

## AGENDA ITEM No. 2

LICENSING SUB-COMMITTEE  
(ALCOHOL & ENTERTAINMENTS)  
4 JULY 2017

DIRECTORATE OF  
ENVIRONMENTAL SERVICES

LICENSING REPORT NO. EHH\_LICSUB\_A&E1725

### DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE 38-40 ALEXANDRA ROAD, FARNBOROUGH GU14 6DA

#### 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 was submitted on 18<sup>th</sup> May 2017 by Mrs Tahereh Nezam-Tehrani, in respect of a premises known as 38-40 Alexandra Road, Farnborough GU14 6DA. A map of the area showing the general location of the premises is given at **appendix A**.
- 2.2. **Nature of the application**
- 2.3. The application originally sought to allow the provision of regulated entertainment by way of recorded music between Midday and 23:00pm, indoors and outdoors, the retail sale of alcohol, for consumption on and off the premises, between Midday and 01:00am, and the provision of late night refreshment between 23:00pm to 01:00am on any day. A copy of the application is given as **appendix B** for reference.
- 2.4. Following a number of representations the applicant has amended the application and is no longer seeking the provision of alcohol for consumption on the premises, or the provision of regulated entertainment outdoors. Therefore, the application is now seeking the retail sale of alcohol for consumption off the premises between Midday and 01:00am on any day, the provision of regulated entertainment by way of recorded music indoors between Midday and 23:00pm on any day and the provision of late night refreshment between 23:00pm and 01:00am on any day. An email received from the applicant confirming the amendment to the application is given at **appendix C**.

## **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. Similarly, the application was advertised by the applicant in accordance with the requirements of the legislation both at the premises and in a local newspaper. The last date for representations was given as the 15<sup>th</sup> June 2017.

## **3.0 REPRESENTATION(S)**

- 3.1 Eighteen representations were received in respect of the application, one from a ward councillor and the remaining from members of the public.
- 3.2. Following on from the amendment to the application, two members of the public have withdrawn their representations, therefore they have not been included in this report and there are 16 representations for consideration. A copy of the representations are given at **appendix D**, marked **D1** to **D10** respectively.

### **3.2. Relevance of Representation(s)**

- 3.3. 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, any other person, a body representing such persons or a Member of the relevant licensing authority (i.e. elected councillors). Similarly, representations must not be frivolous or vexatious and must be about the likely effect of the grant of the licence on the promotion of the licensing objectives.
- 3.4. The licensing objectives are defined in the Act and include -
- (a) the prevention of crime and disorder;
  - (b) ensuring public safety;
  - (c) the prevention of public nuisance; and
  - (d) the protection of children from harm.
- 3.5. Against the above criteria, the representations are considered relevant in this case, as they have been made by other persons and concern the licensing objective prevention of public nuisance.

## **4.0 OTHER DATA PROTECTION ISSUES**

- 4.1 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.

## **5.0 DETERMINATION**

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

## **6.0 RELEVANT CONSIDERATIONS**

### **6.1. Licensing Objectives**

- 6.2. In considering the application the licensing authority must have regard to the promotion of the licensing objectives given at paragraph 3.4 of this report.

### **6.3. Licensing Policy and Secretary of States Guidance**

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

## **7.0 OPTIONS**

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

- (a) to grant the licence as applied for\*; or
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates\*; or
- (c) to reject the whole or part of 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 (which may include the alteration or omission of a condition or the addition of any new condition(s)) to such extent as may be necessary to promote the licensing objectives.*

## **8.0 RECOMMENDATION(S)**

- 8.1. The Sub-Committee is asked to determine the application having regard to -
  - (a) the contents of this report;
  - (b) any additional information obtained from the hearing;

- (c) the Council's licensing policy;
- (d) guidance issued by the Secretary of State; and
- (e) the promotion of the licensing objectives.

