its enclosures and some additional enclosures submitted during the application process is given at **appendix A**. This includes some CCTV footage which will be shown during the hearing. The licence holder will be given the opportunity to view the footage ahead of the hearing.
- 2.2. A map of the area showing the general location of the premises is given at **appendix B**.
- 2.3. **Existing premises licence**
- 2.4. The application requests the review of the premises licence number 23/00553/LAPRE, held in respect of the premises, initially granted in June 2007, and transferred to De Lounge Ltd. On 5th June 2018. A copy of the current premises licence is given at **appendix C**.
- 2.5. The licence is subject to a number of mandatory and transposed conditions. It authorises the retail sale of alcohol for consumption on the premises, late night refreshment and the provision of regulated entertainment by way of live and recorded music, the exhibition of films, the performance of dance and anything similar. The hours for each of these activities are detailed on the licence.

3.0 ADMINISTRATION OF REVIEW APPLICATION

3.1 Advertising the review application

3.2. In submitting an application for review, it is the duty of the applicant to ensure that notice of the application is given to all responsible authorities and the licence holder to which it relates. It is also the duty of the licensing authority to advertise receipt of the application by way of enabling representations to be made by other parties.

3.3. I can confirm that the applicant and each responsible authority have received a copy of the review application and the licensing authority has advertised receipt of the application both at the premises, online and at the Council Offices in accordance with the requirements of the Act.

4.0 GROUNDS FOR REVIEW

4.1. The grounds for review of the premises licence are set out in Part 2 of the review application (see **appendix A**).

4.2. Relevance of grounds for review

4.3. By virtue of section 51(4) of the Act, the licensing authority may, at any time, reject any ground for review if it is satisfied that the ground is not relevant to one or more of the licensing objectives.

4.4. The grounds for review are considered to be relevant in this case, as the application has been made by a responsible authority and concerns the licensing objectives **the prevention of crime & disorder, and the protection of children from harm.**

5.0 REPRESENTATION(S)

5.1 One representation has been received in respect of the application, from another responsible authority namely the licensing authority. A copy of the representation is given as **appendix D**.

5.2 In response to the review application, the premises licence holder has submitted some information, which is given as **appendix E**.

6.0 DATA PROTECTION ISSUES

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

7.0 DETERMINATION

- 7.1. The Sub-Committee is asked to determine the application for review.

8.0 RELEVANT CONSIDERATIONS

8.1. Licensing objectives

- 8.2. In considering the application the licensing authority must have regard to the promotion of the licensing objectives. These are:

- (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.

8.3. Licensing policy & Secretary of States guidance

- 8.4. The licensing authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State. Details of the parts of the policy and guidance that may be relevant to this application are given in **Appendix F**.

8.5. Human rights

- 8.6. Members are reminded that in determining a review application the licence holder is entitled to a fair hearing, on merit and, any action(s), terms or conditions imposed must be both proportionate and appropriate.

- 8.7. A premises licence is deemed to be a possession under Article 1(1) of the first protocol.

8.8. Appeals

- 8.9. The applicant for the review, the holder of the premises licence and/or any other party who made representations have a statutory right of appeal to the Magistrates' court within 21 days of being notified of the decision / outcome. The decision of the Sub-Committee has no effect until the appeal period has passed or until the appeal is disposed of.

9.0 OPTIONS

- 9.1. In determining this application the Sub-Committee must, having regard to the review application and any relevant representations, take any one or any combination of the following steps as it considers appropriate for the promotion of the licensing objectives, namely:

- (a) to take no action;
- (b) to issue an informal warning and/or recommend improvement(s);

- (c) to modify the existing conditions of the licence**;
- (d) to remove from the scope of the licence any licensable activity;
- (e) to remove the designated premises supervisor (DPS);
- (f) to suspend the licence for a period not exceeding three months;
and/or
- (g) to revoke the licence.

*** for this purpose, the conditions of the licence are modified if any of them is altered, omitted or any new condition is added.*

- 9.2. The Sub-Committee is reminded that there are mandatory conditions that must be included in a premises licence where applicable.
- 9.3. Where the Sub-Committee considers the removal of the DPS, members are reminded that the holder of a premises licence may make an application to vary the premises licence to specify a new individual as DPS at any time. The premises licence holder can specify that this application take immediate effect until it is determined in accordance with the Act.

10.0 RECOMMENDATION(S)

- 10.1. 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.

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

Background Papers: Application ref: 24/00091/LAPRER
Premises Licence ref: 23/00553/LAPRE

Public Documents:

- 1) **HMSO (2003)**, The Licensing Act 2003
- 2) **Home Office (December 2023)**, Guidance issued under Section 182 of the Licensing Act 2003

Contact:

Shelley Bowman, Licensing Manager (01252 398162)

Appendices:

- Appendix A - Application for review (pages 5 - 26)
- Appendix B - Map of the area (page 27)
- Appendix C - Premises Licence (pages 29 - 43)
- Appendix D - Representation from Licensing Authority (pages 29 - 42)
- Appendix E - Information from Licence Holder (pages 59 – 62)
- Appendix F - Relevant Considerations (page 63)

**APPLICATION FOR REVIEW
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDERSHOT, GU11 1JE**



RESTRICTED

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**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

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

I Phil Dennett, on behalf of the Chief Officer of Hampshire Constabulary,
(Insert name of applicant)

- Apply for the review of a premises licence.
 Apply for the review of a club premises certificate.
 (Select as applicable)
 Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

Postal address of premises:	De Lounge 111 Victoria Road Aldershot
Postcode (if known):	GU11 1JE
Name of premises licence holder or club holding club premises certificate (if known) De Lounge Ltd	
Number of premises licence or club premises certificate (if known) 23/00553/LAPRE	

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	
Surname: PC DENNETT	First Names: PHIL
Current postal address :	BASINGSTOKE POLICE OFFICE LONDON ROAD BASINGSTOKE
Postcode:	RG21 4AH
Daytime telephone number:	101
E-mail address: (optional)	philip.dennett@hampshire.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

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Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003

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

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

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

On Saturday 27th January 2024 Pc Dennett and Licensing Officer Aimee Vosser were in the Victoria Road area of Aldershot at approximately 23:30 when it was noticed that there were a group of females who had left the POWER nightclub and then head towards De Lounge. It was clear that the front door of the venue was closed but the females opened it up. At this sort of time police would normally see SIA personnel outside the venue. What was concerning was there was no delay with the females entering the venue as you would expect whereby ID checks would be in place for such a large group. We approached the venue and saw that the door was shut. There were no signs outside. The venue was licensed to be open and so we entered through the door as it was shut but insecure. Inside there was the area where the ID SCANNER was normally placed along with SIA staff who would operate it. There was no Scanner and no SIA. There was a sign inside leant up against the wall on a chalkboard stating private party. There was no one to limit those who entered or indeed confirm age verification or levels of intoxication of potential customers. On ascending the stairs there was wet and recent vomit on the floor. On the top of the stairs police opened the main door to the event room and there was loud music playing and persons inside and dancing. On entering the room police could see numerous persons in the venue drinking and eating hot food at tables and standing at the bar. Those at the bar were in the process of being served and payment was being given. There was loud recorded music from the main stage area where there was a disc jockey. The DPS was located serving behind the bar. He came over to us and he was immediately asked by police "WHERE WAS THE SIA" He then made comment that it was a private party and they were not required. He was immediately advised otherwise. He was spoken to at length in the office and certain issues were then uncovered.

Pc Dennett then conducted a walk around of the venue. There were about 100 – 120 persons within the venue. Some were in a type of uniform which would suggest there was some type of party organised. There were drunk persons in the venue including one very drunk male who at one point tried to push Pc Dennett away from the bar whilst the officer was filming events. He was unsteady on his feet and was loud. He was still drinking alcohol. Whether or not it was his drinks is irrelevant as he was not being stopped or responsibility exercised by the staff to prevent him from getting in such a state. He was also giving people unwanted attention. The rear exit door to the roof area was unlocked and open. When Pc Dennett went outside a group of around 4 persons also exited without noticing him. Pc



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Dennett was aware that an issue with building regulations means that this is unsafe for customers to be in this area.

Pc Dennett immediately notified the DPS of this and he left the office to rectify it. What he had actually done was instead of stationing a member of staff at the door he bolted shut a designated fire exit. This was at a time where there were still over a hundred persons in the venue.

The DPS stated that the venue was closing at 01:00hrs and actually it was licensed to sell alcohol until 02:30hrs so the concern was he was just saying this as he had been found out by an unannounced visit. The visit showed the following breaches:-

- 1) NO SIA
- 2) NO BWV
- 3) NO SCANNER IN PLACE OR BEING USED
- 4) NO VULNERABILITY POLICY
- 5) NO STAFF TRAINING FOR CURRENTLY EMPLOYED STAFF – OLD STAFF TRAINING AVAILABLE
- 6) LAST ENTRY FOR REFUSAL OF SERVICE – 2/12/23

Other concerns noted:-

- 1) OVERINTOXICATION
- 2) VOMIT ON STAIRS
- 3) BOLTED FIRE EXIT

No SIA in turn led to:-

- 1) NO COMPLETION OF REFUSAL OF ENTRY FORM
- 2) EASY ACCESS TO UNINVITED MEMBERS OF PUBLIC
- 3) DISPERSAL POLICY NOT ADHERED TO
- 4) NO OBSERVATION OF ANY POTENTIAL VULNERABILITY
- 5) NO OBSERVATION OF OVER INTOXICATION
- 6) NO OBSERVATION OF THE PREVENTION OF LICENSABLE ACTIVITIES IN EXTERNAL AREAS

The DPS was extremely nonchalant about the whole situation and police licensing definitely believed that they were being taken advantage of. There is some background to this belief. On New Years Eve in 2023 – 24 police licensing were advised that police officers had attended the venue and noted that there was no SIA and the venue was very busy. NYE fell on a SUNDAY and SIA are required on any Sunday preceding a Bank Holiday. This incident fell after the conditioned start times of SIA. The DPS was advised of this and had to bring in staff at short notice. Police licensing made the decision not to take action that time as it was rectified and believed at the time it was due to confusion. The incidents on the 27th January now show this was not the case and there was no excuse for this behaviour or poor decision making.



