



Thursday, 26 May 2022

Dear Sir/Madam

A meeting of the Alcohol and Entertainments Licensing Hearing Panel will be held on Tuesday, 7 June 2022 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 10.00 am.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ruth E Hyde'.

Chief Executive

To Councillors: T A Cullen (substitute)
R D MacRae

S Paterson
D D Pringle

A G E N D A

1. APPOINTMENT OF CHAIR

2. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

3. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

4. APPLICATION TO REVIEW A LICENCE

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ALCOHOL AND ENTERTAINMENT LICENSING PANEL HEARING APPLICATION FOR A PREMISES LICENCE

Tuesday 7th June 2022 @ 10.00am

**The Council Chamber
Broxtowe Borough Council
Foster Avenue
Beeston
Nottingham
NG9 1AB**

Applicant:	Ms Mei Mei Huang
Premises applied for:	The Queens Head 34 Main Street Kimberley Nottingham NG16 2LL
Type of application:	S17 Licensing Act 2003 Application for a new premises licence.
Date application received	08.04.2022
Consultation period end	06.05.2022
Licensable Activities applied for:	Provision of Indoor Sporting Events Provision of Live Music Provision of Recorded Music Provision of Performance of Dance Late Night Refreshment Sale of Alcohol Note: we are advised by the applicant that is is intended to operate the business as a bar on the ground floor, together with a restaurant also on the ground floor and a late bar on the first floor.
Variation(s) applied for:	N/A
Hours applied for:	Sunday – Wednesday 10:00 – 00:00 Thursday 10:00 – 01:00 Friday – Saturday 10:00 – 02:30 Seasonal Timings as application form
Hours open to Public:	Sunday – Wednesday 10:00 – 00:30 Thursday 10:00 – 01:00 Friday – Saturday 05:00 – 02:30
Proposed Designated Premises Supervisor	Sean Duggan

Steps applicant proposes to take to promote the Licensing Objectives.	See application form Section 18			
Representations:	Licensing Objectives			
	Crime and Disorder	Public Safety	Public Nuisance	Protection of Children from harm
<u>Responsible Authorities</u>				
Police	X		X	
Planning	NONE			
Environmental Health	X	X	X	
Environmental Health – Noise				
Fire Service	NONE			
Safeguarding Children's Partnership				X
Trading Standards	NONE			
Immigration	NONE			
Public Health	NONE			
<u>Interested Parties</u>				
Mr Boneham	X	X	X	
Mr & Mrs Buckley	X			
Mr Warhurst	X	X	X	
Mr Rood	X	X	X	
Mr Radford	X			
Mr Mason	X	X	X	
The Clerk	X	X	X	
Rachel & Lauren O'Neill	X	X		X
Notts Police				
Mick Simpson	X	X	X	
Neil Doherty	X		X	
Stephen Strickland	X	X	X	
Sonia Toomey	X	X	X	X
Attendances on behalf of the Applicant:	Ms Mei Mei Huang - Applicant			
	Mr Juan Hau Chen			
	Mr Karl Hall			
Attendances on behalf of Interested Parties and Responsible Authorities	<u>Responsible Authorities</u> Miss Avi Wadhawa Solicitor, East Midlands Police Legal Services Adrian Paling, Licensing Officer, Nottinghamshire Police Daveen Brown, Licensing Officer, Nottinghamshire Police Kate Ansty, Senior Licensing Officer, Nottinghamshire Police			

	<p>Inspector Mike Ebbins Broxtowe Area Neighbourhood Policing Inspector Samantha Harris Nottinghamshire Safeguarding Childrens Partnership Julie Jones Environmental Health Officer, Broxtowe Borough Council Suzanne Hickey Chief Environmental Health Officer Broxtowe Borough Council</p> <p><u>Interested Parties</u> Mr Trevor Rood Rachel O'Neill Lauren O'Neill Victoria Braithwaite (Representing Martin Simpson)</p>
<p>NOTE: An independent accredited translator has been provided by Broxtowe Borough Council</p>	
Attached documents	<ul style="list-style-type: none"> • Application • DPS Consent Form • Plan • Relevant representations • Police Evidence • Decision notice of revocation of previous licence issued 10 November 2020 • Decision notice of previous application?