**AIMEE VOSSER**  
**Licensing Officer**  
**Environmental Health & Housing Services**  
*[licensing@rushmoor.gov.uk](mailto:licensing@rushmoor.gov.uk)*

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**Public Documents:**

- 1) **HMSO (2003)**, The Licensing Act 2003.
- 2) **Home Office (March 2015)**, Guidance issued under Section 182 of the Licensing Act 2003

**Contact:**

Aimee Vossler, Licensing Officer (01252 398131)  
Shelley Bowman, Principal Licensing Officer (01252 398162)

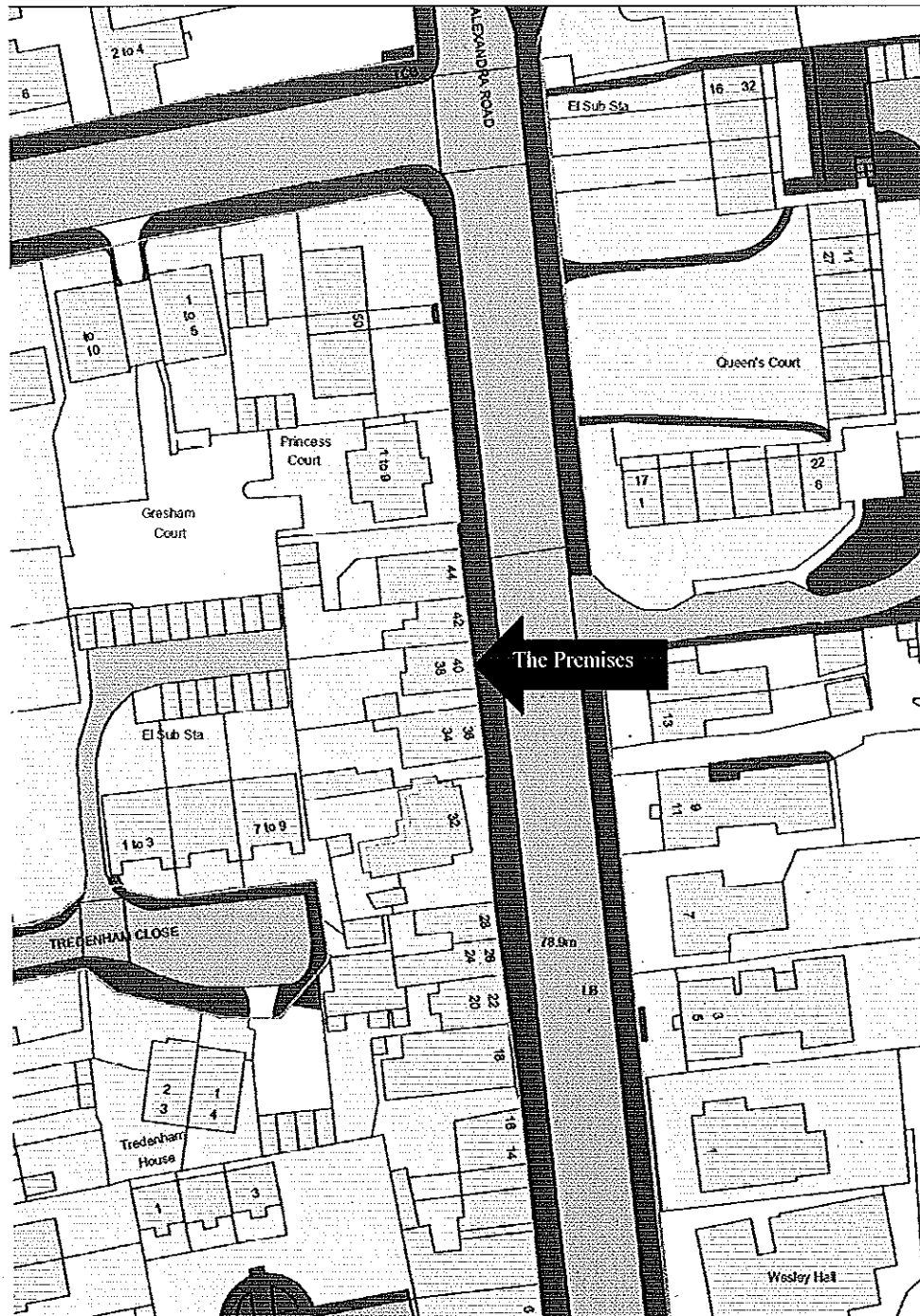
**Appendices:**

- Appendix A - Map of the area (page 5)
- Appendix B - Application for a premises licence (pages 7 - 25)
- Appendix C - Amendment to application (pages 27 - 28)
- Appendix D - Representations (page 29 - 43)
- Appendix E - Relevant Considerations (Page 45)

