

**DETERMINATION OF AN APPLICATION FOR
A PREMISES LICENCE
82 CHURCH ROAD ALDERSHOT GU11 3PS**

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'). A representation has been received in respect of the application and invokes 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 12th June 2024 by Mr Neeraj Sharma in respect of a premises known as 82 Church Road, Aldershot, GU11 3PS. 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 seeks the retail sale of alcohol for consumption off the premises, on any day from 08:00am to 22:00pm. A copy of the application form is given at **appendix B**.

2.4 Advertising of the application

- 2.5 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 10th July 2024.

3.0 REPRESENTATION(S)

- 3.1 One representation was received in respect of the application from a member of the public. A copy of the representation is given at **appendix C**.

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.

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.

Against the above criteria, the representations are considered relevant in this case, as they concern the licensing objective the prevention of crime and disorder.

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 representation 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 3.3 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 D** 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*; and/or
- (c) to refuse to specify the named individual as the Designated Premises Supervisor; or
- (d) 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
Operational Services
licensing@rushmoor.gov.uk

Public Documents:

- 1) **HMSO (2003)**, The Licensing Act 2003

- 2) **Home Office (Dec 2023)**, Guidance issued under Section 182 of the Licensing Act 2003

Contact:

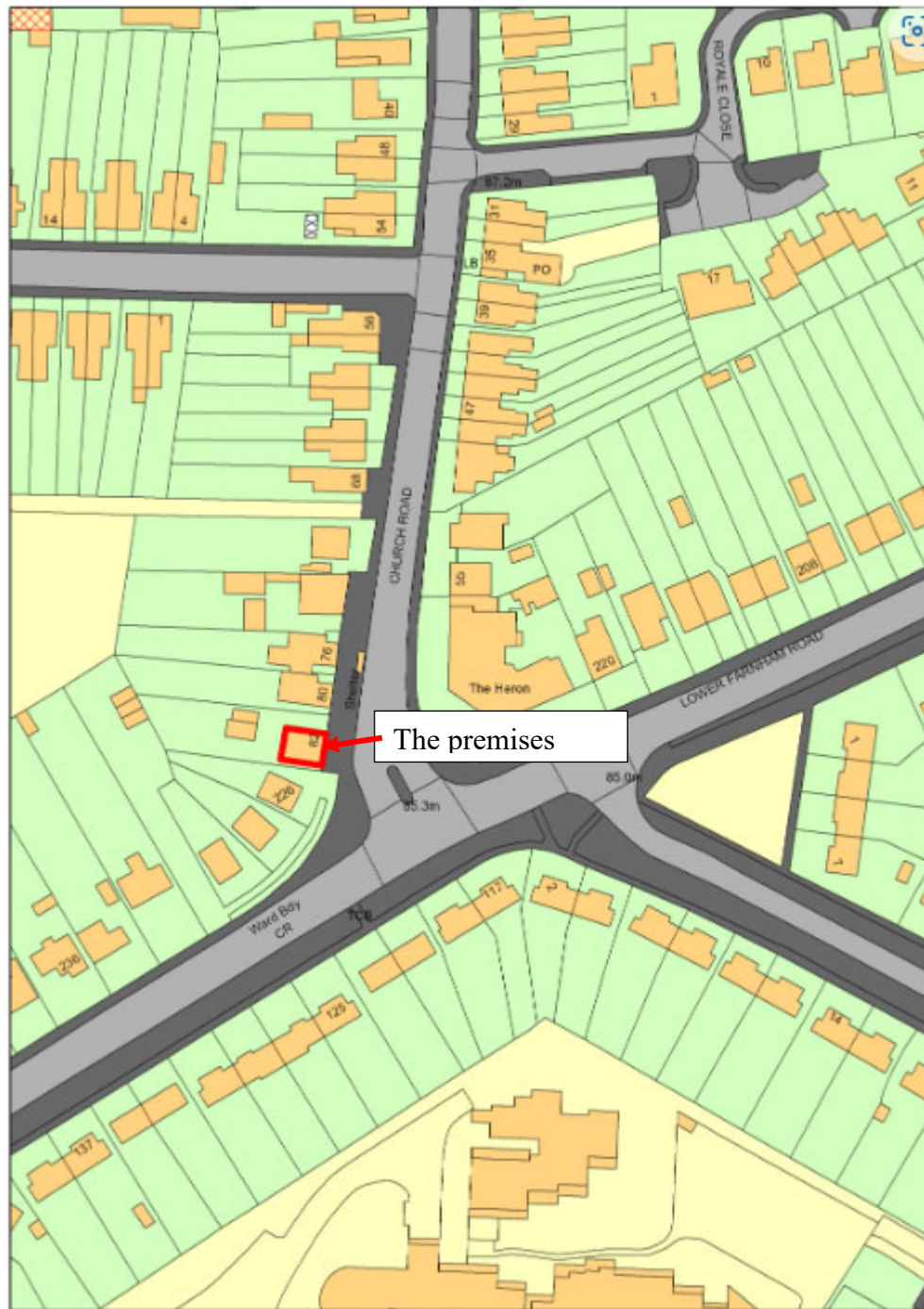
Aimee Vossler, Licensing Officer (01252 398131)

Appendices:

- Appendix A - Map of the area (page 5)
- Appendix B - Application for a premises licence (pages 7 - 25)
- Appendix C - Representation - Member of the Public (page 27 - 28)
- Appendix D - Policy and Guidance – Relevant considerations (page 29)