Focus of hearing:

The Panel may first need to consider whether the public should be excluded during part or all of the hearing of this matter under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

14. Hearing to be public

- (1) Subject to paragraph (2), the hearing shall take place in public.
- (2) The licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
- (3) For the purposes of paragraph (2), a party and any person assisting or representing a party may be treated as a member of the public.

Representations have been received relating to the licensing objectives as follows:

- **Prevention of crime and disorder**
- **Public safety**
- **Prevention of public nuisance**
- **Protection of children from harm**

Those making representations may wish to consider any conditions that they would like the Licensing Committee to consider attaching to the licence if they are minded to grant it.

The issues coming before the panel should be addressed as follows:

Relevance of representations.

- What weight should be given to the representations.

Consideration of the application

Whether upon consideration of the facts, that the grant of an application by Ms Huang in the terms applied for will undermine the above mentioned licensing objectives.

Clarity of the business plan in respect of how the premises will operate

In considering this application, the Alcohol and Entertainment Sub-Committee will have regard to:

The representations from the Interested Parties

The previous history of the premises and applicant.

The Licensing Act 2003, and in particular:

S4 General duties of licensing authorities

- (1). A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives.
- (2). The licensing objectives are—
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- (3). In carrying out its licensing functions, a licensing authority must also have regard to—
 - (a) its licensing statement published under section 5, and
 - (b) any guidance issued by the Secretary of State under section 182.

S18 Determination of application for premises licence

- (1) This section applies where the relevant licensing authority—
 - (a) receives an application for a premises licence made in accordance with section 17, and
 - (b) is satisfied that the applicant has complied with any requirement imposed on him under subsection (5) of that section.
- (2) Subject to subsection (3), the authority must grant the licence in accordance with the application subject only to—
 - (a) such conditions as are consistent with the operating schedule accompanying the application, and
 - (b) any conditions which must under section 19, 20 or 21 be included in the licence.

- (3) Where relevant representations are made, the authority must—
- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
 - (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.
- (4) The steps are—
- (a) to grant the licence subject to—
 - (i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) any condition which must under section 19, 20 or 21 be included in the licence;
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the premises supervisor;
 - (d) to reject the application.
- (5) For the purposes of subsection (4)(a)(i) the conditions mentioned in subsection (2)(a) are modified if any of them is altered or omitted or any new condition is added.
- (6) For the purposes of this section, “relevant representations” means representations which—
- (a) are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives,
 - (b) meet the requirements of subsection (7),
 - (c) if they relate to the identity of the person named in the application as the proposed premises supervisor, meet the requirements of subsection (9), and
 - (d) are not excluded representations by virtue of section 32 (restriction on making representations following issue of provisional statement).
- (7) The requirements of this subsection are—
- (a) that the representations were made by a responsible authority or other person within the period prescribed under section 17(5)(c),
 - (b) that they have not been withdrawn, and
 - (c) in the case of representations made by a person who is not a responsible authority, that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
- (8) Where the authority determines for the purposes of subsection (7)(c) that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for its determination.
- (9) The requirements of this subsection are that the representations—
- (a) were made by a chief officer of police for a police area in which the premises are situated, and
 - (b) include a statement that, due to the exceptional circumstances of the case, he is satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective.
- (10) In discharging its duty under subsection (2) or (3)(b), a licensing authority may grant a licence under this section subject to different conditions in respect of—
- (a) different parts of the premises concerned;
 - (b) different licensable activities.

The guidance issued under 182 of the Licensing Act 2003 (As updated April 2018)

The council's "Statement of Licensing Policy" 2019 – 2024 and in particular:

Sections 6 and 7 of that policy

And:

POLICY 1

The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.

REASON: To ensure the promotion of the licensing objectives.

POLICY 2

When preparing or considering applications, applicants, responsible authorities, other persons, businesses and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) The nature of the area within which the premises are situated.
- (ii) The precise nature, type and frequency of the proposed activities.
- (iii) Any measures proposed by the applicant in the Operating Schedule.
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.
- (v) Means of access to and exit from the premises.
- (vi) The provision and availability of adequate seating and the restriction of standing areas
- vii Noise from the premises or noise arising from persons visiting the premises
- (viii) The potential cumulative impact (see below).
- (ix) Other means and resources available to mitigate any impact.
- (x) Such other matters as may be relevant to the application.