APPENDIX A

MAP SHOWING LOCATION OF PREMISES

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA





# APPENDIX B

## APPLICATION FOR A NEW PREMISES LICENCE

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

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 TAHEREH IVEZAM-TEHRANI  
(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	
40 ALEXANDRA ROAD FARNBOROUGH HAMPSHIRE GU14 6DA	
Post town	GU14 6DA FARNBOROUGH
Postcode	GU14 6DA

Telephone number at premises (if any)	01252 520111
Non-domestic rateable value of premises	£

#### Part 2 – Applicant details

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

- |  |   |
|--|---|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *               |   |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B)            |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <input type="checkbox"/> please complete section (B)            |
| d) a charity   | <input type="checkbox"/> 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)
- gn) 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 (by ticking yes to one box below):

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 checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname		NEZAM-TEHRANI			
First names		TAHEREH			
Date of birth	[REDACTED]		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes
Nationality		BRITISH			
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]		Postcode	[REDACTED]	
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

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			



Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (If any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY

DD	MM	YYYY

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

Take away. Medium sized.  
Pizza & casual hot & cold food.  
Cafes available, to sit in but not a  
restaurant.

\_\_\_\_\_

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

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box 1)

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

In all cases complete boxes K, L and M



A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both</u> -- please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 6)
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						



F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	12.00	23.00			
Tue	12.00	23.00			
Wed	12.00	23.00			
Thur	12.00	23.00			
Fri	12.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Sat	12.00	23.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	12.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	<del>23.00</del> 23.00	01.00	Please give further details here (please read guidance note 4) SHOP WILL BE SHUT FOR CUSTOMERS TO ENTER AFTER 23.00 HRS. HOWEVER PHONE ORDERS TAKEN BETWEEN 23.00 HRS & 01.00 HRS.	Both	<input type="checkbox"/>
Tue	<del>23.00</del> 23.00	01.00			
Wed	<del>23.00</del> 23.00	01.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	<del>23.00</del> 23.00	01.00			
Fri	<del>23.00</del> 23.00	01.00	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 6)		
Sat	<del>23.00</del> 23.00	01.00			
Sun	<del>23.00</del> 23.00	01.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	12.00	01.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	12.00	01.00			
Wed	12.00	01.00			
Thur	12.00	01.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	12.00	01.00			
Sat	12.00	01.00			
Sun	12.00	01.00			

State the name and details of the individual whom you wish to specify on the licence as  
designated premises supervisor (Please see declaration about the entitlement to work in the  
checklist at the end of the form):

Name	HAMID GHAFOURI – HASHQIN
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	00742
Issuing licensing authority (if known)	EALING

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12.00	01.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</u></p>
Tue	12.00	01.00	
Wed	12.00	01.00	
Thur	12.00	01.00	
Fri	12.00	01.00	
Sat	12.00	01.00	
Sun	12.00	01.00	

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 10)

A Suitable CCTV camera system  
CHALLENGE 25

b) The prevention of crime and disorder

CCTV to be fitted in the store. 6  
Separate camera. EXTERNAL & INTERNAL.  
CHALLENGE 25  
ALCOHOL to be kept in locked storage.

c) Public safety

Fire exit signs placed  
Food Hygiene certificate held.

d) The prevention of public nuisance

No late night operating hours  
shop to be closed no later -  
door to be closed 23.00hrs not to disturb  
neighbours, with telephone orders only after this time  
CD player background music (loudspeakers)  
A notice asking people to leave quietly.

e) The protection of children from harm.

CHALLENGE 25 posters.

Training in underage sales and intoxicated  
people.

Refusals log.

Register training every six months

ON DELIVERIES DRIVER will ask for ID before  
handing over alcohol. Record will be kept.

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).


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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

**Part 4 – Signatures** (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.



Declaration	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	4/05/2017
Capacity	owner

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:



## APPENDIX C

### AMENDMENT TO APPLICATION

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

From: Tahereh Nezam  
Sent: 14 Jun 2017 11:10:17 +0100  
To: Aimee Vossler  
Subject: Re: Drop application for garden entertaining

Hello Aimee

I confirm that we are not using the outside area for any licensable activities.

we still wish to sell alcohol off the premises as delivery/ take away only.

thank you

Tahereh Nezam-Tehrani

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From: Aimee Vossler <aimee.vossler@ruslinoor.gov.uk>  
Sent: 12 June 2017 11:43:10  
To: [REDACTED]  
Subject: RE: Drop application for garden entertaining

Good morning,

Please could you confirm the following with regards to your application amendments...

