

DETERMINATION OF A PREMISES LICENCE
THE EMPIRE, THE KINGS CENTRE, HIGH STREET, ALDERSHOT

1.0 INTRODUCTION

- 1.1. This report concerns an application for a premises licence made under section 17 of the Licensing Act 2003 (the 'Act'). Representations have been received in respect of the application and invoke a statutory requirement to hold a hearing with members.
- 1.2. The report provides details of, and background to the application, and should be read in conjunction with the Council's licensing policy and Secretary of State's guidance. This, together with information obtained at the hearing should be used to determine the application.

2.0 BACKGROUND

- 2.1. An application for a premises licence (made under section 17 of the Act) was submitted to the licensing authority on the 15th October 2015 by PRB Hampshire Ltd in respect of proposed premises to be known as 'The Empire' located in the Kings Centre, High Street, Aldershot GU11 1DG.
- 2.2. For reference, a map of the area showing the general location of the premises is given at **appendix A**.

2.3. Nature of the application

- 2.4. The application seeks authorisation for the retail sale of alcohol, the provision of late night refreshment and the provision of a range of regulated entertainments by way of live and recorded music, indoor sports (including boxing and wrestling), the exhibition of films, plays, dancing and entertainments of a similar description. The application seeks to provide these licensable activities over varying timeframes and days of the week as detailed in Part 3 of the application. A copy of the application is given at **appendix B**.

2.5. Advertising of the application

- 2.6. I can confirm that each responsible authority (as specified in the Act) has received a copy of the application. I can also confirm that the application was also advertised by the applicant in accordance with the requirements of the legislation both at the premises and in a suitable newspaper. The last date for representations was given as the 12th November 2015.

3.0 APPLICATION AMENDMENTS

3.1. Hampshire Constabulary

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

3.3. Environmental Health

3.4. The applicant has also negotiated amendments to the operating schedule of the application with the responsible authority that is Environmental Health. The amendments concern a number of proposed conditions specified in the correspondence given at **appendix D**.

4.0 REPRESENTATIONS

4.1. Two separate representations were received in respect of the application as outlined below.

4.2. Interested Party Representation

4.3. One representation was submitted on 12th November 2015 by Cllr Alex Crawford in his capacity as Ward Councillor for the area in which the premises is located. A copy of the representation is given at **appendix E**.

4.4. Hampshire Fire & Rescue Representation

4.5. The other representation was made by the responsible authority that is the Hampshire Fire & Rescue Service (HFRS). This was received on 17th November 2015.

4.6. Relevance of Representation(s)

4.7. To be eligible to be considered, the Act requires a(ny) representation(s) to be '*relevant*'. A '*relevant representation*' is one that has been made by a responsible authority or any other person within the prescribed period permitted. Similarly, representations must not be frivolous or vexatious and must be about the likely effect of the grant of the licence on the promotion of the licensing objectives.

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

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

4.9. Relevance of representations

4.10. Against the above criteria the interested party representation is considered to be relevant as it was submitted within the prescribed period and concerns two of the licensing objectives; namely the prevention of crime and disorder and public nuisance.

4.11. The representation of HFRS was however submitted and received some time after the last date that representations (LDR) could be made. It therefore cannot be considered as a 'relevant representation' as defined by the Act and, for this reason, has been omitted from this report. While knowingly submitted after the LDR, the HFRS representation has been forwarded to the applicants for information and action as appropriate in an effort to be helpful.

4.12. Associated Notes

4.13. It is notable that the relevant representation refers, in part, to the Council's cumulative impact policy (CIP) (April 2010); this being a special addendum to the Council's main Statement of Licensing policy. For reference, a copy of the CIP is given at **appendix F**.

4.14. Under the Licensing Act 2003, statements of licensing policy were, once determined, originally valid for up to 3 years. However, in 2012, the Police, Reform & Social Responsibility Act 2011 changed the term over which approved licensing authority policies remain viable from 3 to 5 years.

4.15. However, when originally introduced the CIP was approved on the basis that it would remain in force until 7th January 2011 so that the special policy could be reviewed at 18 month intervals. While a subsequent request for supporting data was made to the Hampshire Constabulary pending its review, no data was ever submitted and the CIP was not therefore formally renewed. Accordingly, despite subsequent changes to the duration of licensing policy documents, the CIP effectively expired in 2011.

4.16. Significantly, the CIP created a **rebuttable** presumption of refusal of any new applications for relevant authorisations or any variation of these in the cumulative impact zone; unless the applicant could demonstrate there would be no negative cumulative impact on one or more of the licensing objectives. However, as can be seen at paragraph 8.1 below, a wider range of options are available on determination of relevant representations at a hearing; regardless of whether a CIP is in place or not.

5.0 DATA PROTECTION ISSUES

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

6.0 DETERMINATION

- 6.1. Further to the receipt of relevant representations and, in accordance with the Act and the Council's scheme of delegation, the Sub-Committee is asked to determine the application.

7.0 RELEVANT CONSIDERATIONS

7.1. Licensing Objectives

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

7.3. Licensing policy & S182 Guidance

- 7.4. The licensing authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State under section 182 of the Act. Details of the parts of the policy and guidance that may be relevant to this application are given in **appendix G** to this report.

7.5. Mandatory Conditions

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

8.0 OPTIONS

- 8.1. In determining this application, the Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives; namely -

- (a) to grant the licence as applied for*; or
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates*;
- (c) to refuse to specify a person as the premises supervisor; or
- (d) to reject the application.

** Subject to any relevant mandatory conditions, amendments agreed by the applicant and/or such other conditions that are consistent with the operating schedule which, with the exception of mandatory conditions, may be modified^f to such extent as may be appropriate to promote the licensing objectives.*

^f Modifications may include the alteration or omission of a condition or the addition of any new condition(s).

9.0 RECOMMENDATION(S)

9.1. The Sub-Committee is asked to determine the application having regard to -

- (a) the contents of this report;
- (b) any additional information obtained from the hearing;
- (c) the Council's licensing policy;
- (d) guidance issued by the Secretary of State; and
- (e) the promotion of the licensing objectives.