REASON: To ensure that all relevant matters are taken into consideration during the application process.

Sections 6 and 7 of the Council's Statement of Licensing Policy 2019-2024

Their duties under section 17 of the Crime and Disorder Act 1998.

ALCOHOL AND ENTERTAINMENT LICENSING PANEL

The overall intention is to hold a "directed discussion" on the issues

Procedure for hearing of application

1. The Chair will welcome everyone to the meeting
2. The Chair or Legal Advisor will explain the reason for the hearing and explain the protocol.
3. Legal Adviser will identify each of the parties to the hearing and inquire whether the parties have understood the hearing procedure and are able to see/hear and be seen/heard.
4. Chair considers requests for witnesses to be called by each of the parties (If any).
5. Chair assesses and then agrees the maximum period of time in minutes to be permitted for each party to address the relevant representations.
6. Chair invites the Applicant to outline his application and address the relevant representations and call any witnesses as agreed
7. After The applicant has spoken the Chair will invite each interested party to ask questions through the Chair
 - Responsible Authorities
 - Interested parties
 - Licensing Committee members
8. After each speaker the Chair will invite the Applicant for his representative to respond through the Chair
9. The Chair invites the Responsible Authorities to address the relevant representations and call any witnesses (if any) as agreed.
10. After each speaker the Chair will invite the Applicant to respond through the Chair
11. The Chair invites the Interested parties to address the relevant representations and call any witnesses (if any) as agreed
12. After each speaker the Chair will invite the Applicant to respond through the Chair
13. The Chair asks the parties in the following order whether they have anything further to add as a closing statement.
 - Responsible Authorities
 - Interested Parties;
 - Applicant.
14. Having clarified that all parties have had a fair hearing, the meeting will be closed and the panel will meet forthwith to determine the matter

The decision together with notification of the right to appeal will be given in writing to all parties within 5 working days of the meeting.

NB The Chair may vary the procedure as necessary to ensure that a “directed discussion” takes place.

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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 MEL MBI HOWES
(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>34 MAIN ST.</u>			
Post town	<u>KIMBERLEY</u>	Postcode	<u>NG16 2LL</u>

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

Part 2 - Applicant details

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

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 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	Mrs ✓	Miss	Ms	Other Title (for example, Rev)	
Surname		Huang		First names	
		MEI MEI			
Date of birth	[REDACTED]		am 18 years old or over		Please tick yes ✓
Nationality					
BRITISH					
Current residential address if different from premises address		34 MAIN ST			
Post town	KIMBERLEY			Postcode	NG16 2LL
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			
Where applicable (in 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 <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <i>HUANG</i>			First names <i>MEI MEI</i>		
Date of birth [REDACTED]		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes	
Nationality <i>BRITISH</i>					
Current postal address if different from premises address		<i>34 main Street Kimberley</i>			
Post town				Postcode	<i>NG16 2LL</i>
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

(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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

sale and consumption of alcohol at ground floor and first floor
sporting, music, recorded music, dance at.

ground floor and 1st floor.

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

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

☒

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" 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 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	Please give further details here (please read guidance note 4)			
Mon						
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	10:00	23:30	
Tue	10:00	23:30	
Wed	10:00	23:30	State any seasonal variations for indoor sporting events (please read guidance note 5)
Thur	10:00	00:30	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	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	23:30	

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			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)	
Fri				
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) <i>music will be amplified</i>		
Mon	10:00	23:30			
Tue	10:00	23:30	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	10:00	23:30			
Thur	10:00	00:30	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)		
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	23:30			

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 type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) <i>music will be amplified.</i>		
Mon	10:00	23:30			
Tue	10:00	23:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	10:00	23:30			
Thur	10:00	00:30	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)		
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	23:30			

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	23:30	Please give further details here (please read guidance note 4) music will be amplified.	Both	<input type="checkbox"/>
Tue	10:00	23:30			
Wed	10:00	23:30	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10:00	00:30			
Fri	10:00	02:30	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	10:00	02:30			
Sun	10:00	23:30			

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 checked="" type="checkbox"/>
Mon	23:00	00:00		Please give further details here (please read guidance note 4) N / D	Outdoors
Tue	23:00	00:00	Both		<input type="checkbox"/>
Wed	23:00	00:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	02:30	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)		
Sat	23:00	02:30			
Sun	23:00	00:00			

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	00:00			
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed	23:00	00:00			
Thur	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)		
Fri	23:00	02:30			
Sat	23:00	02:30			
Sun	23:00	00:00			

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"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00	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)		
Wed	10:00	00:00			
Thur	10:00	01:00			
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	00:00			

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	JON ANTHONY DOGGAN.	
Date of birth	[REDACTED]	
Address	[REDACTED]	
Postcode	[REDACTED]	
Personal licence number (if known)	047174	
Issuing licensing authority (if known)	NOTTINGHAM CITY.	