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There is an identified issue now in regards to the lack of adherence to any condition and the DPS believing that he does not need to do this.

In making this application to review the licence of De Lounge, Hampshire Police have considered the proportionality of the proposed actions and also the seriousness of the offences in regards to the venue. Hampshire Police are satisfied that the complete disregard for the prevention of crime and disorder and the protection of the vulnerable is clear and obvious. This is not an isolated occurrence as detailed by the lack of SIA on New Years Eve. The DPS has taken advantage of the police officers actions on New Years Eve and breached the same condition under a month later. It was only because both the Council Licensing Team along with Hampshire Police conducted a more thorough check more breaches were uncovered.

Violence against Women and Girls and the potential vulnerability of others is at the forefront of the protection of the public in the Night Time Economy. The actions of the venue shows that the DPS does not hold the same regard to those priorities. How can a late night venue allow such over intoxication, No SIA , No Scanner, untrained staff , the list goes on. In regards to proportionality of the requested action to be considered by the Sub – Committee, Hampshire Police believe the following is considered fair and will allow the venue to still operate as a restaurant. Please note the venue serves food and has been advertised as a restaurant as well as a late night venue. Hampshire Police requests consideration is given to the:-

- REMOVAL OF DPS

- REDUCTION IN LICENSABLE HOURS TO 22:00HRS.

If the above was put in place , Hampshire Police would agree that no SIA or Scanner would be required, therefore reducing costs and proportionately allowing the venue to trade. Added to this it would therefore satisfy the Chief of Police that the venue would not be trading in the peak of Night-time Economy Hours where there is increased vulnerability as the DPS and the venue is failing to protect those in question.

Have you made an application for review relating to these premises before: Yes | No

If yes please state the date of that
application:

 / /
Day Month Year

If you have made representations before relating to this premises please state what they were

n/a

Please tick



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- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I have sent a copy of this representation to the principal licensing officer of Council

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

Signature of Officer Completing

Name	<u>PHIL DENNETT</u>	Collar Number:	<u>3715</u>
Signature:	<u>PC DENNETT</u>	Date:	<u>01/02/2024</u>

Signature of Authorising Officer (Inspector or above)

Name	<u>STUART JACKSON</u>	Collar Number:	<u>3354</u>
Signature:	<u>PS JACKSON</u>	Date:	<u>01/02/2024</u>

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FURTHER DISCLOSURE FOR POLICE LED APPLICATION FOR THE REVIEW
OF DE LOUNGE , ALDERSHOT

PD/DL/03 - POLICE LICENSING REPORT 03/02/24 – PC SCOTT.
PD/DL/04 – POLICE LICENSING REPORT 11/02/24 – LO POLLARD
PD/DL/05 – E-MAIL CHAIN BETWEEN DE LOUNGE AND PC DENNETT
SWAB RESULTS:- (verified and tested on Rapiscan)
27/01/24 – GENTS TOILET – COCAINE 6.79
11/02/24 – GENTS TOILET – COCAINE 3.51

For context:

Interpretation on readings:

0.1 > 2 = 3rd person contact / old surface contact potentially cleaned over

2.1 > 4 = 2nd person contact / or recent contact on surface

4.1 > 6 = 1st person usage / recent use on surface

6 + = very recent usage either on person or surface, probably still in possession

BODY WORN VIDEO SUBMISSION:-

PD/BWV/01 – WALKAROUND DE LOUNGE 28/01/24 00:01:18

PD/BWV/02 – FOOTAGE OF PERSONS ON ROOF 28/01/24 00:06:45

PD/BWV/03 – FOOTAGE OF INTOXICATED MALE LEAVING VENUE AFTER
UNIFORMED POLICE ARRIVE 28/01/24 00:42:44

SCREEN SHOT OF REPORT BY PC SCOTT (HAMPSHIRE POLICE LICENSING)
COMPLETED 04/02/24 FOR VISIT ON THE 03/02/24

NicheRMS : 44090383164 Occurrence / intelligence enquiry log

Occurrence / intelligence enquiry log
44090383164 · Hist - Restricted

Log entries Show filters (11) Sorted by: Latest

#10 [Enquiry log] - Locked
Entered by: #25597 SCOTT, LEE @ 04/02/2024 00:15
Author: #25597 SCOTT, LEE

I attended the premises alongside PC Hawley on 03/02/24 arriving at approximately 2300 hours.

We activated our body worn video on approach to the premises.

As we got to the door I walked straight in, noticing the SIA doorman on a chair to my right in a little cubbyhole under the staircase. I said hello mate being casual to test for any ID challenge as I know the premises has an ID scan condition. Nothing, I was allowed to freely walk in and make my way up the stairs and into the premises fully. As I was ascending the stairs and turned back on myself I heard PC Hawley formally identify himself as a police officer but I carried on inside.

In the main room there were approx 100 persons inside with up to 50% on the dance floor enjoying the live band. Others sat down were drinking and most had food. I considered there to be adequate members of staff at the bar and rushing around the busy environment. The atmosphere was fine and no overt or concerning signs of excessive intoxic noted at this early hour.

I went back down and went to grab the annex 2 conditions to check a point on ID scanning as PC Hawley was talking to the doorman about scanning ID on entry. The issue was that no army ID cards were being scanned and he was accepting photographs of ID on mobile phones. Therefore very few if any were being scanned in.

The 2nd SIA doorman arrived which pleased me as he was not seen upstairs, he had been talking a female up the road he knew from another form of work.

Whilst PC Hawley advised the 2 SIA a queue built up at the door of expectant customers, in my view accustomed to just walking in freely.

I went upstairs for a 2nd time briefly and looked more closely at the bar but again no real concern noted.

As PC Hawley was finishing advising the SIA staff of the breaches of licence the DPS appeared and we reiterated the points of concern to him.

Further neither SIA had bww. The 2nd who was up the road and returned had one in his pocket but this was flat and the DPS said they had no lead to charge it. Alarming until tonight the DPS said he didn't know they didn't have a lead to charge it.

After talking to the DPS we left very concerned about the total lack of care or compliance at the front door to the licence.



#12 [Enquiry log] - Locked

Entered by: #16866 POLLARD, COLIN @ 11/02/2024 02:47

Author: #16866 POLLARD, COLIN



I visited De'Lounge around 00:15 on the 11/02/2024. There was an SIA registered door supervisor on the front door as well as another male in a florescent tabard. I asked the male in the tabard if he was door staff and he said no and walked off. Could have been a member of the public!

The venue was pretty quiet at the time of the visit with approx. 47 customers on the premises. I walked through and didn't really identify anything of note. There wasn't any obvious signs of excessive intoxic. There was a bit of dancing going on and customers wearing Hawaiian Lei's.

I spoke with the owner who said trade was slow at the moment. I checked the refusals log and last record was dated 03/02

There was a second SIA registered Door Supervisor on duty inside the venue.

I swabbed the gents toilet, back of cistern covers, toilet roll holders, around the sink and top of hand dryer.

I haven't managed to run the swab through Rapiscan as couldn't log on. I have asked PC 2903 Swallow if he could run it next week.

The doorman informed me they were planning to close at 01:00.

I didn't observe any customers entering the premises but there was a small group who appeared whilst I was upstairs who may have been permitted entry after 00:00. There is BWV of the visit.

From: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>
Sent: Monday, February 5, 2024 7:08 PM
To: Tularam Gurung [REDACTED]
Cc: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: RE: DE LOUNGE - POLICE REVIEW APPLICATION

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Tularam

Many thanks for your reply.

It is not up to me to find another DPS and it is certainly not an appropriate comment to make about providing you financial assistance.

I have forwarded your comments (which I believe to be inappropriate) to the local authority.

Many thanks

Phil

PC 3715 PHIL DENNETT
Force Licensing & Alcohol Harm Reduction Team
Basingstoke Police Station
External : 101 | Internal : 4622533
Email – Philip.dennett@hampshire.pnn.police.uk
[Licensing Home Page](#)

From: Tularam Gurung [REDACTED]
Sent: 05 February 2024 18:44
To: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>
Subject: Re: DE LOUNGE - POLICE REVIEW APPLICATION

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Thanks, I am very sorry if I have done very bad. I am sorry if I have put customers in dangerous situations. I am sorry if I have ignored vulnerable customers badly. You can download and check all cameras if you want.

Please find a very good DPS who can help me in this business at Aldershot. Currently I am the only one who has got personal license.

I am very happy to close trading further if you provide any financial assistance to get my money back.

Sorry to say other things which are irrelevant but I must say it. After end of October 2023, when all partners left the business, I focused on fire safety , training to staff, electrical equipment repair, then focused to all suppliers to get good materials, other day to day operations and cleaning plus maintenance.

It was my big mistake not hiring Security on the night.