You will not be using the outside area for any licensable activities ?

You still wish to have music within side the premises and sell alcohol off the premises (e.g take away/delivery only)

You have stated this is temporary if you amend your operating schedule as above and later decide to use the garden you will need to apply for a full variation in the future.

Thank you

Aimee

Aimee Vossler  
Licensing Officer  
Ruslinoor Borough Council  
01252 398131

Please note my working days are Mondays, Wednesdays and Thursdays.

-----Original Message-----

From: Tahereh NezamTehrani [REDACTED]

Sent: 07 June 2017 14:38

To: Wendy Harden

Subject: Drop application for garden entertaining

Dear Wendy

As the garden is not ready yet, we drop this part of application temporary and we just go for permission for delivery the alcohol.

Thank you for your help,

Tahereh Nezam-Tehrani

Sent from my iPhone

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

Information in this email is confidential: if sent to you in error, please delete it and inform the sender.

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For more information please visit <http://www.symanteccloud.com>

## REPRESENTATIONS

38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

D1

The Licensing Authority  
c/o Rushmoor Borough Council  
Council Offices  
Farnborough Road  
Farnborough GU14 7JU

29 MAY 2017

RUSHMOOR BOROUGH COUNCIL ENVIRONMENTAL HEALTH AND HOUSING	
REC'D	31 MAY 2017
REFERRED TO:	

Dear Sir or Madam

LICENSING ACT 2003  
Ref No 17/00380/LAPRE  
38-40 Alexandra Road, Farnborough GU14 6DA

I write to express my horror at the proposals made with this licensing application.

Tredenham Close is a quiet, residential area immediately behind 38/40 Alexandra Road, and the Close is populated by a mixture of all ages, including the elderly such as myself and young families. The rear of 38/40 Alexandra Road is visible from both my bedroom and living room, and is close enough to hear conversations when people are in the garden area of that building.

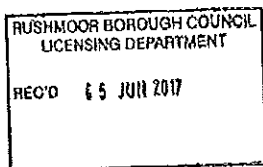
Astonishingly, the applicant wishes to subject me and the other residents of the Close to recorded music in the outdoor area immediately adjacent to us from twelve noon to eleven in the evening, seven days a week, 52 weeks a year. Sound from CD players carry very far, and the thought of being subjected to this each and every day is nauseating. I simply want to sit in my own home, or the garden of Tredenham Close, without having someone else's music being forced on me. Is this too much to ask?

The proposal is also to allow alcohol to be served at these premises (surely a peculiar feature of a "takeaway") and for customers to be allowed to sit in the garden area of the premises which back directly on to us. So not only would I be subjected to someone else's music all day long but also the chatter of customers, no doubt sometimes rather loud as is the case so often with those consuming alcohol in public places, especially in the evenings. (Incidentally, the applicant who wants to subject me to music and chatter all day long says they will erect a notice asking customers to leave quietly because of local residents. I take it that this is the applicant's attempt to show a sense of humour.)

In summary, acceptance of these proposals would transform Tredenham Close, and other nearby homes, from a quiet residential area where people quietly get on with their lives to an adjunct of a music and alcohol fuelled establishment. To accept the proposals would be an act of environmental vandalism.

Yours faithfully





31st May 2017

The Licensing Authority  
 c/o Rushmoor Borough Council  
 Council Offices  
 Farnborough Road  
 Farnborough  
 GU14 7JU

Dear Sir or Madam

LICENSING ACT 2003  
 Ref. No. 17/00380/LAPRE  
 38-40 Alexandra Road, Farnborough GU14 6DA

It was by pure chance that I saw the small blue notice in the window of 38-40 Alexandra Road stating their proposal to apply for a premises licence to enable the sale of alcohol and the playing of recorded music both inside and outside the premises and was shocked when I realised the huge impact this would have on myself and my neighbours.


The rear of these premises backs on to our quiet residential area with a mixed age community, several of whom have lived there since the early 70s, bringing up families and now enjoying a well earned retirement, alongside young families with small children and all ages in between. The applicant is proposing to bombard us with recorded music from 12 noon to 23.00 every day of the week and on top of that is requesting that they be allowed to sell alcohol from the same time until 01.00 which can be consumed on the premises. They have opened up an area which they are saying is for their customers to sit in and the constant talking (probably quite loud if alcohol is involved) on top of the music will be completely unbearable. The description of the business is described as a 'take away pizza and grill, hot and cold food' so I cannot even begin to understand why any of the proposed plans would be needed by their customers. I find it so hard to believe that the applicant is so insensitive and selfish not to have any thought for the residents living alongside their business; it is just not how we behave in our area. What has happened to courtesy and consideration?