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).

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	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)
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	00:30	

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)

three are sufficient competent staff on duty at the premises
all staff will undertake training in their responsibilities
in relation to the sale of alcohol

b) The prevention of crime and disorder

door supervisor will be hired if local authority requires
Plastic glasses to be used in 21:00 to close of the premise on Friday and Saturday
A CCTV system has been installed and is working, recording.
ACCTV camera will be in operation at the front,
Secur door men if needed.

c) Public safety

all Exit doors are easily operable without the use of a key, card
Exit doors are regularly checked to ensure they function satisfactorily
Fire resistant doors to service shafts, ducts and cupboards are kept locked shut
adequate and appropriate. First Aid equipment and materials are
available on the Premises.

d) The prevention of public nuisance

doors and windows will be kept closed when regulated entertainment
is taking place.
the playing of live music in garden or outside seating areas of the premises
is not permitted
all ventilation and extract systems are designed and maintained
so as to prevent noxious smells causing a nuisance to

e) The protection of children from harm

Alcohol is not available on the Premises when only
under 18's are permitted

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"> • [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). • 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)
Signature	
Date	
Capacity	

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	[Redacted]
Date	1.4.22
Capacity	

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

Mei Mei Huang
34 Main Street.

Post town	Kimberley	Postcode	NG16 2LL
Telephone number (if any)	[Redacted]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [Redacted]			

PRIVACY NOTICE

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also, and on occasions will be required to, share this information with other bodies responsible for auditing or administering public funds for these purposes.

Broxtowe Borough Council collects personal information when you contact us for any services we provide. We will use this information to provide these services. We may need to share your information with service providers and other departments within Broxtowe Borough Council to ensure that you receive the best possible service. If so, this will be made clear in our privacy notice. We will not share your information with third parties for marketing purposes or any other reason unless required to do so by law.

For more information explaining how we protect and use your information please see our privacy policy at <https://www.broxtowe.gov.uk/about-the-council/communications-web-social-media/legal-privacy/>

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:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial



Broxtowe Borough COUNCIL

Broxtowe Borough Council
Licensing Section
Public Protection Division
Council Offices, Foster Avenue,
Beeston, Nottingham, NG9 1AB
Phone: 0115 917 3241
Fax: 0115 917 3683
Email: licensing@broxtowe.gov.uk

Consent of individual to being specified as Premises Supervisor

I Sean Anthony DUGGAN
Full name of prospective premises supervisor

of

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises licence type of application

by Sean A Duggan name of applicant

relating to premises licence N/A number of existing licence, if any

for The Queens head, 34 Main St, Kimberley, NG16 2LL
name and address of premises to which the application relates

and any premises licence to be granted or varied in respect of this application made by

Sean A Duggan name of applicant

concerning the supply of alcohol at

The Queens head, 34 Main St, Kimberley, NG16 2LL
Name and address of premises to which application relates

