



RUSHMOOR
BOROUGH COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Address: The Garden Gate
Church Lane East
Aldershot
Hampshire
GU11 3BT

Map Ref (E): 486396
Map Ref (N): 150054
UPRN: 100062323389

Telephone 01252 321051

Where the licence is time limited the dates

This licence is **NOT** time limited

Licensable activities authorised by the licence

- (1) The retail sale /supply of alcohol;
- (2) The provision of regulated entertainment by way of live music (limited to a maximum of 2 performers at any one time (including Karaoke)), (indoors only); and
- (3) The provision of regulated entertainment by way of recorded music (indoors only).

Times the licence authorises the carrying out of licensable activities

- (1) The retail sale /supply of alcohol:-
 - Sunday's – 10:30am to 22:30pm;
 - Monday to Thursday – 10:30am to 24:00midnight;
 - Friday's and Saturday's – 10:30am to 01:00am the following day;
 - On Christmas Eve, Christmas Day, Boxing Day and New Years Day – 10:30am to 01:00am the following day;
 - On Good Friday, Easter Saturday, Sunday and Easter Bank Holiday Monday – 10:30am to 01:00am the following day;
 - On any other Bank Holiday – 10:30am to 01:00am the following day;
 - On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31st December); and
 - On the screening of any bona fide national or international sporting event 09:30am to 01:00am the following day.

- (2) The provision of regulated entertainment by way of recorded music:-
 - Sunday's – 18:00pm to 23:00pm;
 - Monday to Thursday – 18:00pm to 24:00midnight;
 - Friday's and Saturday's – 18:00pm to 01:00am the following day;
 - On New Year's Eve – 18:00pm to 04:00am the following day; and
 - On any national holiday – 18:00pm to 01:00am the following day.
- (3) The provision of regulated entertainment by way of live music:-
 - Sunday to Thursday – 18:00pm to 23:00pm; and
 - Friday's and Saturday's – 18:00pm to 24:00midnight.

The opening hours of the premises

- (1) Sunday's – 10:30am to 23:00pm;
- (2) Monday to Thursday – 10:30am to 00:30am the following day;
- (3) Friday's and Saturday's – 10:30am to 01:30am the following day;
- (4) On Christmas Eve, Christmas Day, Boxing Day and New Years Day – 10:30am to 01:30am the following day;
- (5) On Good Friday, Easter Saturday, Sunday and Easter Bank Holiday Monday – 10:30am to 01:30am the following day;
- (6) On any other Bank Holiday – 10:30am to 01:30am the following day;
- (7) On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31st December); and
- (8) On the screening of any bona fide national or international sporting event 09:30am to 01:30am the following day.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

- Alcohol may be sold / supplied for consumption **ON** and **OFF** the premises

Part 2

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

Name: Hawthorn Leisure Limited
Address: One St Peters Square
Manchester
M2 3DE
Telephone: Not Known
Email: Not Known

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

- 08791672 (Company number)

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

| | |
|---------------------------|-----------------------------|
| Name: Yvonne Swann | Telephone: Not known |
| Address: | Email: Not Known |

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

| | |
|---------------------------------|--------------------------|
| Personal licence number: | 13/00250/LAPER |
| Issuing authority: | Rushmoor Borough Council |

Granted by Rushmoor Borough Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder

Date Licence Granted: 12th November 2005
Licence Effective From: 24th November 2005
Date Last Modified: 23rd December 2022
(Change of Details)

SIGNED on behalf of the
Head of Operational Services
(Authorised Officer)

Annex 1 – Mandatory conditions

- (1) No supply of alcohol may be made under the premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 - (i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (4) 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.
- (5) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (f) Where the permitted price given by Paragraph (b) would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (g) Paragraph (b)(ii) applies where the permitted price given by Paragraph (b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (h) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- (6) 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.
- (7) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- (8) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iv) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) No licensable activities shall be undertaken except during permitted hours.
- (2) As regards the retail sale / supply of alcohol, the above restriction does not prohibit:-
 - (i) during the first twenty minutes after the above hours, the consumption of the alcohol on the premises;
 - (ii) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - (iii) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - (iv) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - (v) the ordering of alcohol to be consumed off the premises, or despatch by the vendor of the alcohol so ordered;
 - (vi) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - (vii) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale of supply of alcohol is carried out by the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - (viii) the taking of alcohol from the premises by a person residing there; or
 - (ix) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - (x) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of the liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

- (3) No person under fourteen (14) shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:-
- (i) he is the child of the holder of the premises licence;
 - (ii) he resides in the premises, but is not employed there;
 - (iii) he is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress;
 - (iv) the bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

(In this condition 'bar' includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals).