JOHN McNAB
Environmental Health Manager (Licensing)
Environmental Health & Housing Services
licensing@rushmoor.gov.uk

BACKGROUND PAPERS:

Premises licence application 15/00468/LAPRE

PUBLIC DOCUMENTS:

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

CONTACT:

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

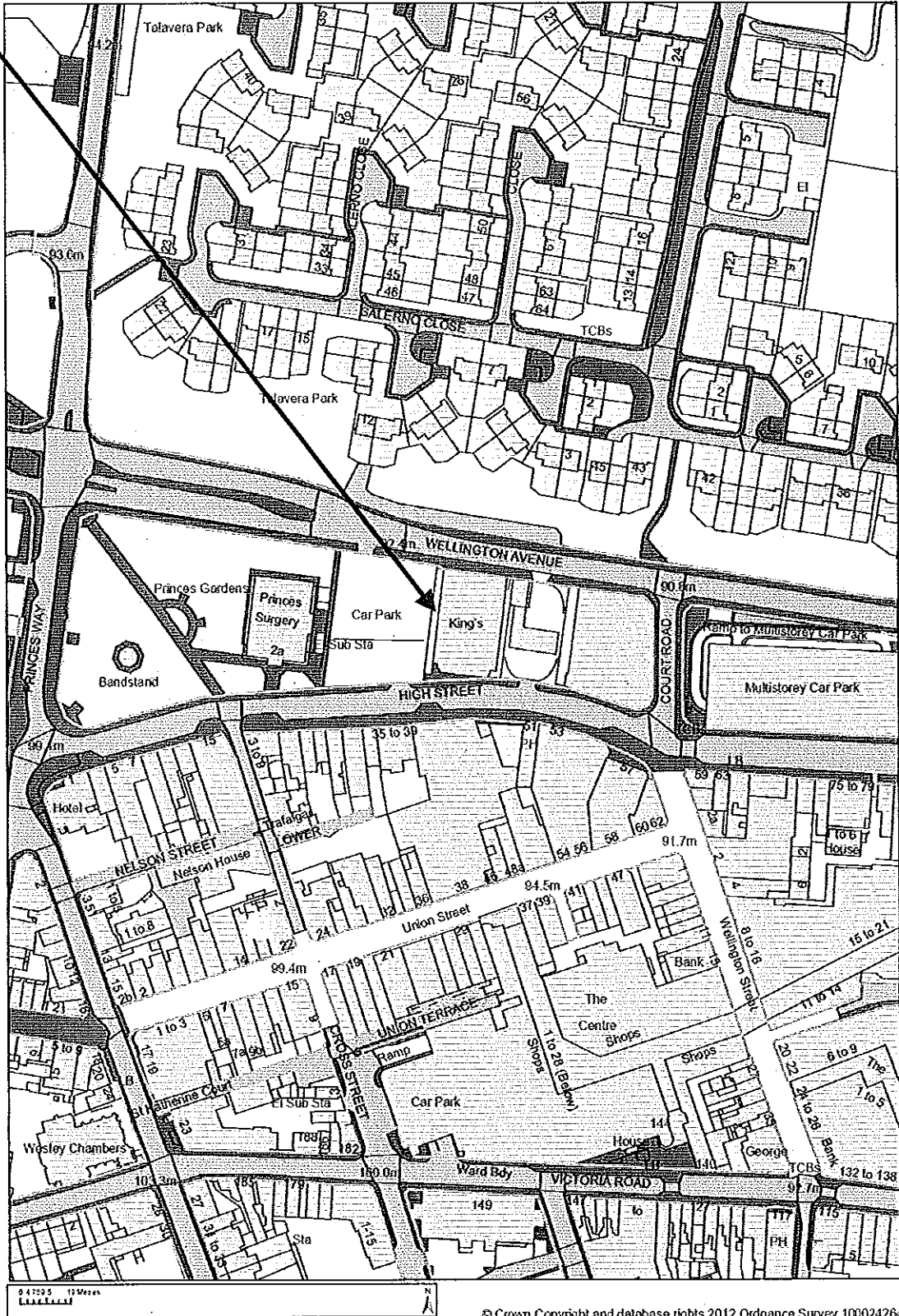
APPENDICES:

Appendix	Description	Page Ref.
A	- Map of the area	Page 7
B	- Application for grant of a premises licence	Page 9
C	- Amendments to the application viz Hants Constabulary	Page 27
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MAP OF THE AREA

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG



APPLICATION FOR A PREMISES LICENCE

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG

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

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We PRB HAMPSHIRE LIMITED
(Insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 -- Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description			
EMPIRE THE KING'S CENTRE HIGH STREET ALDERSHOT HAMPSHIRE			
Post town	ALDERSHOT	Postcode	GU11 1DJ

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 0 TO £4,300 (BAND A) - premises not rated (church)

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	PRB HAMPSHIRE LIMITED
Address	75 ST GEORGES ROAD ALDERSHOT HAMPSHIRE GU12 4LE
Registered number (where applicable)	09644459
Description of applicant (for example, partnership, company, unincorporated association etc.)	Private Limited Company
Telephone number (if any)	
E-mail address (optional)	empirealdershot@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	2	10 20 15

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises is a mixed use events and entertainment centre for organised business/conference, community and entertainment events, recreational uses for the community, celebration events (weddings, anniversaries, birthdays etc.), music/concerts, film, dancing and religious events with ancillary bars (ground, mezzanine, first and second floor) and catering/kitchen facilities to serve the function rooms (Use Classes D1 and D2), and a Japanese Korean restaurant with ancillary takeaway at the mezzanine level on the High Street frontage. The premises consists of 4 floors on the High Street frontage, with 2 floors forming the main events auditorium/hall, and a basement associated with the catering kitchen on the Wellington Avenue frontage. The public entrance is on High Street with access to the upper floors and directly into the main hall that occupies the main space of this rectangular footprint building. The rear accesses are fire escapes and staff entrances. It is a rendered cream building built as a cinema in the late 1920's situated in the town centre of Aldershot between High Street and Wellington Avenue. To the west is a car park, to the east is a car wash and Gala Bingo, and to the south is the main pedestrian high street. Further information is in the Operating Schedule.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