Regards

Tularam Gurung

Sent from my iPhone

On 5 Feb 2024, at 16:51, Dennett, Philip (3715)
<philip.dennett@hampshire.police.uk> wrote:

Hello Tularam

Thank you for your e-mails in regard to my application to review the licence in regard to your venue – De Lounge in Victoria Road, Aldershot. I wish to respond to the following point raised by yourself:-

1. **On the day, only 52 people booked the venue. Few of them were gone home due to their personal reasons. A female group entered without knowledge but I believe they were about 10 and close relatives of band members.**

Response:-

My estimation is exactly that, an estimation. However the issue remains there was no one on the door – as there should be – scanning those who have entered and I would suggest there is no live record of those who were on the venue that night. If you have records of those who were on site on the night in question please could you forward to me. An invite list would not suffice, I would require those present on the night. However it really doesn't matter how many were on site as I am not suggesting issues in regards to capacity, just issues in regards to lack of compliance of conditions.

The application made by myself is for a licensing sub – committee to make a decision in regards to the venue going forward. I have asked for the sub – committee to consider reducing the hours and removing you as DPS. I have not asked that the premise licence is revoked. The reason for those requests can be explained as follows. I believe that the venue does not consider the vulnerability of customers to a level where safeguards are put in place – SIA / vulnerability policy / Staff Training.

Therefore if the hours were reduced then the risk would be lowered. I have not asked for anything earlier than 10pm. I believe that removing you as DPS and putting someone in your place would be beneficial to the licensing objectives. There have been substantial breaches of conditions and the reasons for that are unclear. My

suggestion to the sub – committee is to remove you and this would mean that someone else would come in with a fresh start and fresh eyes and maybe the mistakes or breaches that have been made would not happen again. It is important to stress that removing you as DPS is just that and not removing you from any business or company.

I hope the above clarifies issues raised by yourself. I have been nothing but supportive in regards to the venue and yourself and do not wish for the business to cease trading but I do believe the above changes are required to increase the safety of those who are vulnerable and for the conditions to be met. I would agree to the removal of conditions such as the requirement for SIA / SCANNER if the hours are reduced and the DPS removed.

Kind Regards

Phil

PC 3715 PHIL DENNETT
Force Licensing & Alcohol Harm Reduction Team
Basingstoke Police Station
External : 101 | Internal : 4622533
Email – Philip.dennett@hampshire.pnn.police.uk
[Licensing Home Page](#)

From: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Sent: 02 February 2024 15:47
To: Tularam Gurung [REDACTED]; Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Cc: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>; Aimee Vosser <aimee.vosser@rushmoor.gov.uk>; [REDACTED]
Subject: RE: DE LOUNGE - POLICE REVIEW APPLICATION

Hi Tularam,

As the Licensing Authority we have 2 roles in respect of the Licensing Act which must be kept independent in respect of the application. I am processing the application and can answer any questions you have about the review process. However, if you are seeking to discuss the content of the application, and discuss a potential way to resolve them, this would require you to speak with PC Dennett, and Aimee as the responsible authority officer if appropriate. We cannot all meet together to discuss the appropriate way forward.

It seems that you are seeking to discuss the latter, so I will leave it to PC Dennett as the applicant for the review to contact you to discuss and arrange a suitable time should he be able to meet with you. I am not sure whether he is working this weekend, so it may be that you do not receive further contact until next week. However, if you have any questions about the process itself, please feel free to contact me, and I will be happy to discuss these with you either in person, over the phone or by email.

Kind Regards

Shelley Bowman
Licensing Manager
Place Protection – Operations
Rushmoor Borough Council
01252 398162

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https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zpYWLz9r2XlOoDj1xPqdfgzM2raNUM1paWIBDNzlZTFdFQTg0RDhNSFIVMk42US4u

From: Tularam Gurung [REDACTED]
Sent: Friday, February 2, 2024 3:23 PM
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Cc: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>; Aimee Vosser <aimee.vosser@rushmoor.gov.uk>; [REDACTED]
Subject: RE: DE LOUNGE - POLICE REVIEW APPLICATION

Some people who received this message don't often get email from tularamg@hotmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Shelley,

Thank you for your email. I am happy to take a meeting with PC Phil Dennett, Aimee and you at coming Monday or Tuesday. I will come with my wife and daughter. I am happy to follow all rules as you have placed. Please inform me if I need to bring or submit my documents to continue the business.

Seeking your advice and help

Thank you.
With Kind Regards,

Tularam Gurung
Director
De Lounge Restaurant and Cocktail Bar
111 Victoria Road, Aldershot, Hampshire
GU11 1JE
United Kingdom.
<image001.jpg>

Website- www.deloungerestaurant.co.uk

From: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Sent: Friday, February 2, 2024 1:40:28 PM
To: Tularam Gurung [REDACTED]
Cc: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>
Subject: RE: DE LOUNGE - POLICE REVIEW APPLICATION

Dear Tularam,

I cannot respond to all of the questions that you have raised below, as a number of them relate to PC Dennett's account of the night and the application that he has made. However, you appear to be asking some questions around the review process and what that means for what you are able to do now. As the officer processing the application I would like to clarify that for you.

A notice will be displayed both outside your premises, at the council offices and on the council's website, which details that an application for review of the licence has been made by Hampshire Constabulary, and invites anyone to make representations should they wish to do so. These can be in support of the business or the application but must be relevant to the licensing objectives. The application is open to representations until 29th January 2024.

During this time the responsible authorities, who have also received a full copy of the application can also make representations. If you wish to submit any information, documentation or evidence you can also do it during this period. This can be done by email to licensing@rushmoor.gov.uk or by post or hand delivery to the council offices.

After this date a hearing of the licensing sub-committee will be held, which you, PC Dennett and anyone who makes representations will be invited to attend, and you will have the opportunity to present to the committee. The panel of members will determine the outcome of the application. You will receive a report detailing all of the representations that are made, and any evidence submitted ahead of the hearing for your consideration. You are entitled to be represented at the hearing, and you may wish to consider whether you want to obtain legal advice.

During the representation period, you can continue to operate in accordance with the terms and conditions of your premises licence, with yourself as the DPS as the outcome of the application has not been determined. There are a range of options available to the committee ranging from doing nothing to revoking the premises licence. PC Dennett has stated in his application that he will be requesting the committee to remove you as the DPS and to reduce the hours for licensable activities, however the decision as to whether this or other action is taken is made by the committee at the hearing.

I trust that this answers your immediate questions regarding the operation of the business and clarifies the review process. However if you have any queries regarding the process, please do not hesitate to contact me.

Kind Regards

Shelley Bowman
Licensing Manager
Place Protection – Operations
Rushmoor Borough Council
01252 398162

Please take a moment to complete a short survey about how you found the service you received today at
https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zpYWLz9r2XlOoDj1xPqdfgzM2raNUM1paWIBDNzIZTFdFQTgORDhNSFIVMk42US4u

From: Tularam Gurung [REDACTED]
Sent: Thursday, February 1, 2024 8:55 PM
To: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>
Cc: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>; CS Protection Admin <csprotection.admin@hantsfire.gov.uk>; alcohol@homeoffice.gov.uk; liquor.licensing@hants.gov.uk; publichealth.licensing@hants.gov.uk; Rushmoor Council Health and Safety <HealthandSafety@rushmoor.gov.uk>; Rushmoor Council Plan <plan@rushmoor.gov.uk>; child.protection@hants.gov.uk
Subject: Re: DE LOUNGE - POLICE REVIEW APPLICATION

Some people who received this message don't often get email from tularamg@hotmail.com. [Learn why this is important](#)

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Hi Phil,

Thank you for your email and review application of De Lounge related Saturday 27th January 2024.

I read it and all agreed as mentioned but few disagreed and want more honest clarification please

1. On the day, only 52 people booked the venue. Few of them were gone home due to their personal reasons. A female group entered without knowledge but I believe they were about 10 and close relatives of band members.

There were not 100-150 but I believe around 45 of booking members, about 10 girls group, 7 bands members, 2 kitchen staff, 2 waitresses, me and my wife. I think total around 73 including Aimee, You and 2 police officers

2. I honestly say again I did not take advantage. I am sorry some people were aggressive towards you which should not happen, apologies for it.

3. Many things are sorted and few are sorting out which points were noted by Aimee on her reports. I promise you that will be done as required but it will be completed by helping each other. It is not a bribe but tell me what I have to do

3. You know my partners are out from the business. There is no one who has got personal license. I think decision is made for DPS removal. Am I out from DPS? Can we sell Alcohol? am I allowed to open until 1am? Am I allowed to serve alcohol? If me is out or removed then are we allowed to sell alcohol without DPS?

4. Until what time, I can open the business?

Please help me with your advice please. Being in the army for 16 years, I never had this kind of experience. I also happy to hear your advice

Tularam Gurung
De lounge
Sent from my iPhone

On 1 Feb 2024, at 11:56, Dennett, Philip (3715) <philip.dennett@hampshire.police.uk> wrote:

Dear All

Please see the attached Police Led Application to Review the licence of De Lounge in Aldershot.

The following documents are enclosed

1. Hampshire Police Application Form
2. De Lounge Premise Licence
3. Photo of bolted fire exit – PD / DL / 01 (taken at 00:37hrs on the 28/1/24)
4. Photo of refusal register with last refusal on the 02/12/24. – PD / DL / 02 (taken on 00:24hrs on the 28/01/24)

Body Worn Video footage is available which incorporates the walk around by officers.

This will be disclosed once the footage is redacted to ensure the file is not too large and therefore unable to work.