The business side of the premises should stop at their back door and under no circumstances should their customers be allowed to intrude on our residential area even without alcohol and music, voices can carry a long way and will be extremely annoying when there is no let up.

I strongly oppose this proposal, every aspect of which is completely unacceptable on all counts. If any single part of this plan is allowed to go ahead in any way, it will completely ruin what has always been a quiet residential area.

Yours faithfully,



  
31/05/2017

The Environmental Health Manager (Licensing)  
c/o Rushmoor Borough Council  
Council Offices  
Farnborough Road  
GU14 7JU

Dear Sir/Madam

Licensing Act 2003  
Ref No17/00380/LAPRE  
38-40 Alexandra Road, Farnborough, Hampshire, GU14 6DA

I would like to protest in the strongest possible terms to the application for an alcohol license and the change to a music venue. The premises in question was a hair dressing establishment for many years with normal business hours this was then changed to straightforward pizza takeaway.

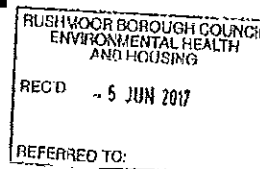
The boundary between these premises to the back of Tredenham Close is a wooden fence; in the past when people have been working and talking in the rear of the premises we can clearly hear conversations and noise of whatever has been going on there.

We would like to point out the following: an elderly, disabled person of 91 that already has problems sleeping could be disturbed at night by such an establishment; I myself, am a health care worker and have to get up very early in the morning, which means that I have to go to bed early. I would be very disturbed by any noise such as music and rowdy behaviour.

Could I suggest that a representative of the council actually visits the back of Tredenham Close and the areas that could be affected where I am sure the problems would be obvious.

I have no objection to the premises staying as a takeaway business, but vehemently object to a music and alcohol licence being granted.

Yours faithfully,



From: publicaccess@rushmoor.gov.uk [mailto:publicaccess@rushmoor.gov.uk]  
 Sent: 06 June 2017 18:33  
 To: Licensing  
 Subject: Comments for Licensing Application 17/00380/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 6:32 PM on 06 Jun 2017 from [REDACTED]

#### Application Summary

**Address:** 38 - 40 Alexandra Road Farnborough Hampshire GU14 6DA  
**Proposal:** Premises Licence  
**Case Officer:** Aimee Vosser  
[Click for further information](#)

#### Customer Details

**Name:** [REDACTED]  
**Email:** [REDACTED]  
**Address:** [REDACTED]

#### Comments Details

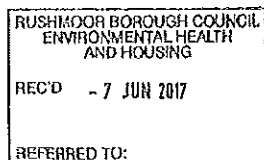
**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

**Comments:** 6:32 PM on 06 Jun 2017 This is a wholly inappropriate application for a premises bordering a residential area in a conservation area.  
 Particularly as the application includes music being played outside when the premises backs on to a quiet residential road. This is NOT acceptable. There are no other similar establishments on that part of Alexandra Road, the only other places licenced to sell alcohol are high end restaurants. We OBJECT whole heartedly and ask that this application be refused.





05/06/2017

The Environmental Health Manager (Licensing)  
c/o Rushmoor Borough Council  
Council Offices  
Farnborough Road  
GU14 7JU

Dear Sir/Madam

Licensing Act 2003  
Ref No17/00380/LAPRE  
38-40 Alexandra Road, Farnborough, Hampshire, GU14 6DA

I would like to make my objections to this proposal for a premises licence in the strongest possible terms. If this application were granted, I believe it would adversely impact myself and other local residents; it would be more than a nuisance.

The proposal to have recorded music from 12 noon until 11 pm being played just over our communal fence appals me. In addition, I do not want to hear prolonged talking which, if I read the application correctly, could be present until 1 a.m. I am sure that this would be even louder if alcohol was involved. I have double-glazing and yet I can still hear talking in the back yards of adjacent properties in Alexandra Road. I therefore do not wish to be subjected to even more disturbance; it would be even worse in the summer months when I have my windows open. It would also mean that I would not be able to sit quietly and enjoy our communal garden here in the Close. I am quite bemused that a 'Take Away' would require an open space to provide music and late night refreshments.