- | Provision of regulated entertainment | Please tick any that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	23:00	Please give further details here (please read guidance note 3) Potential for sound to be amplified.	Both	<input type="checkbox"/>
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for performing plays (please read guidance note 4) Monday to Sunday including all Bank and Public Holidays.		
Thur	10:00	23:00			
Fri	10:00	23:00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) Monday to Sunday including all Bank and Public Holidays.		
Sat	10:00	23:00			
Sun	10:00	22:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	23:00	Please give further details here (please read guidance note 3) Potential for sound to be amplified.		
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	23:00	Monday to Sunday including all Bank and Public Holidays.		
Fri	10:00	23:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) Monday to Sunday including all Bank and Public Holidays.		
Sat	10:00	23:00			
Sun	10:00	22:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) Potential for sound to be amplified - such as the commentators.
Day	Start	Finish	
Mon	09:00	23:00	
Tue	09:00	23:00	
Wed	09:00	23:00	State any seasonal variations for indoor sporting events (please read guidance note 4) Monday to Sunday including all Bank and Public Holidays.
Thur	09:00	23:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri	09:00	23:00	
Sat	09:00	23:00	Monday to Sunday including all Bank and Public Holidays.
Sun	09:00	22:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both -- please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) Potential for sound to be amplified - such as the commentators.	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) Including all Bank and Public Holidays.		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) Including all Bank and Public Holidays.		
Sat	10:00	23:00			
Sun	10:00	22:00			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	23:00	Please give further details here (please read guidance note 3) Potential for sound to be amplified.	Both	<input type="checkbox"/>
Tue	12:00	23:00			
Wed	12:00	23:00	Monday to Sundays including all Bank and Public Holidays.		
Thur	12:00	00:00			
Fri	09:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Monday to Sundays including all Bank and Public Holidays. - Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays. - On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.		
Sat	09:00	03:00			
Sun	09:00	03:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	00:00	Please give further details here (please read guidance note 3) Potential for sound to be amplified.	Both	<input type="checkbox"/>
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4) Monday to Sundays including all Bank and Public Holidays.		
Thur	09:00	03:00			
Fri	09:00	03:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) Monday to Sundays including all Bank and Public Holidays. - Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays. - On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.		
Sat	09:00	03:00			
Sun	09:00	03:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	22:00	<u>Please give further details here</u> (please read guidance note 3) Potential for sound to be amplified. Dancing types are to include 'bollywood', 'belly dancing', salsa and other types of similar dancing etc., there may be reduced clothing but the proposed types of dances are not intended to be 'sexual' in nature.	Both	<input type="checkbox"/>
Tue	09:00	22:00			
Wed	09:00	22:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	09:00	00:00	Monday to Sundays including all Bank and Public Holidays.		
Fri	09:00	02:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	09:00	03:00	Monday to Sundays including all Bank and Public Holidays. - Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays.		
Sun	09:00	23:00	- On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.		

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing The local community has a wide variety of different religions and it is intended that this events and entertainment centre can cater for the celebration of different religions' public holidays and rituals where possible. Therefore, other 'entertainments' similar to live music, recorded music, singing and performances of dances or rituals considered as part of a religious public holiday may take place as part of the ceremonies.</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	00:00	<p><u>Please give further details here</u> (please read guidance note 3) Potential for sound to be amplified.</p>		
Wed	09:00	00:00			
Thur	09:00	03:00	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri	09:00	03:00	Monday to Sundays including all Bank and Public Holidays for all religions.		
Sat	09:00	03:00	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Monday to Sundays including all Bank and Public Holidays for all religions.</p>		
Sun	09:00	03:00	<p>Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays. On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.</p>		



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 3) The restaurant has ancillary takeaway facilities, therefore late night refreshment may be taken and eaten off site.	Both	<input type="checkbox"/>
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Monday to Sundays including all Bank and Public Holidays for all religions.		
Thur	23:00	03:00			
Fri	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) Monday to Sundays including all Bank and Public Holidays for all religions. - Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays. - On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.		
Sat	23:00	03:00			
Sun	23:00	03:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption -- please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	09:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4) Monday to Sundays including all Bank and Public Holidays for all religions.	Both	<input type="checkbox"/>
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	03:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) Monday to Sundays including all Bank and Public Holidays for all religions. - Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays. - On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.		
Fri	09:00	03:00			
Sat	09:00	03:00			
Sun	09:00	03:00			

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

Name	MR PURAN GIRI
Address	
Postcode	
Personal licence number (if known)	10/00667/LAPER
Issuing licensing authority (if known)	RUSHMOOR BOROUGH COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

- FILMS FOR RESTRICTED AGE GROUPS;
- DANCING TO INCLUDE 'BOLLYWOOD', 'BELLY DANCING', 'SALSA' AND OTHER FORMS OF DANCING ETC, WHILST NOT INTENDED TO BE 'SEXUAL' IN NATURE THERE MAY BE A REDUCED LEVEL OF CLOTHING AS PART OF THE COSTUMES.
- INDOOR SPORTING EVENTS AND WRESTLING AND BOXING ENTERTAINMENT WHICH COULD BE CONSIDERED 'VIOLENT', OR DANGEROUS IF YOUNG CHILDREN ARE ABLE TO MOVE AROUND.
- PLAYS, LIVE OR RECORDED MUSIC - POTENTIAL FOR EXPLETIVES, LOUD NOISES, STANDING AUDIENCES.
- BARS AND SERVING OF ALCOHOL (ANCILLARY USE).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	03:00	<p>Monday to Sundays including all Bank and Public Holidays for all religions.</p> <p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>Monday to Sundays including all Bank and Public Holidays for all religions.</p> <ul style="list-style-type: none"> - Extended permitted hours for the provision of regulated entertainment on New Years Eve, New Years Day and religious holidays. - On commencement of British Summertime, to increase the hours to include the benefit of the clock going forward, ie 03:00 finish is moved to 04:00 finish.
Tue	09:00	03:00	
Wed	09:00	03:00	
Thur	09:00	03:00	
Fri	09:00	03:00	
Sat	09:00	03:00	
Sun	09:00	03:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

REFER TO OPERATING SCHEDULE FOR FURTHER INFORMATION:

A. PRB HAMPSHIRE LIMITED (management company) to hold monthly meetings, or more regular where necessary, to address organised events to ensure suitable levels of staffing and security guards when necessary are available, the premises is in a good condition and secure, different events held on premises on the same day do not have potential for clashes when exiting the premises, or controversial differences between events, that the CCTV is active.
B. All members of staff and event holders hiring out spaces are to undertake a briefing on the H&S measures, fire management and methods of escape, licenced hours under the Premises Licence and the agreed methods to promote the licensing objectives.
C. Strong management control of events, timings, and high levels of security during large events;
D. Aim for all events that the bars stop serving alcohol 30minutes before the event ends, the lights are increased in intensity;
E. Staff and security guards to carefully observe visitors to reduce likelihood of drunk and/or disorderly behaviour on the premises, and prevent spilling onto the street, prevent use and sale of illegal drugs, anti-social behaviour, and audience/crowd control.

b) The prevention of crime and disorder

- CCTV System installation with recordings retained for a minimum of a week;
- Staff and event holders to be briefed as above in advance of an event, and general staff meetings and training to enforce procedures, with suitable levels of security guards and/or staff for the size and type of event, especially for standing crowds with staff/security at each exit;
- Clear and visible warning notices of activities not considered acceptable and illegal at reception and bars;
- Aim for all large events that bars stop serving alcohol 30minutes before the end of an event with lights increasing in intensity, with an announcement when the event is ended for customers to leave quietly and respect the local residents, staff to help guide out customers in small groups out of the front entrance onto High Street only, guides to taxi rank.
- Staff well trained to notice and not serve alcohol to customers who are displaying disorderly behaviour, or intoxicated, and to request ID and watch who is consuming the drinks to reduce underage drinking.