Kind Regards

Phil
PC 3715 PHIL DENNETT
Force Licensing & Alcohol Harm Reduction Team
Basingstoke Police Station
External : 101 | Internal : 4622533
Email – Philip.dennett@hampshire.pnn.police.uk
[Licensing Home Page](#)

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informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

- <G90 DE LOUNGE.doc>
- <DE LOUNGE LICENCE.doc>
- <BOLTED FIRE EXIT.jpg>
- <REFUSAL REGISTER.jpg>

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please call 999. Thank you.

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From: Dennett, Philip (3715) <philip.dennett@hampshire.police.uk>
Sent: Sunday, March 3, 2024 5:24 AM
To: Shelley Bowman <shelley.bowman@rushmoor.gov.uk>
Subject: One extra update for De Lounge hearing

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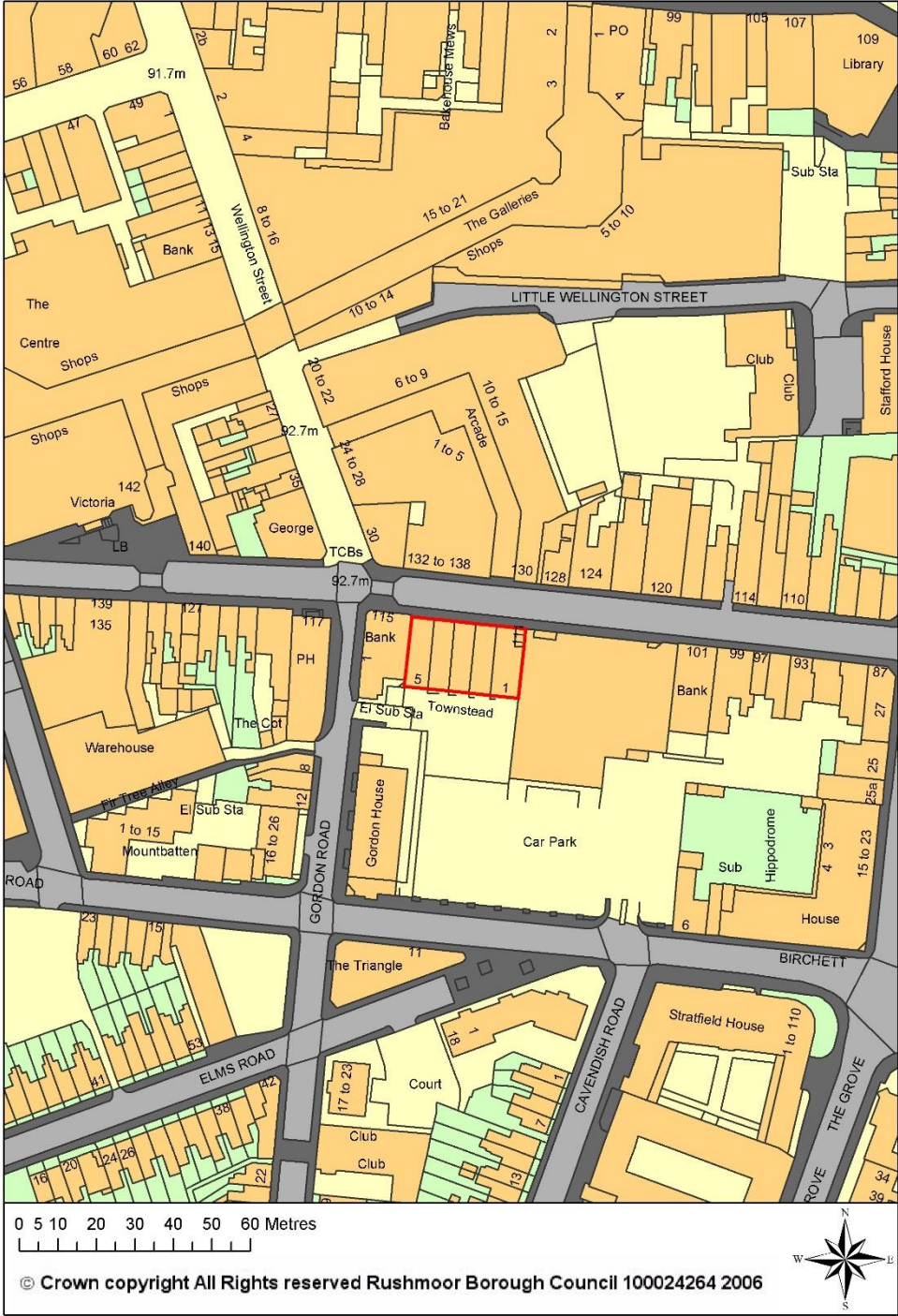
Pc 3715 Phil Dennett attended De Lounge at just prior to 23:00hrs on the 02/03/24. The front door was monitored and there was a new SIA DS on duty whose Body Worn Video was on and he was scanning patrons in. There was a queue because of this. I introduced myself and he stated that he had worked there the previous year but has really moved away from Clubs. I entered the premise and met the other security officer upstairs who wasn't wearing Body Worn Video. I asked why this was and he stated the SIA DS share them. This is a clear breach of ANNEXE 2 (5) (i). The venue was busy and I was disappointed that yet again conditions are being breached. I left shortly afterwards.

PC 3715 PHIL DENNETT
Force Licensing & Alcohol Harm Reduction Team
Basingstoke Police Station
External : 101 | Internal : 4622533
Email – philip.dennett@hampshire.pnn.police.uk
[Licensing Home Page](#)

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APPENDIX B

MAP OF AREA OF THE PREMISES
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDRESHOT, GU11 1JE



PREMISES LICENCE
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDERSHOT, GU11 1JE

Premises Licence Number
 23/00553/LAPRE- 1/15



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:	De Lounge Townstead House 111-113 Victoria Road Aldershot Hampshire GU11 1JE
	Map Ref (E): 486418 Map Ref (N): 150627 UPRN: 200003209344
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 provision of regulated entertainment by way of the exhibition of film(s) (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 (indoors only);
(5)	The provision of regulated entertainment by way of the performance of dance (indoors only);
(6)	The provision of regulated entertainment by way of anything of a similar description to items (3), (4) and (5) above (indoors only);
(7)	The provision of late night refreshment (indoors only).
Times the licence authorises the carrying out of licensable activities	
(1)	The provision of late night refreshment:- ➤ Fridays, Saturdays and Sundays preceding a Bank Holiday – 23:00pm to 01:00am the following day;
(2)	The provision of regulated entertainment by way of recorded music:- ➤ Sundays - Thursdays – 12:00noon to 23:30pm; and ➤ Friday, Saturday & Sundays preceding a Bank Holiday – 12:00noon to 03:00am the following day

- (3) The provision of any other permitted regulated entertainment:-
➤ Friday, Saturday & Sundays preceding a Bank Holiday – 12:00noon to 18:00pm and 19:00pm to 01:00am the following day
- (4) The retail sale of alcohol:-
➤ Sundays – Thursdays – 12:00noon – 23:00pm
➤ Friday, Saturday & Sundays preceding a Bank Holiday – 12:00noon to 02:30am the following day

The opening hours of the premises

- Sundays – Thursday – 12:00noon to 23:30pm; and
➤ Fridays, Saturdays & Sundays preceding a Bank Holiday – 12:00noon to 03:00am 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: De Lounge Ltd
Address: Townstead House
111-113 Victoria Road
Aldershot
Hampshire, GU11 1JE
Telephone: Not Known
Email: Not Known

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

- 11363793

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


Name: Tularam Guring
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: 22/00905/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: 13th June 2007
Date Licence Effective: 13th June 2007
Date Last Modified: 10th October 2023
(Change of DPS)


SIGNED on behalf of the
Executive 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) 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).
- (9) (i) In respect of the exhibition of films, the admission of children (ie: anyone aged under 18) must be restricted in accordance with any recommendation(s) made by the film classification body specified (as designated by S4 of the Video Recordings Act 1984 - the British Board of Film Classification).
- (ii) Where a film classification body is not specified, the admission of children must be restricted in accordance with any recommendation(s) made by the licensing authority.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) No licensable activities shall be undertaken except during permitted hours.
- (2) A suitable written policy on entry refusals 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 maybe necessary. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the venue manager/manageress. The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and responsible authority.
- (3) An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The records will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. This record shall be produced to a Police Officer or an authorised Officer of the Local Authority on reasonable request. This record shall be retained for a period of 12 months.
- (4) Before commencing their duties all new staff must receive information and training concerning the sale of age restricted products.
 - (i) This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age.
 - (ii) All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area.
 - (iii) The training should be reviewed and updated at reasonable intervals but at least annually.
 - (iv) All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions.
 - (v) Training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12 months.