APPENDIX A

MAP SHOWING LOCATION OF PREMISES 82 CHURCH ROAD ALDERSHOT GU11 3PS



APPENDIX B

APPLICATION FOR A NEW PREMISES LICENCE 82 CHURCH ROAD ALDERSHOT GU11 3PS

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 NEERAJ SHARMA
(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 <u>82 CHURCH ROAD, ALDERSHOT</u>	
Post town <u>ALDERSHOT</u>	Postcode <u>GU11 3PS</u>
Telephone number at premises (if any)	<u>[REDACTED]</u>
Non-domestic rateable value of premises	<u>£10,000 - £190.00</u>

Part 2 - Applicant details

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

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
i	as a limited company/limited liability partnership	<input checked="" 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	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 (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 checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)
Surname SHARMA		First names NEERAT		
Date of birth		18 years old or over		Please tick yes <input checked="" type="checkbox"/>
Nationality				
Current residential address if different from premises address				
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)				

--

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over			I am 18 years old		Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(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

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)

--

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		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)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 5)		
Fri					
Sat			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)		
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	
					Outdoors	
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Thur						
Fri			<u>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</u> (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	
			Outdoors	
			Both	
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	
					Outdoors	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Thur						
Fri			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)			
Sat						
Sun						

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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 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	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	
				Off the premises	X
Day	Start	Finis h			
Mon	8.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	8.00	22.00			
Wed	8.00	22.00			
Thur	8.00	22.00	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	8.00	22.00			
Sat	8.00	22.00			
Sun	8.00	22.00			

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	Neeraj Sharma
Date of birth	
Address	
Postcode	
Personal licence number (if known)	18100441 / 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 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	8:00	22:00	
Tue	8:00	22:00	
Wed	8:00	22:00	
Thur	8:00	22:00	
Fri	8:00	22:00	
Sat	8:00	22:00	
Sun	8:00	22:00	

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)

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)

Signs on display for challenge DS.

b) The prevention of crime and disorder

CCTV covering all areas inside the premises and immediately outside the entrance to the premises.
CCTV stores 28 days of footage and will be made available to responsible authorities upon request.

c) Public safety

Refusals log to be maintained and kept at the premises.
Refusals log to be made available to responsible authorities on request.

d) The prevention of public nuisance

~~no~~ no beer, cider or lager of 6.5% ABV or over shall be sold by retail unless they are in a ~~the~~ pack of 4 or more, as supplied by the manufacturer.

e) The protection of children from harm

All staff to be trained on responsible alcohol sale including, age verification + challenge DS + selling alcohol to customers who may already be intoxicated.
Refresh training every 12 months - records of training to be kept at the premises.

--

Checklist:

Please tick to indicate agreement

• I have made or enclosed payment of the fee.	<input checked="" type="checkbox"/>
• I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
• I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
• I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>
• [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 or my share code issued by the Home Office online right to work checking service (please read note 15).	<input checked="" type="checkbox"/>


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"> • [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
--------------------	---

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please read guidance note 15)
Signature	
Date	12/06/2024
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and 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)			

**REPRESENTATION
82 CHURCH ROAD ALDERSHOT GU11 3PS**



**Make representations about a
licence application**

Thanks for filling in one of our forms. Below is a copy of the information you sent to us. If you would like to make a change please reply to this email. Your reference number is 3055389.

Address of premises:
Post OFFICE 82 Church Road ALDERSHOT

Town:
Aldershot

Postcode:
GU11 3PS

Which of the following Licensing Objectives do you think will be impacted by the grant of the licence?
The prevention of crime and disorder

Which of the following Licensing Objectives do you think will be impacted by the grant of the licence?
The prevention of public nuisance

What is the nature of your representation?
I would like to voice my objection to this alcohol licence application at the Post Office 82 Church Road, We already have two shops within fifty yards of each other selling alcohol. There is currently a high level of antisocial behaviour in this area which is a nice area and to have a third shop selling alcohol would bring more antisocial behaviour to this neighbourhood which has many elderly residents.

Frist name:
[REDACTED]

Last name:
[REDACTED]

Address:

[Redacted]

Town:

[Redacted]

Postcode:

[Redacted]

Mobile phone:

[Redacted]

How would you like us to reply?

Email

Would you like to sign up for this service?

No

Email: customerservices@rushmoor.gov.uk

Phone: [01252 398 399](tel:01252 398 399)

Address:

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

APPENDIX D

RELEVANT CONSIDERATIONS 82 CHURCH ROAD ALDERSHOT GU11 3PS

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

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

**TABLE 1 - SECTIONS OF THE SECRETARY OF STATE'S GUIDANCE
WHICH MAY BE RELEVANT TO THIS APPLICATION**

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
2	-	2.1	2.38	The licensing objectives	6	13
2	-	2.1	2.7	Crime and Disorder	6	7
8	-	8.1	8.110	Applications for a premises licence	55	73
9	-	9.1	9.45	Determining applications	74	82
9	-	9.3	9.3	Where representations are made	74	74
9	-	9.31	9.41	Hearings	79	81
10	-	10.1	10.66	Conditions attached to premises licences and club premises certificates	83	95
10	-	10.8	10.9	Imposed conditions	84	84
13	-	13.1	13.13	Appeals	111	113
13	-	13.10	13.11	Giving reasons for decision	112	112

2.0 The Council's Licensing Policy

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

**TABLE 2 - SECTIONS OF THE COUNCIL'S LICENSING POLICY
WHICH MAY BE RELEVANT TO THIS APPLICATION**

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
3	Part C	3.1	3.43	Licensing principals, objectives & General considerations	13	17
3	Part C	3.10	3.12	General licensing principals	14	14
6	Part F	6.1	6.53	Premises Licences	26	34
18	Part R	18.1	18.55	Representations, Responsible authorities & Interested Parties	69	74
18	Part R	18.45	18.48	The weight attached to relevant representations	73	74
19	Part S	19.1	19.27	Conditions and restrictions	76	79
19	Part S	19.10	19.15	General principles of transposition and imposition of conditions	76	77

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