- (4) Where the number of children attending a permitted entertainment exceeds one hundred (100) (including circumstances where the premises is permitted to be used, for hire or reward for the purpose of a permitted entertainment, the person providing the entertainment must station and keep stationed a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the premises or to any part thereof, than the premises can properly accommodate, and to control the movement of the children and other persons so admitted while entering and leaving the premises or any part thereof, and to take all other reasonable precautions for the safety of the children.
- (5) Subject to the circumstances and exemptions given in conditions (3) and (4) above, children not accompanied by an individual aged 18 or over shall not be permitted in or to remain on the premises at any time.
- (6) Further to conditions (4) and (5) above children shall not be permitted in or to remain on the premises at any time between 21:00pm and the end of opening hours on any day.
- (7) (i) A suitable and sufficient children / family room be designated and maintained within the premises.
- (ii) Any children / family room established and maintained under this part shall be subject to a suitable 'No Smoking' policy.

- (iii) Any children / family room established and maintained under this part shall provide direct access to sanitary conveniences and be accessible by virtue of a separate entrance other than the main entrance to the premises.
- (8) Anyone authorised to sell or supply alcohol at the premises shall request and ensure sight of suitable identification, for proof of age, of any person appearing to them to be under the age of 18 (eighteen) and who is attempting to purchase alcohol.
- (9) There shall be no promotions that encourage irresponsible or immoderate consumption of alcohol (e.g. happy hours, drinking games etc).
- (10) All staff / employees of the premises shall be provided with suitable and sufficient training in respect of the following matters:-
 - (i) The protection of children from harm;
 - (ii) The prevention of crime and disorder;
 - (iii) Ensuring public safety;
 - (iv) The prevention of public nuisance;
 - (v) Safety policy
- (11)
 - (i) Suitable and sufficient CCTV cameras shall be provided that adequately cover / survey all areas of the premises. So far as is reasonably practicable, all cameras must be maintained in good working order.
 - (ii) Suitable and sufficient notices shall be displayed on the premises advising of the presence of CCTV.
- (12) All safety-related systems, appliances and/or equipment on the premises shall be subject to regular maintenance by a competent person at suitable intervals.
- (13) The premises and the activities undertaken there shall be subject to weekly risk assessment and suitable controls and/or monitoring arrangements shall be implemented, where necessary to ensure public safety.
- (14) Suitable and sufficient supplies of first aid equipment / materials must be made available to members of the public on request. Dependant on the activities, events and risks at the premises, a suitably trained first aider or an appointed person for first aid must also be present on the premises at all times during licensable activities.
- (15) Except for access and egress, all external doors and windows must be closed and kept closed between 22:00pm and the end of the specified opening hours on any day when live or recorded music is provided.