- (5) On Fridays, Saturdays and Sundays preceding a Bank Holiday from 19.00pm, at least one member of SIA staff who shall be positioned at the main entrance of the venue shall wear and operate body worn video (BWV)
- (i) Another member of SIA staff operating within the venue shall also wear and operate BWV.
 - (ii) The equipment shall be maintained and the images will be made available as soon as practicable but at least within 48 hours to the police on request as long as the request is lawful with regards to data protection legislation.
 - (iii) The equipment shall record high definition colour images and be able to capture sound, specifically conversation. The equipment shall be able to operate in all levels of illumination, images shall be time/date stamped.
 - (iv) The BWV shall be of a similar specification to those currently utilised by Hampshire Constabulary and as such shall be of sufficient quality to produce evidential data.
 - (v) There shall be sufficient number of devices or batteries at the venue to ensure that the devices are able to operate continually.
 - (vi) Where the equipment fails the police licensing department responsible for the area, shall be notified immediately in writing or by e-mail as soon as is practicable and the defect rectified within 14 days of the failure.
 - (vii) Data obtained on the BWV shall be downloaded as soon as practicable and be retained at the venue for at least 28 days.
 - (viii) At all other times the need for door supervisors is to be considered as part of a written risk assessment. A copy of the risk assessment must be made available to the responsible authorities on request.
- (6) A zero-tolerance approach shall be taken towards the presence and use of illegal drugs on the premises. This policy shall be actively enforced at all times and any individual found in possession or use of such drugs shall not be permitted to enter or remain on the premises.
- (7) The premises licence holder shall ensure that a system is in place to ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises, shall produce acceptable means of identification and age confirmation. Acceptable identification shall be a passport, photo driving licence or PASS accredited photo ID. If the person seeking

alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

- (i) For the purposes of this condition, suitable identification is photo driving licence, passport, or any other photographic identification bearing the "PASS" logo and the person's date of birth.
 - (ii) Suitable and sufficient warning signs shall be displayed in the premises providing information in respect of the above challenge 25 policy and the request for suitable identification in connection thereof.
- (8) A colour recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place.
- (i) A competent person conversant with the operation, retrieval and recording of information contained in the CCTV system / footage shall be available to attend the premises at all times.
 - (ii) So far as is reasonably practicable, the CCTV system must be maintained in good working order at all times.
 - (iii) Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second.)
 - (iv) The images produced shall be date and time stamped.
 - (v) A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.
 - (vi) An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.
 - (vii) It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that all times a person in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment.
 - (viii) Ensure all operators receive training from the installer when the equipment is installed and that this is cascaded down to new members of nominated staff.
 - (ix) Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police

responsible authority for the purpose of the prevention and detection of crime as long as the request is lawful and complies with GDPR.

- (x) In the event of a technical failure of the CCTV equipment, the Premises Licence Holder or DPS shall notify the police licensing department responsible for the area within 24 hours.
 - (xi) The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
 - (xii) The system shall be able to cope with all levels of illumination.
 - (xiii) The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft unauthorised viewing and maintain the integrity of the system.
 - (xiv) The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.
 - (xv) The system clock shall be checked regularly for accuracy taking account of GMT and BST.
- (9) The Premises Licence Holder shall operate and maintain in good working order, an electronic identification scanning system such as "Scannet" or similar electronic document scanning device if commercially available.
- (i) All customers entering the premises (not including children under the age of 18 years) shall be asked to produce photographic identification, such as a valid passport, valid driving licence or PASS card and agree to the said identification being used for scanning. Customers who do not agree to this will be refused entry.
 - (ii) All identification provided by customers shall be scanned electronically.
 - (iii) The premises licence holder or venue representative will notify the Police Licensing Department responsible for the area in writing or by e-mail as soon as reasonably practicable if any

issues arise in respect of the operation of the scanning system or the internet service accompanying it.

- (iv) Details of persons banned at the venue are to be entered onto the device used by the venue and that information shared locally and nationally with other venues using the same or similar scanning system by the Information Technology System (internet protocol)
- (10)
- (i) On Fridays, Saturdays and Sundays preceding a Bank Holiday, one SIA door supervisor shall be employed at the venue from 19.00pm and another one SIA door supervisor from 21:30pm until the closing time of the venue.
 - (ii) For any event or private function where SIA staff would not be required by virtue of the above condition and the premises is not operating as a restaurant a written risk assessment shall be produced and made available to the responsible authorities detailing the appropriate number of SIA door supervisors.
- (11) The Premises Licence Holder or nominated person shall provide a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises.
- (12) The Premises Licence Holder shall ensure that a suitably trained member of the management team or security team makes regular patrols of the inside of the premises including beer garden and smoking area, to check for early signs of drunkenness and behaviour that could lead to disorder. This is to achieve early intervention with potentially problematic customers.
- (13)
- (i) On Fridays, Saturdays and Sundays preceding a Bank Holiday, from 19:00 hours the venue shall use polycarbonate drinking vessels and where commercially available polycarbonate. No glass bottles shall be dispensed to customers and therefore either plastic bottles must be used or the beverage decanted from the glass to bottle.
 - (ii) At all other times the type of drinking vessels is to be considered as part of a written risk assessment. A copy of the risk assessment must be made available to the responsible authorities on request.
- (14) No licensable activities or the consumption of food or drink shall be permitted in any external area(s) of the premises used by customers / patrons between 22:00pm and the end of specified opening hours on any day. Only smoking may be permitted in any authorised external area(s) of the premises during the time stated.

- (15) Except for access and egress, all external windows and doors (excluding the main front door located on the ground floor) to the premises shall be closed and kept closed between 21:00pm and the end of opening hours on any day.
- (16) (i) All speakers and other such amplification equipment shall be kept within the premises and shall not be positioned near to or facing openings such as doors and windows.
- (ii) All speakers and other such amplification equipment shall be placed on suitable anti-vibration mountings when in use.
- (17) (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.
- (18) 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.
- (19) 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.
- (20) All lighting, including external lighting and lights activated by sensors, shall be correctly adjusted so that it only illuminates the surface(s) intended and does not unreasonably throw light onto neighbouring properties.
- (21) A suitable written policy on dispersal of customers 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.
- (22) A suitable written policy on required ejections of customers from 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 maybe necessary.

- (23) 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.
- (24) Children may be permitted into the premises as part of family functions/events and attending for a table meal until 21:30pm on any day and must be accompanied by an adult.
- (25) Anyone under the age of 18 must not approach the bar area.
- (26) Entry/access to the premises is not permitted between 01:30am and the end of the specified opening hours on any day, for patrons not already using the premises and returning from the designated smoking area.
- (27) A written policy on how the venue will deal with vulnerability shall be implemented and as a minimum will include the following:
 - (i) A definition of the different types of vulnerability that may present at the premises.
 - (ii) How best to communicate with vulnerable people. For example, people who are drunk, people on their own, people behaving aggressively and people who are ill.
 - (iii) How to safeguard vulnerable people, including information on first aid administration and referral to the ambulance service and police where relevant.
 - (iv) Best practice for partnering with agencies, such as taxi companies, local authorities and other venues.
 - (v) What to do if you sense a vulnerable person is in danger, for example if they leave the venue alone or with people they didn't arrive with.

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

- (1) With the exception of person returning to the premises after existing for the purpose of smoking no person shall be permitted to gain entry or re-entry to the premises between 00.00am (midnight) and the end of specified opening hours on any day.
- (2)
 - (i) Any pre-amplified sound to be passed through any sound amplification system shall be played through a suitable sound-limiting device on amplification.
 - (ii) The sound level output from the amplified sound and limiting device shall be set at a level agreed with a Rushmoor Borough Council Environmental Health Officer so as to ensure its inaudibility at the boundary of the nearest residential premises on all sides of the licensed property. The sound limiter shall then be locked to prevent tampering.
- (3)
 - (i) The licence holder, or a nominated representative, shall carry out suitable and sufficient noise assessments at the nearest residential premises. If any music from the licensed premises is audible, that fact shall be recorded and reported to Rushmoor's Environmental Health department within seven days for further investigation.
 - (ii) These assessments shall be undertaken at hourly intervals from 10.00pm whilst regulated entertainment is taking place. Written records of these assessments and any remedial action(s) taken shall be kept and made available to the local authority or licensing authority on request.
- (4) The building shall be adequately maintained to ensure effective containment of noise and, in particular, special attention shall be made to maintaining the windows and doors on the premises.
- (5) All bar staff shall be trained to a level commensurate with their role and responsibilities in respect of the law relating to the sale of alcohol and, in particular, when sales of alcohol should be refused. This training shall be documented.
- (6) Any person who is refused the sale of alcohol due to being already intoxicated shall be asked to leave the licensed premises as soon as is reasonably practicable. A written record of each such event shall be maintained.

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



-oO-

**REPRESENTATION – LICENSING AUTHORITY
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDERSHOT, GU11 1JE**

RUSHMOOR
BOROUGH COUNCIL



Council Offices, Famborough Road,
Famborough, Hants. GU14 7JU
Tel: (01252) 398 399

Website: www.rushmoor.gov.uk

Your Ref:

Officer: **Aimee Vosser**

Our Ref: 24/00091/LAPRER

Telephone: 01252 398131

Email: Aimee.vosser@rushmoor.gov.uk

Date: 9th February 2024

Representation to Review of Premises Licence

De Lounge, Townstead House, 111-113 Victoria Road, Aldershot, Hampshire, GU11 1JE

Individual making representations:

My name is Aimee Vosser and I am employed as Licensing Officer for Rushmoor Borough Council. I have been employed in this capacity for 12 years. I hold a BIIAB National Certificate for Licensing Practitioners and a BIIAB National Certificate for Licensing Practitioners (Gambling). I also hold a PLPQ (Professional Licensing Practitioners Qualification).

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 review of a premises licence. At this time and in respect of the above named premises it is my opinion that steps are necessary to promote the licensing objectives to ensure the prevention of crime and disorder, public safety and the prevention of public nuisance. The grounds for this opinion are outlined below.

Nature and grounds of representation:

The premises licence for De Lounge is held by De Lounge Ltd and the directors of the company are Tularam Gurung and Ramprasad Ghale (according to companies house). The designated premises supervisor (DPS) is Tularam Gurung.

As stated in the review application by PC Dennett, a number of concerns have been raised in a short period and these issues have been referred to in the application, I will refer to the most recent visit when non-compliance of the premises licence was identified.