c) Public safety

- Staff & event holders to be trained to check ID for underage checks, for evening events underage ID checks to be carried out on the door or at reception before proceeding into the main hall or upper levels. Underage customers, and the event age limit allows them to be present, to be provided with a visible wrist band or stamp to show that they are underage if alcohol is on sale.
- External and internal lighting fixed for public safety, and reception and main entrances on High Street to be lit and manned until closure.
- Reception and bars to be manned pre, during and post an event, if a bar is not staffed or monitored the space to be closed.
- Bag checks and safety checks to be carried out before admission of customers to sensitive events, such as films, live music, dancing events, sporting events, or when customers are likely to be consuming alcohol in a larger quantity to reduce violence, fire, spillage, underage drinking, illegal drug taking.

d) The prevention of public nuisance

- No alcoholic drinks to be taken off site, and removed from customers at the exits;
- Bins provided at all entrance doors for all large events, and bins/rubbish collection during the event itself, and late night refreshment provided in the main hall encouraged to be consumed on site, with bins for rubbish;
- Noise reduction through closing of doors between reception and the main hall for all events and the entrance doors to be closed, announcements at the end of large events for customers to leave quietly and respect neighbours;
- Aim to stop serving alcohol 30mins before end of an event and display clear and legible notices at bars and exits requesting the public to respect the needs of nearby residents;
- Staff at the exits to assist any customers who may require help, and help guide customers out of the premises and disburse safely and quietly on High Street.
- Loading and unloading of goods in the designated times and areas in the vicinity.

e) The protection of children from harm

REFER TO OPERATING SCHEDULE FOR FURTHER INFORMATION:
 - All children under 16 to be accompanied by a responsible adult when the bars are selling alcohol or at any event where supervision is necessary or there are limitations or exclusions of activities taking place, for some events adults may give consent to the organiser of the event for the child to be present without a parent but under the protection of the responsible adult of the event;
 - No children under 12 without supervision or prior consent of a responsible adult before midnight, between the hours of midnight and close of business no unaccompanied child under the age of 16 is allowed on the premises;
 - Each organised event to be considered whether appropriate for children, and an age limit imposed if necessary;
 - Limitation on the hours when children can be present at the premises for when an organised event is to occur if necessary;
 - All events and especially film to display clearly the age restrictions, and if under the restriction whether attendance is allowed with the supervision of an adult.
 - Proof of ID required for purchase of alcohol, to stop children obtaining alcohol - empty/finished drinks to be collected promptly;

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- ONLINE SUBMISSION
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	 MS. CHANTAL FOO
Date	12/10/2015
Capacity	Agent from C Foo Associates Limited on behalf of PRB Hampshire Limited

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Ms Chantal Foo
C Foo Associates Limited
Suite 32/33 Passfield Business Centre, Lynchborough Road, Liphook, Hampshire

Post town	Liphook	Postcode	GU30 7SB
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Telephone number (if any)	[REDACTED]
---------------------------	------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	[REDACTED]
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Notes for Guidance

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

APPLICATION AMENDMENTS viz HAMPSHIRE CONSTABULARY

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG

From: Swallow, Brian
Sent: 11 Nov 2015 14:54:19 +0000
To: Licensing; Shelley Bowman
Cc: Chantal - C Foo Associates Limited; Swallow, Brian; Barnes, Deborah
Subject: FW: Pre-Consultation for Full On Premises Licence - The Kings Centre, Aldershot

Dear Licensing

Following on from a premises Licence application for the Empire, The Kings Centre, High Street, Aldershot, GU11 1DJ. The police have negotiated conditions with the applicant that support the application and the promotion of the licensing objectives.

As the Local authority, would you be willing to include the agreed conditions (in black type in the below email thread) upon the premises licence should you be minded to grant it and acknowledge safe receipt of this email.

I am mindful that the last day for representations is the 12th November 2015.

Kind Regards

Brian
*PC 2903 Brian Swallow
Licensing Officer
Bishops Waltham Police Station
Hoe Road
Bishops Waltham
SO32 1DS*

*brian.swallow@hampshire.pnn.police.uk
Int: 7654 643400
Ext: 02380 479578*

Licensing Home Page

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Chantal - C Foo Associates Limited
Sent: 11 November 2015 14:28
To: Swallow, Brian

Subject: Re: Pre-Consultation for Full On Premises Licence - The Kings Centre, Aldershot

Hi Brian,

Thank you for the final conditions which address the amendments put forward for your comments.

The applicants are happy to proceed with the conditions in full as set out in your email below.

Kind regards,

Chantal Foo
Chartered Architect
BSc (hons) MArch DipArch ARB RIBA

C Foo Associates Limited
Chartered Architects
Suite 32/33 Eagle House, Passfield Business Centre, Lynchborough Road, Passfield,
Liphook, Hants, GU30 7SB

Company No. 07740455
Registered in England and Wales
Registered address: Longwood House, 13 Sands Road, Farnham, Surrey, GU10 1QA
VAT no.: 158 8804 65
All contents of this email (and any attachments) are to be read and include the provisions set out within the RIBA and ARB Codes of Conduct and the RIBA Concise Agreement 2010 (2012 revision): Architect.

On 11 Nov 2015, at 12:22, brian.swallow@hampshire.pnn.police.uk wrote:

Hi Chantal

I have made the amendments as agreed and also tweaked the toilet condition which I believe satisfies your clients request in full.

If you are happy with the below conditions in full, reply on this email thread and I shall notify Rushmoor Council of our agreement and negate the requirement to submit a representation. The only stipulation to that, is that it obviously has to be completed by the close of business today.

Any problems, get back to me on my landline below.

Regards.

B

*PC 2903 Brian Swallow
Licensing Officer
Bishops Waltham Police Station
Hoe Road
Bishops Waltham
SO32 1DS
brian.swallow@hampshire.pnn.police.uk
Int: 7654 643400
Ext: 02380 479578*

Licensing Home Page

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

Empire Aldershot - Proposed Conditions

General All Areas

CCTV

The licence holder shall comply with the following requirements concerning the use of CCTV at the premises.

Operation and Storage.

A digital recording CCTV system that captures images from the main entertainment and bar areas and must be fully operational whilst any licensable activities are taking place.

A camera that is situated within the ground floor lobby area shall be positioned to capture images of persons entering the venue.

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.

A record shall be kept of any access made to information held on the system.

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.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 14 days evidential quality recordings.

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

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.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment at all times.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

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 for the purpose of the detection of crime as long as the request is lawful and complies with the data protection Act.

Written Policies

Written policies on the ejection of customers and the refusal of entry of customers shall be implemented following agreement with the Police licensing department responsible for the area.