Tredenham Close is a quiet, friendly part of the South Farnborough Conservation Area and I cannot think that granting this licence would enhance this in any way.





Friday 10 June 2017

Dear Sir / Madam,

RE: 17/00380/LAPRE

We are writing to object to the above application for a Premises Licence at 38-40 Alexandra Road, Farnborough, Hampshire.

We are residents of Winchester Street, located just behind these premises. This is a quiet residential street and home to many elderly citizens and young families. We have two young daughters ourselves and would only find the loud music and consequences of an alcohol licence a disruption.

Winchester Street and its adjoining roads are quiet, peaceful and feel safe at night. We object to this being compromised by premises so close to us to being permitted to stay open so late serving food and drinks and playing loud music into the early hours of the morning.

Yours faithfully,



## D7 (Six Objectors On One Letter)

The Licensing Authority  
Rushmoor Borough Council  
Farnborough  
GU14 7JU

38 - 40 Alexandra Road, Farnborough GU14 6DA – Premises licence

Ref. 17/00380/LAPRE

9<sup>th</sup> June 2017

Dear Sir/Madam

We are writing to register our opposition to, and concerns about, the above licence application. We are aware that other residents have also written individually to express their concerns.

The yard at the rear of 38 - 40 Alexandra Road backs directly on [REDACTED] Tredenham Close, a residential area which would be affected by any noise from these premises. Noise from these premises would also be audible to a large number of properties including those on Alexandra Road, Netley Street and Winchester Street.

The licence application states that there will be a "Garden available to sit in" and there will be recorded music both indoors and outdoors. Alcohol will also be available for consumption both on and off the premises. The times for these are 12.00 noon to 11.00 pm 7 days a week. In addition, it is proposed to offer a telephone order only take-away service from 11.00 pm to 1.00 am.

This application as stated is totally unacceptable for a residential area. It is inappropriate and un-necessary for a take away to provide an outdoor seating area with music and alcohol. The noise impact will be even more unbearable during the summer. This is when customers are more likely to sit outside and when residents will have their windows open.

There is a long history of noise problems from these premises from both extractor fans and a barking dog. Details of these will be on file with Rushmoor's Environmental Health department.

If you require more details please contact [REDACTED]

Please can you acknowledge receipt of this letter to all addressees listed below individually.

Yours faithfully

**Re. 38 - 40 Alexandra Road, Farnborough GU14 6DA -- Premises licence**

**Ref. 17/00380/LAPRE**



## D8 - Councillor Representation

From: [REDACTED]  
Sent: 13 Jun 2017 12:33:38 +0100  
To: Aimee Vosser  
Subject: Re: re planning application 17/00380/LAPRE

Thank you, Aimee - I wish to object on behalf of my residents regarding the issue of Public Nuisance. This property is too near to homes, and numbers of people gathering in what is a very small space to drink would seem to be a very big nuisance to our residents in that area. I still fail to see what they are going to do!!

Regards, [REDACTED]

On 12/06/2017 13:27, Aimee Vosser wrote:

> Good afternoon [REDACTED]  
>  
> Thank you for your email with regards to the above licensing application. My apologies in the delay of replying to you. I have been out of the office.  
>  
> You may already be aware that I have received a number of objections with regards to the application. At this moment in time, I am unable to accept your email as a valid representation against the application as your comments are not relevant to the licensing objectives.  
>  
> I understand from the content of your email that your concerns are about the use of the garden area, can I suggest that you take a look at this link <http://www.rushmoor.gov.uk/article/2782/Comment-on-a-licence-application> and if you would still like to object to the application may I ask that you do so before the 15th June 2017.  
> Your comments on the application need to be relevant to the licensing objectives in order for it to be considered as a valid representation.  
>  
> I trust the above is self-explanatory, however should you have any queries please do not hesitate to contact me.  
>  
> Kind Regards,  
>  
> Aimee  
>  
> Aimee Vosser  
> Licensing Officer  
> Rushmoor Borough Council  
> 01252 398131  
>  
> Please note my working days are Mondays, Wednesdays and Thursdays.  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 05 June 2017 12:39  
> To: Aimee Vosser  
> Subject: re planning application 17/00380/LAPRE  
>  
> Hi, Aimee - I have had a number of copy letters sent to me from concerned residents regarding the above application for alcohol sales and music, and have visited the site, meeting some of the residents. I cannot

see what there is to gain by this - the premises are very small (currently a takeaway) and the rear area is a very small yard, near to houses at the back. I fail to see what the new owners think that they are going to provide there! A takeaway should not be providing a restaurant service, surely?