27th January 2024

PC Dennett and I attended the premises at approx. 23:50pm, after we noticed a group of females leave a different premises on Victoria Road, Aldershot and enter De Lounge. We noticed the main door was closed and no SIA door supervisors were in attendance.

The door was unlocked, and we were able to enter the premises without needing to identify ourselves. No SIA door supervisors in attendance and there was no scanning machine, which was identified as breach of conditions on the premises licence.

We also identified an 'A' board, which stated 'private party', but this was tucked away and not out on display. I identified vomit on the stairs as we continued to walk up the stairs to gain access to the main area of the premises.

The DPS, Tularam Gurung was serving customers behind the bar area. We made our attendance known to the DPS and he came away from the bar to speak with myself and PC Dennett.

Tularam stated it was a 'private party' when I asked why there was no SIA door supervisors in attendance. I asked Tularam if he was selling alcohol and he confirmed he was.

There was also live music taking place as there was a band at the back of the premises, near to the dance floor area. I advised Tularam that as licensable activities were taking place, he was required to comply with the conditions on the premises licence. Tularam seemed unaware of this, and it was a concern that there were a number of people in the premises consuming alcohol and there were no measures in place to prevent crime and disorder or to ensure public safety.

We continued our conversation in the office, and I identified a number of breaches from the premises licence, which I have detailed in the table below. Given the licence allows for licensable activities to take place until early hours in the morning, I find the lack of regard for the licensing objectives and the conditions on the premises licence to be concerning and question whether the premises can continue as a night time economy venue.

PC Dennett returned to the office and raised a concern that members of the public / people from the band were on the roof terrace. I raised this with Tularam because a previous variation application identified an issue whereby no documentation could be obtained to demonstrate that the roof terrace area was safe (structurally sound) to have people using the outdoor area. It also states on the premises licence that people are not permitted in that specific area after 22:00pm on any day.

As I continued through the licence conditions, it was identified that the licence holder had no vulnerability policy in place. When I asked Tularam for this policy, he didn't appear to understand what I was asking for.

I also asked to see staff training records, and I was showed a list of names with signatures stating they had been trained, however when I asked which members of staff were working, Tularam advised that none on the list worked at the premises anymore. I established that the staff working during our visit had not been trained in

accordance with the licence conditions. This again raises concerns over the licence holder and DPS' accountability for public safety and dealing with customers being over intoxicated. It was clear during our visit that over intoxication may be the case, given the challenge PC Dennett has referred to in his report and the vomit on the stairs.

As part of the licence conditions, the licence requires a refusals log to be kept, at the time of our visit the log was in a cupboard in the office and had not been completed since the 2nd December 2023. This raised concerns as to whether staff are carrying out age verification checks or refusing service to customers who are over intoxicated.

Issue / non compliance	Premises licence condition
No SIA door supervisors in attendance	Annex 2 Condition (10)
No body worn video in use	Annex 2 Condition (5) (i - viii)
No Scanner in use	Annex 2 Condition (9)
No Staff training and no records	Annex 2 Condition (4) (i - v)
No Vulnerability policy	Annex 2 Condition (27)
People on the roof terrace after 22:00pm	Annex 2 Condition (14) & Licensing objective – Public Safety
Refusal Log not being completed properly (last entry 02/12/23)	Annex 2 Condition (2) & Annex 3 Condition (8)

In addition to the above breaches, during our visit PC Dennett arranged for two other police officers to attend the premises to aid with safe dispersal from the venue. If the licence holder and DPS had complied with the licence, this wouldn't have been necessary.

Tularam previously had business partners working along side him at the venue. During this time, there appeared to be no breaches or lack of SIA door supervisors. I raised this point with Tularam during my visit and he stated that he was not aware of the requirement to comply with the premises licence and that he was struggling financially. Given the venue has run previously without concern, and Tularam has mentioned that he is struggling financially, I am concerned that he may have made a choice to not use SIA door supervisors to aid the business financially. In addition, to be able to be DPS of the premises, Tularam has had to complete a relevant qualification, and PC Dennett has previously notified him of the need to comply with the conditions, therefore I do not accept that he was not aware.

As customers were leaving the premises, I noticed a fire exit door had been bolted shut. I raised this with Tularam, and he advised that it was to stop people from going outside. Tularam seemed unaware of the impact of bolting shut a fire exit, I advised him to unlock the fire exit.

A copy of the report of visit left with Tularam is given at exhibit AV01.

Following my visit with PC Dennett, I followed up by email with Tularam to advise the next steps for consideration. A copy of this email exchange is given at AV02.

Summary of recommended steps / conditions / actions to be taken:

In summary, I believe it is appropriate for formal action to be taken in respect of the premises licence. Tularam Gurung (director / licence holder and DPS) and Ramprasad Ghale (director / licence holder) have been unable to demonstrate that they are able to operate a premises effectively promoting the licensing objectives.

The current premises licence has a number of conditions in order to promote the licensing objectives. As evidenced within my representation these conditions are not being complied with, despite advice and support from the Licensing Authority and Hampshire Constabulary.

The non-compliance with the licence conditions, despite discussions with the licence holder(s) gives me no confidence in the management of the premises and therefore I believe it is not proportionate to add further conditions as they are unlikely to be complied with.

Given the above and in conjunction with the Guidance issued under S182 of the Licensing Act 2003 (Detailed in the table below), I support the recommendation to reduce the hours of the premises licence and removal of the DPS in the review application submitted by Hampshire Constabulary. However, in addition I would suggest that if the hours are reduced in accordance with PC Dennett's recommendation, the conditions requiring a scanner and SIA door supervisors could be removed, given the reduction in risk. This would aid with the financial difficulties Tularam has identified.



Aimee Vosser
Licensing Officer, acting in the capacity as a responsible authority
Rushmoor Borough Council

Guidance issued under S182 of the Licensing Act 2003 (December 2023)

Paragraph(s)	Page(s)	Content
9.42	81	Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by case basis. They should also take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
9.43	81	The authority's determination should be evidence – based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
11.10	97	Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review.
11.18	98	Where responsible authorities such as the police or environmental health officers have already issued

		warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
11.19	00	<p>Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps;</p> <ul style="list-style-type: none"> • Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times; • Exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music • Remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management; • Suspend the licence for a period not exceeding three months; • Revoke the licence
11.20	00	In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the cause of concern that instigated the review.
11.22	00	It may emerge that poor management is a direct reflection of poor company practice or policy and mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated, it should be rare merely to remove succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

REPORT OF VISIT Including Notice of Powers & Rights

①

Name of visit: Inspection Our reference: 6403
 Name of premises: De Lounge Relevant legislation: 2011/0055/2012
 Address of premises: Victoria Road Date: 23/1/22
Model Street Time: 12:55 to 01:40
 Telephone number: _____ Type of premises: _____
 Email: _____ Area(s) inspected: _____

Item No.	Summary of Actions / Advice / Requirements	Advice	Legal Info code relevant section	Advice Principle to which the matter must be referred
	Visit to premises - no SIA outside			
	Controlled premises - no SIA at all			
	Holding private party but licensable activities still taking place			
	License on the stairs			
	NO SIA (10)		✓	
	NO BNV (5)		✓	
	NO Scanner (9)		✓	
	Vulnerability policy - not known		✓	
	Customers outside (14) (after 10pm)		✓	
	Customers outside (14) (after 10pm)			
	Refusal on - authority 21/2/15		✓	
	Refusal of alcohol (13)		✓	
	Staff training (4)		✓	

Please see references for further information

Documents / equipment / records accessed, examined, produced or removed (including reasons):

No further action
 Formal warning (written) to follow
 Officer business card issued
 Licensing - How do [REDACTED]
 (Legal) Refused to follow
 (Police) Refused to sign agreement TBC
 Other _____

Officer Signature: [REDACTED] Recipient Signature: [REDACTED]
 Name in Capitals: Tunnel Lister Name in Capitals: Wainwright
 Designation: Licensing Officer Position: Captain
 Telephone No: _____ Time of Issue: _____
 Accompanied? Yes PC Donnett to _____
 Accompanied By: _____

NB: This is NOT a licensing enforcement notice. The report may however inform you of matters that you should deal with in order to comply with the law. Items marked 'Legal' are legal requirements that **must** be complied to ensure compliance with the law. Items marked 'Advice' are not mandatory but are included as recommended good practice and/or measures that may help you improve your clients and/or meet your legal obligations. The document only covers the areas noted at the time of the visit and **does not** otherwise indicate or imply compliance with any relevant statutory provision.

RUSHMOOR
BOROUGH COUNCIL

REPORT OF VISIT Including Notice of Powers & Rights

(3)

Name of visit: Inspection Page 2
 Name of premises: De lauge
 Address of premises: Woburn Road
Attercliffe
 Telephone number: _____
 Email: _____

Our reference: 28/0055
 Relevant legislation: LRA05
 Date: 22/1/24
 Time: 10:30 am - 11:40
 Type of premises: Club
 Access to premises: Public + Private

Item No.	Summary of Advice / Advice / Requirements	Advice	Legal Use only where relevant	Agreed Timescale (to which you must refer in subsequent)
	Breach identified - (linked on page 1)			
	People over intoxication - one customer challenged PC Bennett			
	Refusals for not behind the bar - ticketed during in the cupboard in the office no refusals since 21/1/24			
	Tubam stated he didn't mean to need a SA despite being reminded on the spot go this is the second occasion where no SA given place when premises open			

Please see notes page for further information

Documents / equipment / records accessed, examined, procured or removed (including reasons):

No further action
 Formal warning issued (to follow)
 Officer business card issued
 Learning - How did we do better / worse?