A written policy on how the venue will tackle and deal with drugs and drug prevention shall be implemented following agreement with the Police licensing department responsible for the area.

Refusals Records

A written log shall be kept at each bar detailing all refusals to sell alcohol. The premises licence holder shall ensure that the refusals logs are checked signed and dated on a weekly basis by the venue manager/manageress or their deputy in their absence.

The refusals logs shall be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority. The record of refusals will be retained for 12 months.

(Written logs will not be required if the tills/ cash registers electronically record refusals and this data can be retained and reviewed)

Toilets

When an area / floor is being used and alcohol is supplied from that area, then the toilet facilities on that level will be checked hourly.

These checks shall collated from each area prior to the end of trade that day and shall be recorded in a bound master log which shall be kept on the premises at all times and made available on request to police officers or authorised Officers of Aldershot Council.

Any occurrences outside of normal cleaning, i.e. the finding of drugs or associated items shall be recorded into the master log as soon as practicable after the occurrence..

All lavatories, WC's and urinals in the premises shall at all times be kept in good order and repair and be properly cleaned, ventilated, disinfected and supplied with water (hot and cold) and the doors leading into these facilities shall be suitably marked.

Staff Training

Before commencing their duties all new staff who are involved in the sale or supply of alcohol must receive information and training concerning the sale of age-restricted products. 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. All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area.

This training should be reviewed and updated at reasonable intervals but at least every 12 months.

Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the PASS logo and the person's date of birth.

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.

Challenge 25 posters shall be displayed in prominent positions at the premises.

Incident Book

An incident book shall be maintained at the venue to record any incident of a violent, criminal or anti-social nature. The record 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.

The incident logs shall be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority. The record of incidents will be retained for 12 months.

Children (restrictions)

When the venue has events such as a live music concert, a wrestling/boxing or similar sporting event. Or provides a DJ with recorded music and is supplying alcohol, and the type of entertainment is not accompanying a religious, cultural or celebratory event such as a wedding, funeral or birthday. Then the premises licence holder will comply with the following condition in relation to children:

Any person under the age of 18, upon entry shall be supplied with and made to wear a tamper proof wristband identifying them as a child. Failure or refusal to do so by the child will result in the refusal of their entry.

Extra staff will be employed for the event to manage the welfare of children and to identify any children consuming alcohol.

From 00:00 until the close of the premises that day, no child under 16 years of age shall be allowed to remain on the premises unless accompanied by an adult.

Capacities

The Premises licence holder or nominated person shall take steps to ensure that they have a suitable system in place that accurately indicates the number of customers (including staff and entertainers) on the premises at any time.

The venue shall operate capacity levels as directed in the fire safety report for each area of the venue.

Security

When the venue has an event such as a live music concert, a wrestling/boxing or similar sporting event, or provides a DJ with recorded music that is not accompanying a religious, cultural or celebratory event such as a wedding, funeral or birthday then the premises licence holder will comply with the following condition in relation to security:

From the opening time until the closing time of the venue, a ratio of two frontline door supervisor SIA registered security staff shall be employed at the venue for the first one hundred persons and then one per 100 thereafter. E.g. 1 -100, 2 door / security staff, 101 - 200, 3 door / security staff. 201-300 4 door / security staff and so on.

This number is to include only frontline door supervisor SIA staff employed solely on door supervisor / security duties, i.e. safety and security at the venue.

At least one female SIA licensed door supervisor should be available if female customers are to be the subject of searches. (There is no requirement for the venue to employ female security staff.)

All persons who are frontline door supervisor SIA registered and whose position or role profile is solely security at the venue, shall wear a fluorescent and/or a reflective orange tabard, clearly marked security at all times

All front door refusals are to be recorded promptly, including the reason i.e. too intoxicated, barred suspicion of drugs etc.

If a person is ejected from the venue by a member of staff, a record must be made of the incident including details of the staff members involved and a summary of the circumstances. This must be completed as soon as practicable but prior than the end of that persons shift.

A nominated member of security shall be positioned at the entrance / exit doors and shall be responsible for counting persons in and out of the venue. They shall use a device suitable for counting as approved by the police licensing department responsible for the area.

At the terminal hour of operation, the licence holder shall ensure that adequate numbers of door supervisors are employed to assist with the management of customers leaving the venue as well as those remaining in the vicinity of the premises. 2 members of door staff are to patrol the vicinity of the venue for 15 minutes after closing, to assist with safe dispersal from the area. The

doorstaff are to be identified by wearing high visibility tabards as used during normal door staff duties.

The licence holder shall maintain a duty register giving details of each and every person employed in the role of a security/door person and shall provide upon request by any Police Officer or Council Officer, the following details:-

- (a) The licence number, name, date of birth and residential address and telephone number of that person;
- (b) The time at which he/she commenced that period of duty, with a signed acknowledgement by that person;
- (c) The time at which he/she finished the period of duty, with a signed acknowledgement by that person;
- (d) Any times during the period of duty when he/she was not on duty;
- (e) If that person is not an employee of the licence holder, the name of the person by whom that person is employed or through whom the services of that person were engaged;
- (f) The register shall be so kept that it can be readily inspected by an authorised officer of the Council or Police Officer;
- (g) The duty register shall comprise of a bound, consecutively page-numbered book and the licence holder shall ensure that this register is kept in a secure environment in order to prevent unauthorised access or alterations to same.

Event Management Plan

When an event such as a live music concert, a wrestling/boxing or similar sporting event, or a DJ with recorded music that is not accompanying a religious, cultural or celebratory event such as a wedding, funeral or birthday then the premises licence shall prepare and create an event management plan.

This plan is to include the details of staffing numbers and their role required for the event. A risk assessment describing the nature and the anticipated capacity of the event and the risks involved and what action is to be taken to minimise the risk.

The impact on the area, i.e parking, queuing, dispersal and steps taken to address any areas identified, for example, contacting local taxi companies

Notification of the event including this plan, shall be submitted to the police licensing department responsible for the area in writing, either written or electronic no later than 7 days prior to the event.

The event management plan is to be retained on the premises for a period no less than 12 months and shall be produced immediately to the police or responsible authority upon request.

Conditions relating to specific areas

Outside Smoking Area

When licensable activities are being conducted and there are more than 100 persons in the venue, a designated and delineated smoking area shall be utilized at the front of the venue.

Patrons shall be encouraged by signage and by staff to utilize this area for smoking to prevent noise, nuisance and disturbance.

With the exception of the appropriate wall mounted receptacles for tobacco waste materials and any barriers used for demarking the area, there shall be no furniture in the outside area.

The Premises Licence Holder or nominated person shall ensure that the smoking area and adjacent pavements are regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed.