>

> If it is allowed, I would back the residents in their concerns about this as it is not - in my opinion - a suitable use of the premises and space, and would almost certainly cause problems for the residents at the back. I am, therefore, against the application.

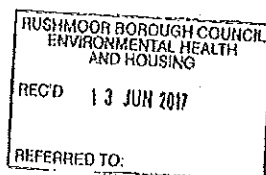
>

> regards.

>

>

11 June 2017



Licensing Authority  
c/o Rushmoor Borough Council Offices  
Farnborough Road  
Farnborough GU14 7JU

Ref: 17/00380/LAPRE

Dear Sir

I am writing in my capacity of Secretary to Netley and Winchester Street Residents Association.

On behalf of local residents, in particular residents of Winchester Street especially those on the East side of the street to object to the granting of the application of a licence for premises at 38-40 Alexandra Road Farnborough GU14 6DA.

The premises previously operated as a fast food takeaway pizza and grill with an entrance and shop front facing onto Alexander Road. It is described in the application as a takeaway pizza and grill, garden available, to sit in but not a Restaurant.

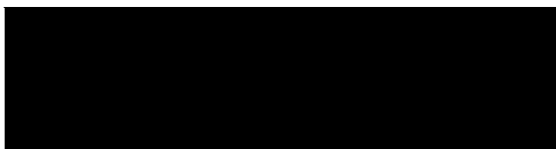
The application is for the following:-

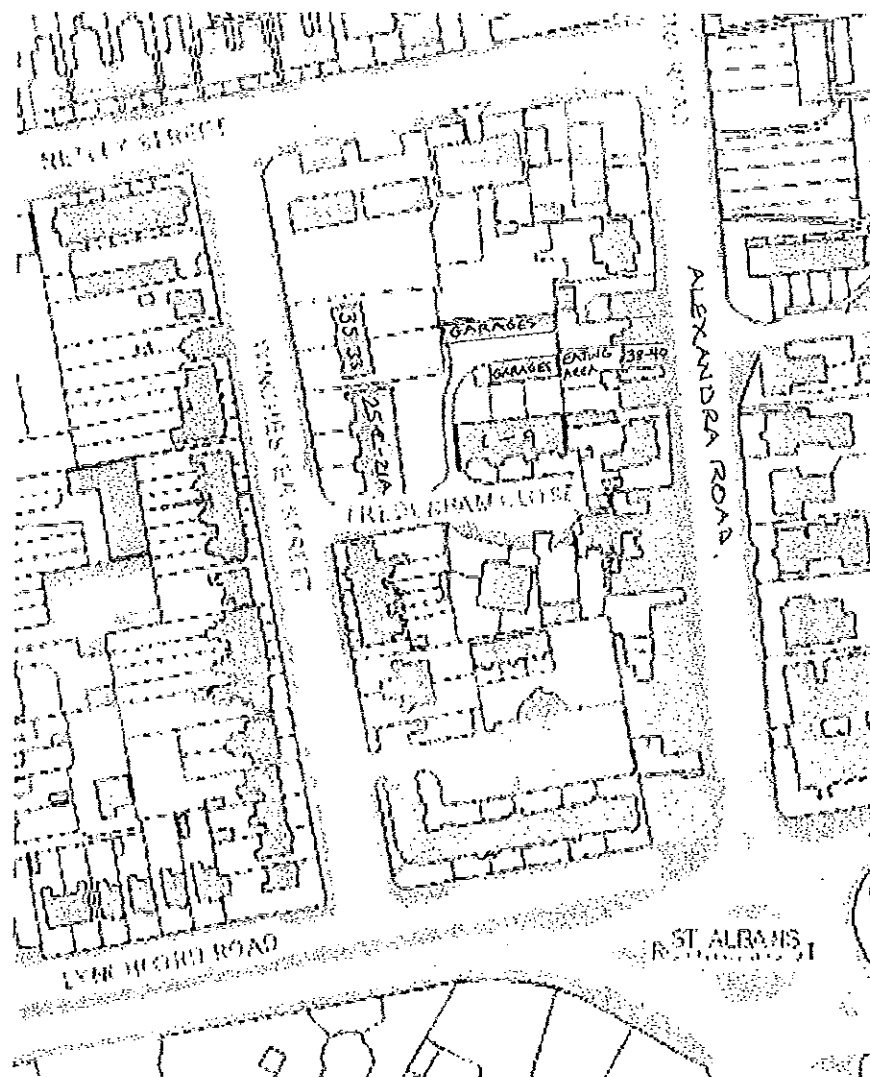
1. Playing recorded music indoors and outdoors till 2300 hrs
2. Provision of late night refreshment till 0100 hrs although shop to be shut to enter at 2300 hrs
3. Alcohol for consumption on and off the premises till 0100 hrs