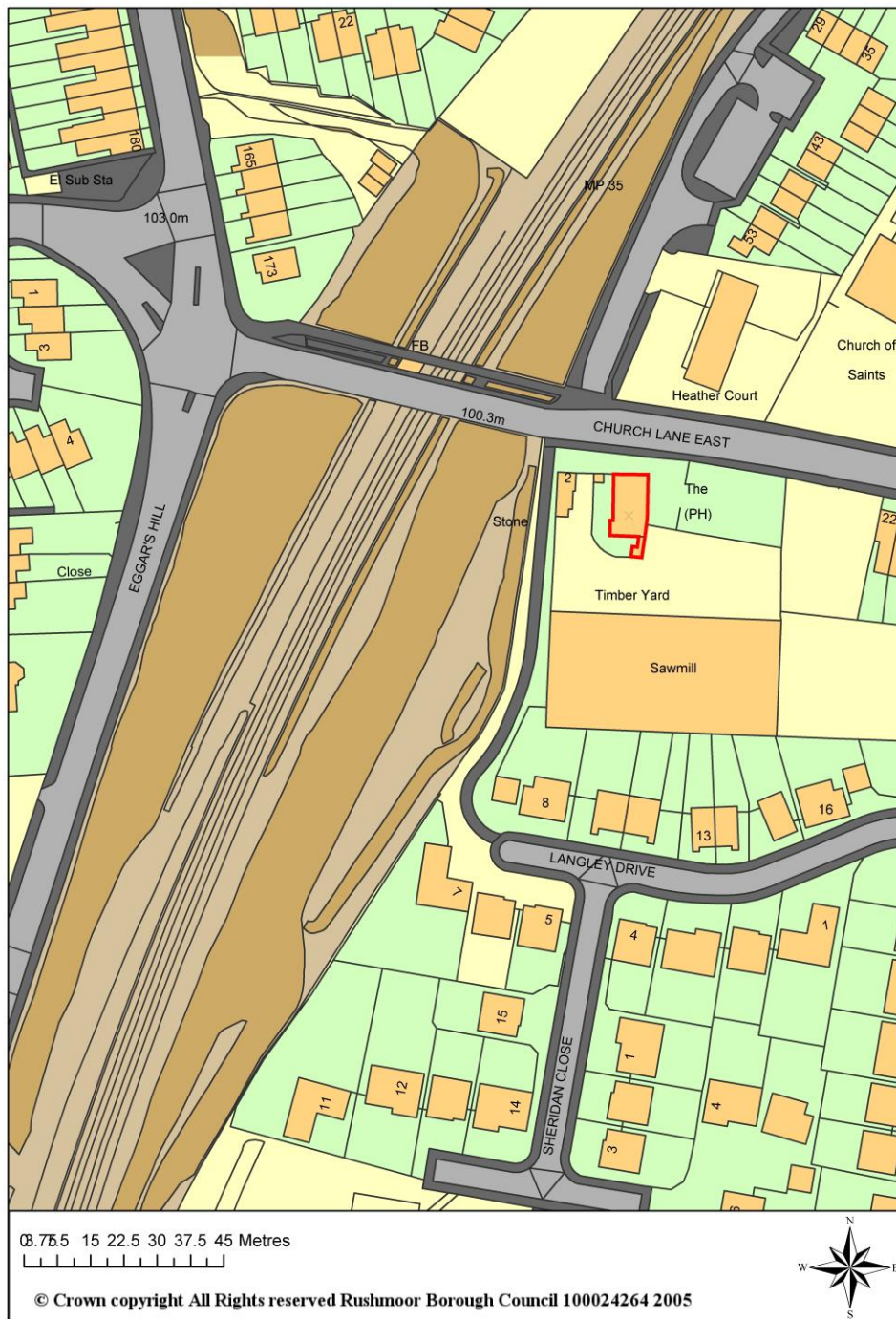
- (16) No music or speech shall be relayed via external speakers other than for events with the prior approval of the licensing authority.
- (17) Prominent, clear and legible notices must be displayed at all exits of the premises requesting patrons and staff to respect the needs of local residents and to leave the premises and area quietly.
- (18) (i) The licence holder or nominated representative(s) shall carry out a regular noise assessment of the area adjacent to the premises whilst licensable activities are taking place.
- (ii) Noise assessments shall take place on all sides of the premises at the boundary of the nearest residential premises, and if audible, appropriate steps shall be taken to reduce the noise to a level where noise is no longer audible at the monitoring points.
- (iii) Noise assessments shall be undertaken at hourly intervals between 22:00pm and the end of the specified opening hours on any day.
- (iv) Written records of these assessments and any remedial action(s) taken shall be kept and made available to the local authority or licensing authority when requested.
- (19) (i) A suitable noise complaints procedure must be established and in operation at the premises (e.g. all staff must be familiar with the complaints procedure and any complaint(s) made in respect of the premises, its customers, staff and/or the activities carried on there must be investigated and remedied as soon as, and, so far as is reasonably practicable to prevent public nuisance).
- (ii) Suitable written records (e.g. the nature of any complaint(s), action(s) taken in response, the date(s) and time(s) when any complaint was made, together with the name of the person(s) who handled the complaint) must be kept and made available to officers of Rushmoor Borough Council on request.
- (20) All external drinking areas shall be closed between 23:00pm and the end of opening hours on any day. Existing patrons shall be asked to leave the area quietly.
- (21) Disposal of refuse such as waste bottles into external receptacles, where the noise may be audible to neighbouring properties, shall not occur between 19:00pm and 09:00am.
- (22) All lighting, including external lighting, shall be correctly adjusted so that it only illuminates the surface intended and does not throw light onto neighbouring properties.

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

None

Annex 4 – Plans

This licence permits the licensable activities stated at the premises addressed above and outlined below in accordance with the plan(s) attached and marked 14/00334/LAPRET – 14.



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