Ground Floor Main Hall and Lobby

When the main hall is being utilised for live music concerts and or boxing, wrestling or other physical contact sports event or a DJ with recorded music that is not accompanying a religious, cultural or celebratory event such as a wedding, funeral or birthday. Unless a waiter/waitress table service is utilised, all alcohol shall be supplied in either polycarbonate or toughened safety

glass and were commercially available PET bottles. Therefore, no glass bottles shall be dispensed to patrons and either a plastic product used and or the beverage decanted from the glass bottle.

Mezzanine Floor (Restaurant area)

Intoxicating liquor shall only be sold, supplied or consumed from this area to persons who are bona fide customers supplied with substantial table meals. Consumption of alcohol in the bar area on this floor is restricted to customers waiting to be escorted to a table who are to be supplied with a table meal.

First Floor (including balcony areas)

When the main hall is being utilised for live music concerts and or boxing, wrestling or other physical contact sports event. Unless a waiter/waitress table service is utilised or a DJ with recorded music that is not accompanying a religious, cultural or celebratory event such as a wedding, funeral or birthday, all alcohol shall be supplied in either polycarbonate or toughened safety glass and were commercially available PET bottles. Therefore, no glass bottles shall be dispensed to patrons and either a plastic product used and or the beverage decanted from the glass bottle

Second Floor

No specific conditions are set for this floor

Stairwells and Landings (public areas)

If more than one floor of the venue is being utilised for different events, no alcohol can be transferred between floors. As such the premises licence holder shall ensure that staff are positioned to prevent this.

COND

ITIONS

END

APPENDIX D

APPLICATION AMENDMENTS viz ENVIRONMENTAL HEALTH

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG

From:Sandy Muirden
Sent:Thu, 12 Nov 2015 14:23:39 +0000
To:Chantal - C Foo Associates Limited
Cc:Licensing
Subject:RE: Premises Licence application for Empire, The Kings Centre, High Street, Aldershot-
Prevention of Public Nuisance

Dear Chantal

I forgot to include that it would apply to the main hall only. We are happy with the amended conditions. I will update the Licensing Authority and ask them to include the proposed amended conditions in the Premises Licence.

Thank you for your help.

Regards

Sandy

Sandy Muirden
Environmental Health Technical Officer

Rushmoor Borough Council
01252-398173

From: Chantal - C Foo Associates Limited [REDACTED]
Sent: 12 November 2015 13:09
To: Sandy Muirden
Cc: Licensing; Justin Coll; Bijay Thapa; puran giri
Subject: Re: Premises Licence application for Empire, The Kings Centre, High Street, Aldershot-
Prevention of Public Nuisance

Dear Sandy,

Thank you for the amended condition no.1 as discussed.

The condition is considered reasonable by the applicants but they would like to add in the 'in the main hall only' as previously discussed with yourself.

This is because the other 2 event spaces that have external windows are being used as a meeting space/temple and a restaurant with only background music.

ie.

1. Sound amplification systems shall be played through a sound-limiting device for the main hall only, unless sufficient information has been provided to the Local Planning Authority that satisfactorily demonstrates that the sound insulation properties of all elements of the external building envelop are sufficient to prevent noise emanating from the premises adversely impacting on nearby noise sensitive facades. Should a sound-limiting device be required then the sound level shall be set at a level agreed with Environmental Health Services at Rushmoor Borough Council.

Is this addition satisfactory to EH's requirements? If so the applicants agree with your proposed conditions, with the amendment above, as part of the Premises Licence.

Kind regards,

Chantal Foo

Chartered Architect

BSc (hons) MArch DipArch ARB RIBA

C Foo Associates Limited

Chartered Architects

Suite 32/33 Eagle House, Passfield Business Centre, Lynchborough Road, Passfield, Liphook, Hants, GU30 7SB

[REDACTED]
Company No. 07740455
Registered in England and Wales

Registered address: Longwood House, 13 Sands Road, Farnham, Surrey, GU10 1QA
VAT no.: 158 8804 65

All contents of this email (and any attachments) are to be read and include the provisions set out within the RIBA and ARB Codes of Conduct and the RIBA Concise Agreement 2010 (2012 revision): Architect.

On 12 Nov 2015, at 12:09, Sandy Muirden <sandy.muirden@rushmoor.gov.uk> wrote:

Dear Chantal

I have amended the condition as discussed. Please let me know what you think.

1. Sound amplification systems shall be played through a sound-limiting device, unless sufficient information has been provided to the Local Planning Authority that satisfactorily demonstrates that the sound insulation properties of all elements of the external building envelope are sufficient to prevent noise emanating from the premises adversely impacting on nearby noise sensitive facades. Should a sound-limiting device be required then the sound level shall be set at a level agreed with Environmental Health Services at Rushmoor Borough Council.
2. Self-closing devices shall be fitted to all external doors. These must be maintained in a working condition.
3. Procedures for responding to noise complaints shall be established. Written records of noise complaints and action taken in response shall be kept and made available to officers from Rushmoor Borough Council when requested.
4. Disposal of refuse such as waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 2300 and 0800 hrs.
5. All staff will be made aware of the conditions of the licence. This is to be made in writing.

Anti-social behaviour

1. The area in the immediate vicinity of the premises shall be cleared of litter, including waste arising from smoking activities on a regular basis and always at the close of business.

Please can you review the attached conditions and if you agree with these conditions please confirm this in writing to me and they will be added to your premises licence.

If you wish to discuss the matter further please contact me on 01252-398173.

Regards

Sandy

APPENDIX E

REPRESENTATION(S) viz INTERESTED PARTY

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG

From: Alex Crawford
Sent: Thu, 12 Nov 2015 09:05:12 +0000
To: Shelley Bowman
[REDACTED] Andrew Lloyd; John McNab
Subject: Representation on application for grant of a Premjises Licence - Reference number
15/00468/LAPRE
Attachments: Empire objection - 12-11-15.doc

Dear Shelley,

Please find attached the letter setting out the representation.

Best regards,

Alex

Alex Crawford
[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Cr. Alex Crawford



Shelley Bowman
Principal Licensing Officer
Environmental Health and Housing
Rushmoor Borough Council

11 November 2014

Dear Shelley,

Representation on the application for grant of a Premises Licence
Reference number – 15/00468/LAPRE
EMPIRE, THE KINGS CENTRE, HIGH STREET, ALDERSHOT, HAMPSHIRE
GU11 1dg

Thank you for your letter of 15 October 2014 with respect to the application (made under the Licensing Act 2003) for the grant of a Premises Licence in respect of the above named premises.

As a locally elected councillor for Wellington Ward, I believe that I am an “interested party” and may make representations in my own right. I am therefore writing to make a representation relating to the premises because of their cumulative impact on the licensing objectives.