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

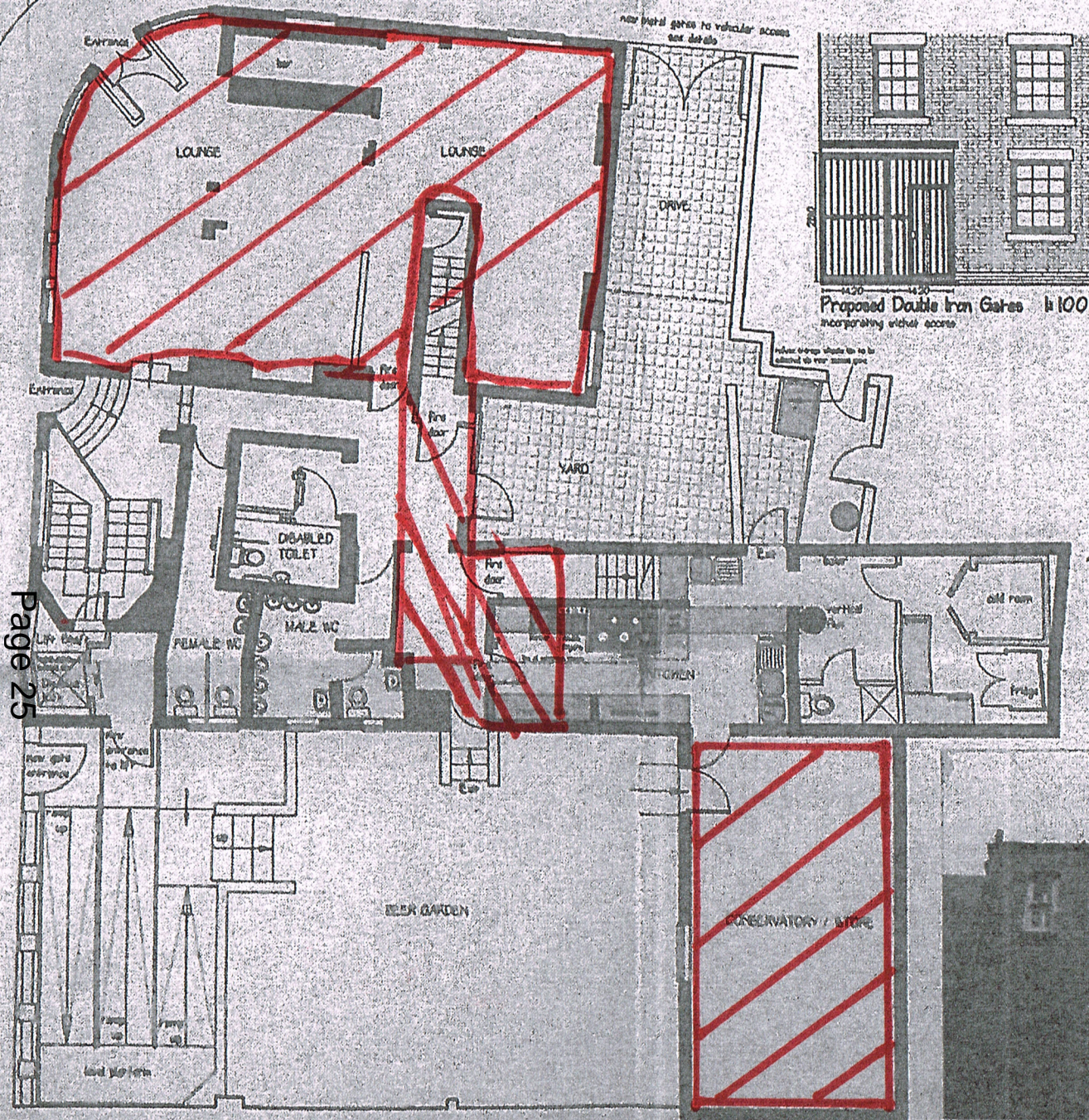
Personal Licence Number 047174
Insert personal licence number, if any

Personal licence issuing authority NOTTINGHAM CITY
Insert name of authority and telephone no of authority

Signed:

Name: Sean DUGGAN
Please print name

Date: 20 MARCH 2022

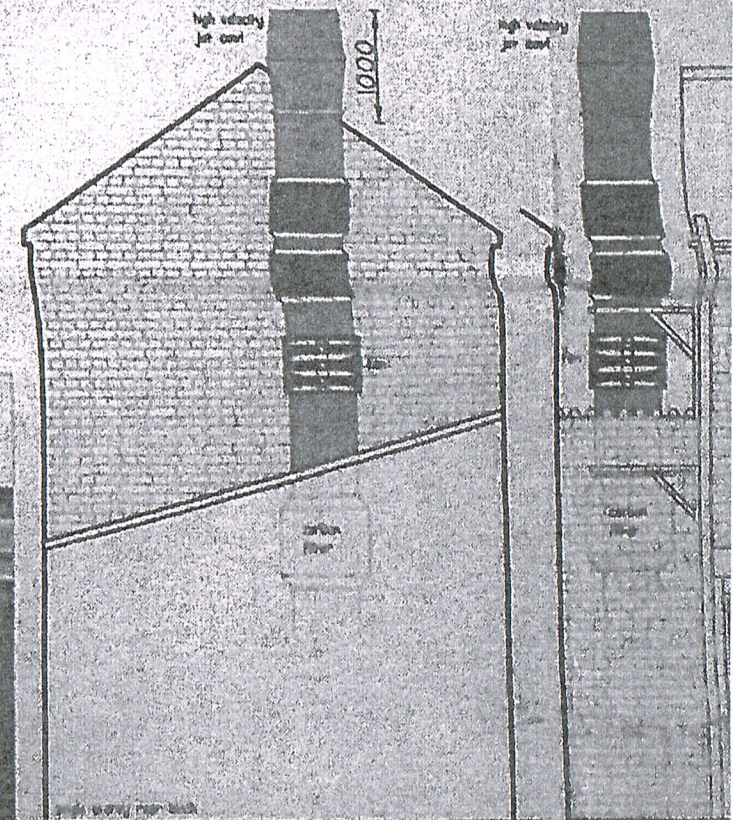


Proposed Double Iron Gates 1:100
incorporating vehicle access



Existing Boundary Wall to Lower Yard

All external elements of the extraction fan to be in galvanneal steel half finish.
Ceiling mounted fully welded stainless steel canopy above entire unit of cooking equipment with 250mm air gap at end and front, fitted with stainless steel fine resistant baffle type grease filter collection of cooking oil in recessed below canopy plenum.
Suitably sized Venti-Axis centrifugal turbo fan 300mm diameter (high energy efficiency) fan mountings on rear external wall to give 60 no. air changes per hour in Kitchen area with max 1.6m/sec, incorporating carbon filtration system 650x650x500mm deep containing pre-filter units, two stainless 300mm diameter ID both fitted up stream of fan, using 600mm dia. ductwork and discharges vertically through high velocity jet coat in above pitch line, Kitchen has 1000mm³/minute fresh air intake system with filter, also gas inter-lock device to comply with current regulations.
To eliminate any noise nuisance emitted from the extraction system, noise level of the fan at front termination will be reduced from 70, 5dBA to 50, 5dBA via two 300mm ID silencers the fan