(Legal / Power) to follow
 Revised (date agreed): _____
 Other: _____

Officer Signature: _____
 Name in Capitals: _____
 Designation: _____
 Telephone No: _____
 Accompanied? Yes No
 Accompanied By: PC Bennett

Recipient Signature: _____
 Name in Capitals: Tubam Farney
 Position: Owner
 Time of issue: _____

NB: This is NOT a formal enforcement notice. This report may however be evidence that you should deal with in order to comply with the law. Items marked 'Legal' are legal requirements that must be completed to ensure compliance with the law. Items marked 'Advice' are not mandatory but are included as recommended good practice and/or measures that may help you improve standards and/or meet your legal obligations. This document only covers the areas visited at the time of the visit and does not otherwise indicate or imply compliance with any relevant statutory provision.

RUSHMOOR
BOROUGH COUNCIL

Aimee Vosser

From: Tularam Gurung < >

Sent: 30 January 2024 14:29

To: Aimee Vosser

Subject: Re: De lounge update

[You don't often get email from . Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thanks

Tularam Gurung

Sent from my iPhone

> On 30 Jan 2024, at 14:22, Aimee Vosser <aimee.vosser@rushmoor.gov.uk> wrote:

>

> Hi Tularam,

>

> As you have confirmed that you wish your times to remain as they are, I have copied this information in to PC Dennett and further communication will be made in due course.

>

> Thank you

>

> Aimee

>

> Aimee Vosser

> Licensing Officer

> Rushmoor Borough Council

> 01252 398131 / 07341521940

>

> Please take a moment to complete a short survey about how you found the service you received today at

> https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zpYW

> Lz9r2XIOoDj1xPqdfgzM2raNUQzBIV0s4Tko4WE8xVIRXM1IQMIBKNIU3QS4u

>

> -----Original Message-----

> From: Tularam Gurung

> Sent: 30 January 2024 14:18

> To: Aimee Vosser <aimee.vosser@rushmoor.gov.uk>

> Subject: Re: De lounge update

>

> CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

>

>

> Thanks, I want to remain same as now.

>

> Regards

>

> Tularam Gurung

> Sent from my iPhone

>

>> On 30 Jan 2024, at 14:13, Aimee Vosser <aimee.vosser@rushmoor.gov.uk> wrote:

>>

>> Tularam,

>>

>> Please can you confirm whether you are willing to apply for the minor variation as mentioned in my previous email?

>>

>> If you wish for your hours to remain the same then it may be that PC Dennett will apply for a review of the premises licence, and if that is the case, I will be in support of the review.

>>

>> I have copied in PC Dennett for reference.

>>

>> Thank you

>>

>> Aimee

>>

>> Aimee Vosser

>> Licensing Officer

>> Rushmoor Borough Council

>> 01252 398131 / 07341521940

>>

>> Please take a moment to complete a short survey about how you found

>> the service you received today at

>> https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zpY

>> W Lz9r2XIOoDj1xPqdfgzM2raNUQzBIV0s4Tko4WE8xVIRXM1IQMIBKNIU3QS4u

2

>>

>> -----Original Message-----

>> From: Tularam Gurung

>> Sent: 30 January 2024 13:51

>> To: Aimee Vosser <aimee.vosser@rushmoor.gov.uk>

>> Subject: Re: De lounge update

>>

>> [You don't often get email from . Learn why this

>> is important at <https://aka.ms/LearnAboutSenderIdentification>]

>>

>> CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

>>

>>

>> Many thanks for your kind advices and supportive notes.

>>

>> Please take it all a non intentional not having security on Saturday night. As your reports, I fully understood, now I am keep reading the license rules and DPS rules. Still not clear why I can not book few people's private party without security. But I honestly do not want to argue about it.

>>

>> Me and my wife are discussing a lot how to continue the business and making good relations with local authorities. We came in this industry with very little knowledge and experiences and now learning more day by day.

>>

>> I am happy to discuss and happy to present if necessary. I will keep security as it is now from 7pm - 3am but normally I close at 1am, sometimes 2am as well. Security will be there with body cameras in proper uniform as it is.

>>

>> I gave to all my staffs to read and understand the in-house, bar area, kitchen instructions. They are aware of it and signed the policy form including DPS. I will write down a vulnerability policy soon

>>

>> Please advise me if I have to do anything which is good for the business, customers, authorities, I will do it and happy to discuss further

>>

>> My request is please allow to band members to go to the terrace after their performance for fresh air and water. Also allow me to serve food only for bands after their performance before off from the premises. It is my request to you that band members are part of staff during the performance time.

>>

>> Finally tell us what things we have to do near the future. Always seeking your support and guidance

>>

>> Tularam Gurung
>> De lounge

>>

>>

>>

>> Sent from my iPhone

>>

>>>> On 30 Jan 2024, at 11:58, Aimee Vosser <aimee.vosser@rushmoor.gov.uk> wrote:

>>>>

>>>> Tularam,

>>>>

>>>> Thank you for your email following my visit with PC Dennett on Saturday 27th January at approx.. 23:50pm.

>>>>

>>>> As you will recall a number of breaches were identified during our visit. In addition to this, other concerns were raised which I will detail in full below;

>>>>

>>>> Upon our arrival it was noted that you had no SIA door supervisors in attendance at the premises, however we noticed a group of female customers leaving a premises and entering De Lounge. We entered the premises to find no SIA or Scanner at the entrance.

>>>>

>>>> We walked up the stairs to find vomit. As we entered the main area of the premises you had a number of people inside and music was being played.

>>>>

>>>> As we spoke, you stated it was a private party, but you also confirmed that you were selling alcohol and other licensable activities were taking place (i.e. regulated

entertainment and provision of late night refreshment) I explained that as you were carrying out licensable activities you are required to comply with all the conditions on the premises licence.

>>>

>>> During our conversation in the office, the following breaches were identified;

>>>

>>> 1. No SIA

>>> 2. No Scanner system in place

>>> 3. No body worn video

>>> 4. No Staff Training records

>>> 5. People outside on the terrace area after 22:00pm (this is also a concern as no confirmation has been sought to show the area is structurally sound for people to stand on) 6. Refusals log tucked away in a cupboard in the office and last entry was 02nd December 2023.

>>> 7. No vulnerability Policy in place - when I asked for this, you were unaware of what the policy was

>>>

>>> I was concerned some customers may have been over intoxicated due to the vomit on the stairs and a customer challenged PC Dennett as he was walking around the venue. Two other police officers arrived in order to assist with a safe dispersal. Given the above and the repeated non-compliance of no SIA door supervisors it is proportionate for PC Dennett and I to consider formal enforcement action.

3

>>>

>>> I have read your email and understand that you may wish to vary the premises licence to move away as a night time economy venue and given the concerns raised above I believe it is appropriate to do so.

>>>

>>> As the licence holder and the designated premises supervisor, it is your responsibility to ensure compliance of the premises licence. It is my role as a responsible authority for licensing to ensure compliance of premises licences. The cost of closing if you are non-compliant is something you are responsible for and not responsible authorities or local authority.

>>>

>>> I believe it is appropriate for the permitted hours for De Lounge to be reduced to 22:00pm on any day. If you were to reduce to these hours, PC Dennett and I can consider the removal of the need for SIA door supervisors, Scanner system and body worn video.

>>>

>>> If you wish to run the premises as a restaurant (as you have stated) we can also consider removing the time limit on children being in the premises - at the moment, whilst you have the hours as late as you do, it is simply not suitable to allow children into the premises any later than permitted on your licence.

>>>

>>> I note from your email that you have queried other premises, please note that each premises is individual to its licence and conditions that are applicable to them. It is not appropriate to compare your premises with others. The conditions on your current premises licence reflect how the premises has been operating in order to uphold the licensing objectives (public safety, prevention of crime and disorder, prevention of public nuisance and the protection of children from harm).

>>>

>>> The next considerations are as follows;

>>>

>>> 1. Given the concerns raised above and a repeated pattern of non compliance of the premises licence it would be proportionate for PC Dennett to apply for a review of the premises licence, which I would be in support of. This would mean a hearing is held with a licensing sub-committee who will be presented all the information submitted by all parties (including yourself) and a decision would then be made - this can be anything from revocation of the premises licence, reduction in hours or adding further conditions.

>>>

>>> OR

>>>

>>> 2. I can assist you with applying for a minor variation application. The cost of this to you would be £89.00 and there is a 2 week consultation period before any licence change is made. The application will need to include a reduction of hours to 22:00pm on any day and removal of conditions relating to SIA, a scanner and the requirement of body worn videos.

>>>

>>> It is important that you understand PC Dennett can apply for a review of the premises licence should you decide to not apply for the minor variation as described above. I would be most grateful if you could respond to this email by close of business Thursday 1st February 2024 so we can move forward.

>>>

>>> If you wish to discuss this, please feel free to contact me.

>>>

>>> Thank you

>>>

>>> Aimee

>>>

>>> Aimee Vosser

>>> Licensing Officer

>>> Rushmoor Borough Council

>>> 01252 398131 / 07341521940

>>>

>>> Please take a moment to complete a short survey about how you found

>>> the service you received today at

>>> https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zp

>>> Y W Lz9r2XlOoDj1xPqdfgzM2raNUQzBIV0s4Tko4WE8xVIRXM1IQMIBKNIU3QS4u

>>>

>>> -----Original Message-----

>>> From: Tularam Gurung

>>> Sent: 29 January 2024 15:35

>>> To: Aimee Vosser <aimee.vosser@rushmoor.gov.uk>

>>> Subject: De lounge update

>>>

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>>>

>>>

>>> Hi Aimee,

>>>

>>> Thanks for visiting at De Lounge, unfortunately I didn't hire security as normal on last Saturday.