The grounds for making that representation are based on three factors, as follows.

1. Until recently, these premises came within the cumulative impact zone that covered Aldershot town centre, in particular High Street, Aldershot (from the junction with Grosvenor Road to the junction with Station Road). Although the Council’s cumulative impact policy (CIP) and statement of licensing policy are overdue for renewal, the Council have taken steps to start revision of these.

In these circumstances, I would ask that the applicants be required to show that what they are applying to do on the premises will not add to the cumulative impact on the licensing objectives. I would also ask that the applicants show how the use of the premises in the manner applied for would not add to the cumulative impact on the licensing objectives and include suitable steps to achieve this in their operating schedule.

2. At present, from existing late-night/early-morning venues, there is considerable crime and public nuisance.

Evidence of the degree of public nuisance is that Police crime records for Aldershot have shown that there are five times as many offences committed per head of population in Wellington Ward, compared with all the other wards in Aldershot, these offences being mainly anti-social behaviour and assaults.

A Beat Forum report from last year stated:

“Many of the anti-social behaviour and assault incidents were reported on Friday and Saturday nights, when the town is at its busiest with people using the pubs and clubs. The other major contributing factor in the anti-social behaviour stats is street drinking.”

The application is for the supply of alcohol on four nights a week until 03.00 and for all bank and public holidays for all religions every night of the week. These hours go beyond those already in place for any other venue in Aldershot town centre, and will therefore add to the cumulative impact on the licensing objectives.

In addition to the above, the application is for the premises to be open to the public every night of every week until 03.00.

3. On 14 October 2015, I attended a briefing at Aldershot Police Station by Police Sergeant Deborah Barnes, who told those councillors present (Jeremy Preece, Charles Choudhary and me) that, as the Police neighbourhood team goes off duty at 2.00 am, the only response could be from Basingstoke to any disturbance or incident after that time and could take some time to arrive on the scene.

This absence of Police presence as a matter of course in Aldershot town centre after 2.00 am increases the risk of exposure of the public to crime and disorder, nuisance and danger, and could be exacerbated by the granting of this application to be selling alcohol until 03.00 most nights of the year.

I am also very concerned about the possible increase in injuries to police and ambulance staff, as highlighted in the following report of a recent survey by the Institute of Alcohol Studies (IAS):

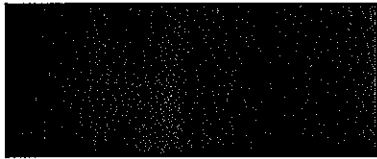
<http://www.theguardian.com/society/2015/oct/26/violence-against-emergency-services-prompts-police-call-for-end-to-24-hour-licensing?CMP=EMCNEWEM1661912>

The IAS reported a culture of fear among emergency service workers about being attacked when dealing with alcohol-related incidents. Just more than half of the ambulance staff said drunken patients had sexually harassed or assaulted them.

I am willing to attend a Hearing to make this representation.

Thank you for your consideration.

Yours sincerely,

A black rectangular redaction box covering the signature of the applicant.

Cr. Alex Crawford JP

CUMULATIVE IMPACT POLICY (APRIL 2010)



RUSHMOOR
BOROUGH COUNCIL

Section 182
LICENSING ACT 2003

**STATEMENT OF
LICENSING POLICY
ADDENDUM**

- SPECIAL POLICY -

This Addendum to the Statement of Licensing Policy will remain
in force until 7th January 2011

Version 2 – April 2010

Licensing Act 2003 – Addendum to Statement of Licensing Policy
(Special Policy)

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Licensing Act 2003 – Addendum to Statement of Licensing Policy
(Special Policy)

1. INTRODUCTION & SCOPE

1.0 Summary

- 1.1 This document is an addendum to Rushmoor Borough Council's statement of licensing policy (the principal statement) prepared under section 5 of the Licensing Act 2003 and shall be read and construed as if contained in the principal statement.
-

2. CUMULATIVE IMPACT & SPECIAL POLICIES

2.0 BACKGROUND

- 2.1 As part of a review of the principal statement, Hampshire Constabulary requested that the licensing authority consider the adoption of a special policy to deal with the cumulative impact of licensed premises in some areas of Aldershot. On the basis of indicative evidence submitted by the police and other research, the licensing authority is satisfied that the number, type and concentration of licensed premises in the area concerned, have a cumulative impact on the licensing objectives, particularly the prevention of crime and disorder, over and above the impact of the individual licensed premises situated in the area.

2.2 SPECIAL POLICY TO CONTROL CUMULATIVE IMPACT

- 2.3 To help control this cumulative impact, the licensing authority will apply the following policy in respect of applications for relevant authorisations for premises within the area defined in **appendix A** (the cumulative impact zone).

2.4 Special policy

- 2.5 Subject to the following and, where it is entitled to do so, the licensing authority will normally refuse any new applications for relevant authorisations or any variation of these in the cumulative impact zone; unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.

2.6 Applications to which the special policy will apply

- 2.7 The special policy will apply primarily to any premises where application is made for the grant or variation of permission to sell / supply alcohol.

**Licensing Act 2003 – Addendum to Statement of Licensing Policy
(Special Policy)**

- 2.8 However, the licensing authority recognises that the slow dispersal of patrons and visitors to premises and areas within the cumulative impact zone may also contribute to the cumulative impact on the licensing objectives. Therefore, the special policy will also apply where application is made for permission to provide regulated entertainments or late night refreshments.
- 2.9 As cumulative impact relates to the effect of a concentration of a number of premises, the licensing authority is of the view that the special policy may only be applied in respect of individual relevant applications for premises within the cumulative impact zone. The licensing authority will not normally accept the cumulative impact as a ground for the review or revocation of an existing authorisation.
- 2.10 **Effect of the special policy -**
- (a) On responsible authorities & interested parties**
- 2.11 The special policy **does not** relieve responsible authorities or interested parties of the need to make relevant representations.
- NB:** Where no such representations are received, the licensing authority **must grant** the application in terms that are consistent with the operating schedule submitted and any applicable mandatory conditions.
- 2.12 When making a representation relating to premises within the cumulative impact zone, responsible authorities and interested parties **do not** need to provide evidence of the cumulative impact on the licensing objectives, as the licensing authority has already accepted this. However, those making representations must back up any assertion that granting the application in question would add to the cumulative impact; always remembering that the impact will be different for premises of different sizes, styles and characteristics.
- (b) On applicants**
- 2.13 The special policy shifts responsibility to the applicant to show that what they are applying to do on the premises will not add to the cumulative impact on the licensing objectives. It is recommended that applicants show how the use of the premises in the manner applied for, would not add to the cumulative impact on the licensing objectives and include suitable steps to achieve this in their operating schedule.
- 2.14 **Departure from special licensing policy**
- 2.15 Where appropriate and as an exception, the licensing authority may depart from this special policy and any other associated guidance (including that issued by the Secretary of State). In cases where a departure is made, reasons will be given.
- 2.16 **REVIEW, SCRUTINY & MONITORING**
- 2.17 This special policy will be reviewed at 18 month intervals.