The application appears to be for music and alcohol consumption to take place indoors and out, which will include the garden area at the rear. This will create noise disturbance which does not currently exist to a residential area directly abutting the premises. The garden area faces directly towards [REDACTED] Winchester Street and the flats and maisonettes at [REDACTED] Winchester Street and is in close proximity to [REDACTED] Winchester Street and [REDACTED] Tredenham Close.

The opening of licensed premises in particular the garden area facing onto a large number of residential properties will create an unacceptable level of noise nuisance.

Yours sincerely







From: Wendy Harden  
 Sent: 14 Jun 2017 11:17:14 +0100  
 To: Aimee Vosser  
 Subject: FW: Comments for Licensing Application 17/00380/LAPRE

From: publicaccess@rushmoor.gov.uk [mailto:publicaccess@rushmoor.gov.uk]  
 Sent: 14 June 2017 11:00  
 To: Licensing  
 Subject: Comments for Licensing Application 17/00380/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:00 AM on 14 Jun 2017 from [REDACTED]

#### Application Summary

**Address:** 38 - 40 Alexandra Road Farnborough Hampshire GU14 6DA  
**Proposal:** Premises Licence  
**Case Officer:** Aimee Vosser  
[Click for further information](#)

#### Customer Details

**Name:** [REDACTED]  
**Email:** [REDACTED]  
**Address:** [REDACTED]

#### Comments Details

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Licensing Application  
**Reasons for comment:**  
**Comments:** 11:00 AM on 14 Jun 2017 Our Tenants living above our shop have complained to us on many occasions that their children are kept awake until the early hours by talking

and laughing and the revving of motor bikes coming and going delivering pizza's. We objected to the late opening hours and we most certainly object to a drinks licence and the opening up of a drinking garden at the rear of this property. This is wholly out of keeping with the area and will encourage development "creep"  
We ask... no implore RBC to refuse this licence it will make the lives of those living adjacent to the premises a living hell!

[REDACTED]  
Sent: 13 June 2017 17:05  
To: Licensing  
Subject: Licensing Objection

Dear Sir/Madam,

Licensing Act 2003

Ref No. 17/00380/LAPRE

38-40 Alexandra Rd, Farnborough, Hants, GU14 6DA

I wish to object to the above application for playing music and serving alcohol. My property [REDACTED] is close to the proposed 'Flamingo' premises and my lounge faces the area which the 'Flamingo' premises backs onto.

I recall an occasion a few years ago when a party or celebration of some sort was held in the back garden of either the proposed 'Flamingo' or the property next to it. I had to turn up the volume on my television quite considerably to counteract the noise coming from outside. This experience convinces me that music played outside 'Flamingo' would considerably impact me.

I have no objection to music played indoors at 'Flamingo' at a reasonable volume as it shouldn't affect me.

Yours faithfully,

[REDACTED]

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## APPENDIX E

### RELEVANT CONSIDERATIONS

#### 38-40 ALEXANDRA ROAD, FARNBOROUGH, GU14 6DA

#### 1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2017)

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	2.32	The licensing objectives	10	17
2	-	2.15	2.21	Public Nuisance	13	14
8	-	8.1	8.108	Applications for a premises licence	52	69
9	-	9.1	9.45	Determining applications	70	78
9	-	9.3	9.3	Where representations are made	70	70
9	-	9.31	9.41	Hearings	75	77
10	-	10.1	10.66	Conditions attached to premises licences and club premises certificates	79	90
10	-	10.8	10.10	Imposed conditions	80	80
12	-	13.1	13.12	Appeals	105	107
12	-	13.10	13.10	Giving reasons for decision	106	106

#### 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.