>>>

>>> I'm not taking any advantages from you and Phil, I am not against the license policy including rules and regulations. Only thing, I was not aware that private party needs to have security staff while selling alcohol as you said. It was just 52 pax private party and I did put notice board out side until late. I don't know the exact time when I put the notice board in.

>>>

>>> My 3 partners left the business, reasons are too much expenses and
>>> within one year, we lost £48k plus, that's why they left the business.

>>> Now If you say to me close the business and if you can cover my

>>> expenses, I am happy to go ahead and close the business

>>>

>>> I am just doing my best to continue and sustain the business. Me and my wife have spent all our money more than £130k but not making any profit from here just paying taxes, Vat,rent, energy bills, staff salaries etc. we are happy giving jobs to few people, that's all. I have spent few times for fire safety and other training as well.

>>>

>>> Now, I am happy to discuss more and I need your help as well. I would like to ask and request few questions as well which may be helpful for me.

>>>

>>> 1. De lounge is a restaurant and cocktails bar, not a night club. How can I remove the word - night club from the license? I want to sell more food and create family environment.

>>>

>>> 2. I don't want to continue live music with Bands, it is too expensive. I want to keep Acoustic only for family members. Band is too noisy.

4

>>>

>>> 3. How can I keep children until 10pm with family? I want to give

>>> good service to family groups but children are not allowed after 8pm

>>>

>>> 4. Last question is, Other restaurants are also doing private party with live music but they don't have restrictions for children and no security as well such as Sushi moto upstairs, Mhalingo, Thamel , Empire hall, then how come they don't need securities? We are doing same type of business in the same town and in same council but why is there a difference? My curiosity is Last Saturday, sushi moto was booked by more than 190 people until late, no security and no restrictions for children and they were selling alcohol. Is it legal and right to do?

>>>

>>> 5. Me and my wife are desperate to get help from you. When I was in the business, my partners were mainly involved in the licensing and other things, I was only focusing on customer service but now honestly so many other things are being done and doing it.

>>>

>>> Kind regards

>>>

>>> Tularam Gurung

>>> Sent from my iPhone

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APPENDIX E

**INFORMATION SUBMITTED BY LICENCE HOLDER
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDERSHOT, GU11 1JE**

From: Tularam Gurung [REDACTED]
Sent: Friday, February 9, 2024 5:04 PM
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Re: Police review application

You don't often get email from tularamg@hotmail.com. [Learn why this is important](#)

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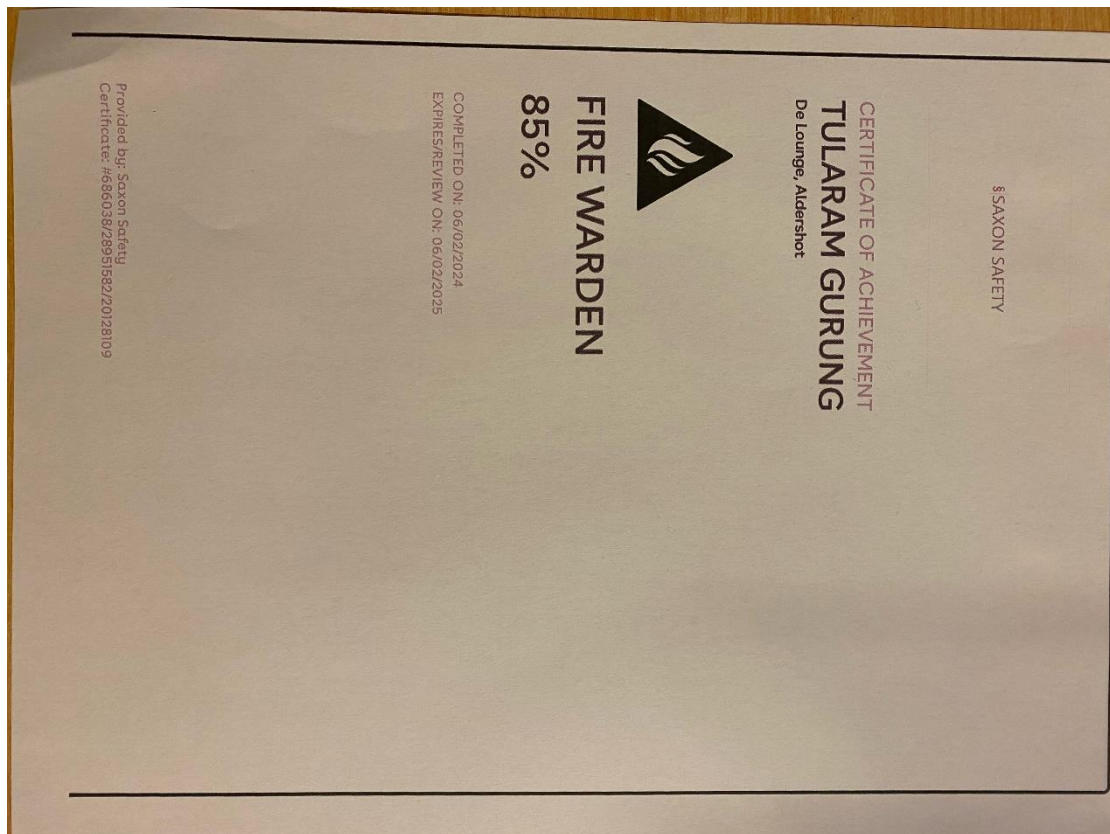
Hi Shelley,

Thanks, please accept my documents and photos of cameras which are going to be used at De Lounge.

Regards

Tularam Gurung





Sent from my iPhone

On 9 Feb 2024, at 14:28, Rushmoor Council Licensing
<Licensing@rushmoor.gov.uk> wrote:

Hi Tularam,

Thank you for your comments, which I will ensure are included in the pack to the committee.

It is entirely up to you if you would like to include anything further for the committee that you believe supports your case. You can submit documentation, CCTV and any other evidence that you would like to. I would recommend that if you wish to do this you submit it ahead of the hearing, and ideally before the end of the representation period (29th February), as if you ask to submit any documentation during the hearing, this can only be considered if all parties agree.

Kind Regards

Shelley Bowman

Licensing Manager

Place Protection – Operations

Rushmoor Borough Council

01252 398162

Tell us how we did today – please complete our customer satisfaction survey at
https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zpYWLz9r2XIOoDj1xPqdfgzM2raNUM1paWIBDNzIZTFdFQTg0RDhNSFIVMk42US4u

From: Tularam Gurung [REDACTED]
Sent: Wednesday, February 7, 2024 12:29 PM
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>; [REDACTED]
Subject: Police review application

Some people who received this message don't often get email from tularamg@hotmail.com.
[Learn why this is important](#)

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Dear Shelley,

With my experience as a DPS and owner of De Lounge, every costumers are happy with our services. There is no single incidents, no use of drugs because of regular check in the toilets, no alcohol related fighting's that's why I did not write anything in the refusal log book.

Now my all bartenders and waitresses have read, signed and understood the instructions of selling alcohol at the premises. They have read and understood the drugs policy and vulnerable customers policy. The staff training, Bar training and DPS folder is ready to check by the councils.

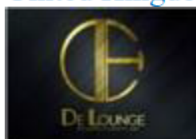
Securities will be placed on time with 2 brand new cameras which I have bought this week with memory card until close the business. I apologies again for not hiring security staff for private party on Saturday 27 Jan 2024. Which was not clear to me.

About me, I am a retired Gurkha served 15 years in the Queens Gurkha signals. I spent most of my retired life working for Dubai and Abhu Dhabi royal family as a body guard in Sunningdale and London. I am a community helper as well. I helped for Lamjung samaj uk being a President and Tamudhee uk for 8 years where I was a vice president until 2022. I also have helped in the vaccination centre at Princess hall, Aldershot and Southwood surgery during the Covid vaccination time.

Please help and advice me, if i I have to provide anything to you and the committee.

Thank you.
With Kind Regards,

Tularam Gurung
Director
De Lounge Restaurant and Cocktail Bar
111 Victoria Road, Aldershot, Hampshire
GU11 1JE
United Kingdom.



Website- www.deloungerestaurant.co.uk

APPENDIX F

**RELEVANT CONSIDERATIONS
DE LOUNGE, TOWNSTEAD HOUSE, 111-113 VICTORIA ROAD,
ALDERSHOT, GU11 1JE**

1.0 Guidance issued under S182 of the Licensing Act 2003 (December 2023)

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

TABLE 1 - SECTIONS OF THE SECRETARY OF STATE'S GUIDANCE WHICH MAY BE RELEVANT TO THIS APPLICATION						
Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
2	-	2.1	2.38	The licensing objectives	6	13
10	-	10.1	10.66	Conditions attached to premises licences	83	95
10	-	10.8	10.9	Imposed conditions	84	-
10	-	10.10	-	Proportionality	84	-
11	-	11.1	11.29	Reviews	96	102
11	-	11.1	11.11	The review process	96	97
11	-	11.16	11.23	Powers of a licensing authority on determination of a review	98	100
13	-	13.1	13.13	Appeals	111	113
12	-	13.10	13.11	Giving reasons for decisions	112	-

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	3.12	3.14	General licensing principles	14	15
14	Part N	14.1	14.29	Review of relevant authorisation	52	55
18	Part R	18.1	18.59	Representations, Responsible Authorities & Interested Parties	69	75
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