APPENDIX A

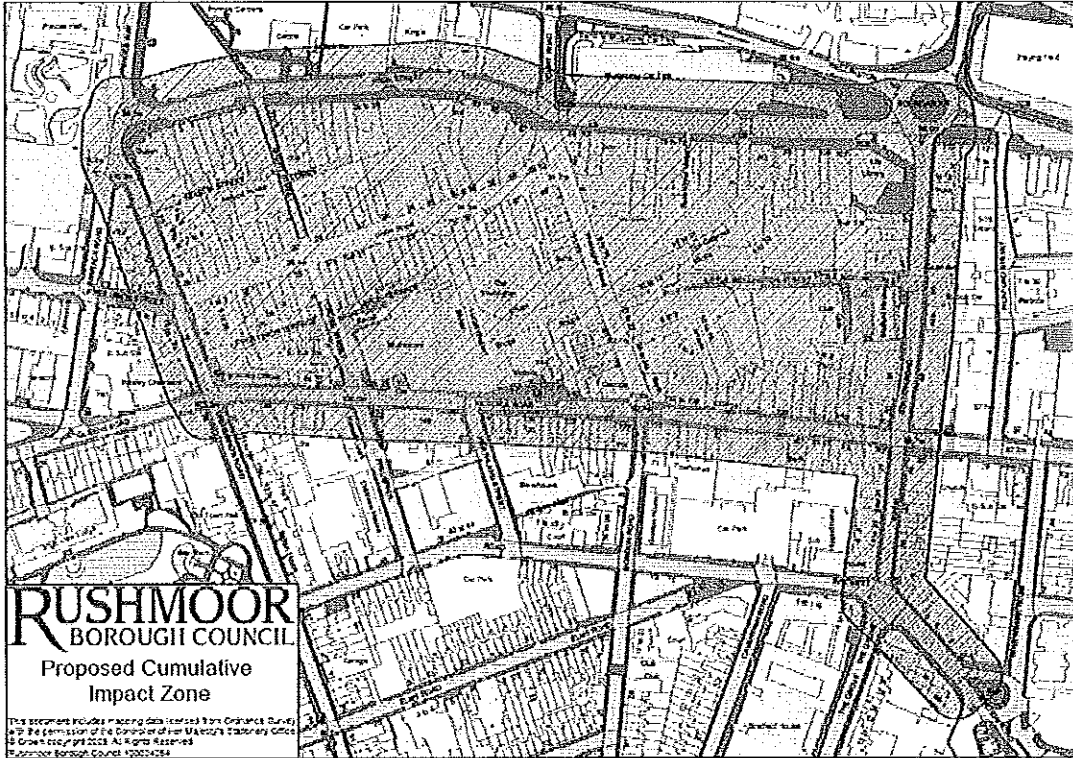
3. CUMULATIVE IMPACT ZONE

- 3.1. Extent of cumulative impact zone
- 3.2. The special policy shall apply to all premises (including land forming part of the premises) situated on any side of the lengths of highway listed in table 1 below.
- 3.3. The shaded area shown in diagram A shows the broad extent of the cumulative impact zone in the Aldershot town centre. To make it clear, if premises (and any land forming part of the premises) are only partly within the shaded area they will be subject to the special policy

TABLE 1 THE AREA(S) TO WHICH THE SPECIAL POLICY SHALL APPLY	
Road / Street	Extent
Grosvenor Road, Aldershot	From the junction with High Street to the junction with Victoria Road
High Street, Aldershot	From the junction with Grosvenor Road to the junction with Station Road
Station Road, Aldershot	From the junction with High Street to the junctions of Arthur Street and Windsor Way
Union Street, Aldershot	End-to-end
Victoria Road, Aldershot	From the junction with Grosvenor Road to the junction with Station Road
Wellington Street, Aldershot	End-to-end

Licensing Act 2003 – Addendum to Statement of Licensing Policy
(Special Policy)

DIAGRAM A
THE AREA(S) TO WHICH THE SPECIAL POLICY SHALL APPLY



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RELEVANT CONSIDERATIONS

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG

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

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

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

2.0 The Council's Licensing Policy

2.1. The sections of the Council's Licensing policy identified in Table 2 below may be relevant to the consideration of this application.

TABLE 2 - SECTIONS OF THE COUNCIL'S LICENSING POLICY WHICH MAY BE RELEVANT TO THIS APPLICATION						
Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
3	Part C	3.1	3.47	Licensing principals, objectives & General considerations	16	20
3	Part C	3.12	3.14	General licensing principals	17	17
6	Part F	6.1	6.42	Premises Licences	27	33
18	Part R	18.1	18.61	Representations, Responsible authorities & Interested Parties	67	73
18	Part R	18.51	18.51	The weight attached to relevant representations	73	73
19	Part S	19.1	19.29	Conditions and restrictions	74	77
19	Part S	19.10	19.15	General principles of transposition and imposition of conditions	74	75

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

LICENSING ACT 2003
MANDATORY CONDITIONS

The Empire, c/o The Kings Centre, High Street, Aldershot GU11 1DG

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

<i>When Applicable</i>	<i>Mandatory Condition</i>	<i>Reference</i>	
Where the premises licence authorises the retail sale of alcohol.	(1) No supply of alcohol may be made under the premises licence - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or (ii) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.	S19(2) Licensing Act 2003	
	(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.	S19(3) Licensing Act 2003	
	(3) (i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.	Regulation 1(4) of the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by Regulation 2 of the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014.	
	(ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.		
	(iii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.		
	(4) (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.	(ii) For the purposes of this condition – (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979. (b) “permitted price” is the price found by applying the	Regulation 2 of the Licensing Act 2003 (Mandatory Conditions) Order 2014.

	<p>formula $P = D + (D \times V)$ Where –</p> <ul style="list-style-type: none"> (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; <p>(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –</p> <ul style="list-style-type: none"> (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. <p>(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and</p> <p>(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.</p> <p>(f) Where the permitted price given by Paragraph (b) would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.</p> <p>(g) Paragraph (b)(ii) applies where the permitted price given by Paragraph (b) on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.</p> <p>(h) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.</p>	
<p>Where the sale / supply of alcohol is for consumption on the premises.</p>	<p>(5) (i) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</p> <p>(ii) For the purposes of this condition, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premise –</p>	<p>Regulations 1(1), 1(2) and 1(3) of the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by Regulation 2 of the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014.</p>

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

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

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