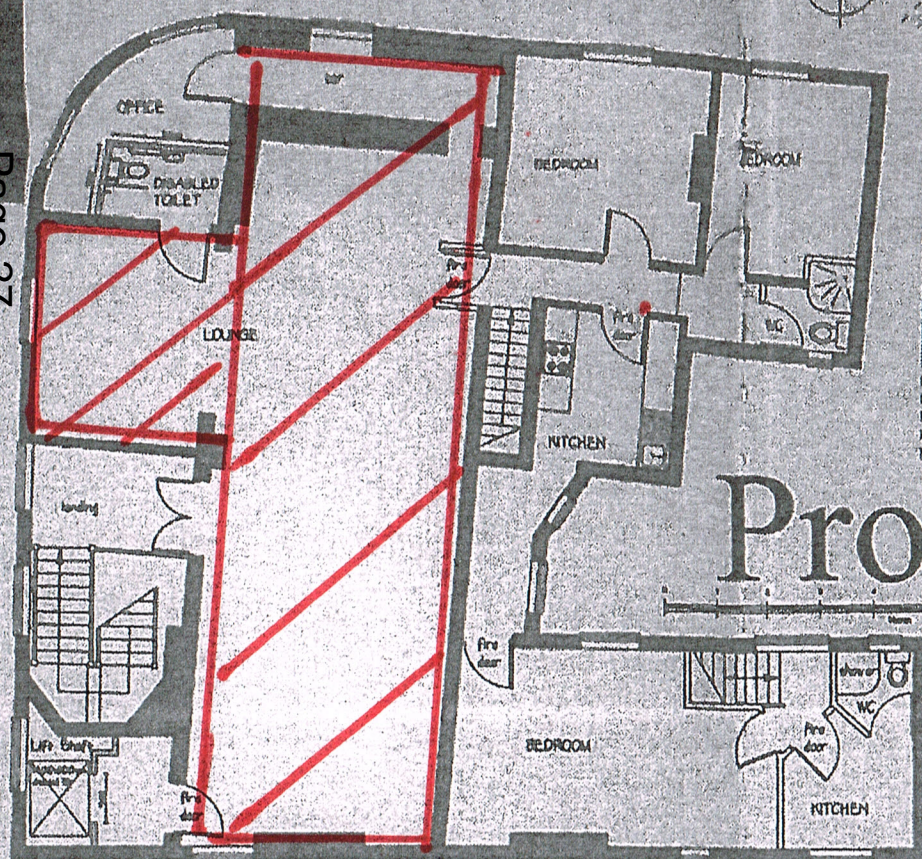
Proposed Rear Elevation

Proposed

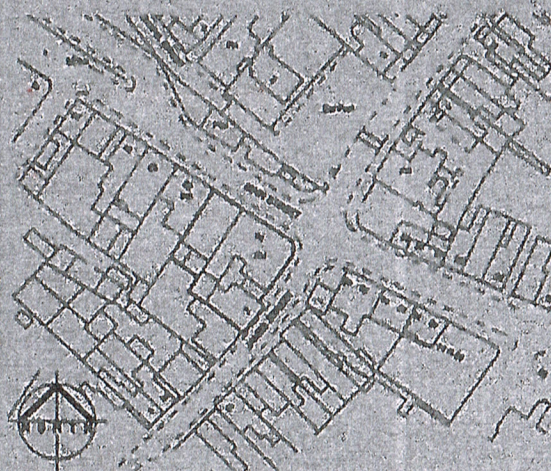
external extraction system & vertical flue

Proposed Ground Floor Plan 1:100

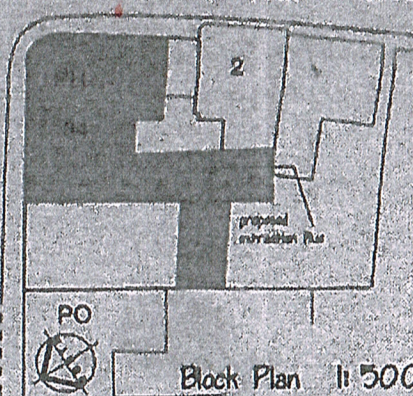
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Proposed First Floor Plan 1:100



Site Plan 1:1250



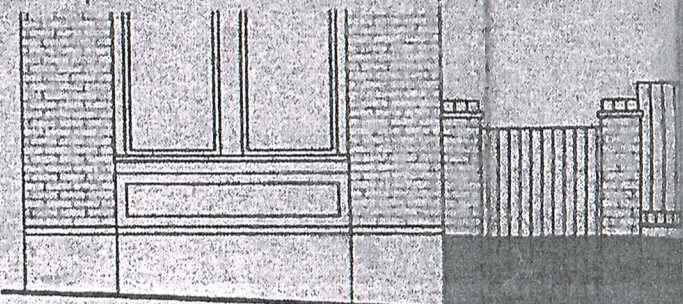
Block Plan 1:500

Proposed

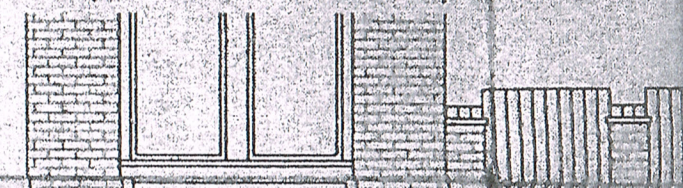
connect extraction duct to external vertical flue to end of canopy incorporating fan, silencer and carbon filter all to environmental health requirements and discharge with jet cool terminal at high level



Proposed External Ramp Access to L



Proposed External Ramp Access to L



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ALCOHOL AND ENTERTAINMENTS HEARING PANEL

DECISION OF HEARING

The Licensing Act 2003 (Hearings) Regulations 2005

Applicant:	Chief Constable, Nottinghamshire Police (Represented by Katie Buckley, Legal Representative)
Premises:	Queens Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL
Hearing date and time:	10 November 2020 at 10.00am
Hearing place:	Broxtowe Borough Council Virtual Meeting held via Microsoft Teams
Constitution of the Panel:	Cllr D Bagshaw (Chairman) Cllr D Grindell Cllr P Simpson
Officers present:	Angela Edwards (Legal Advisor) John Miley (Licensing Manager) Arron Beckworth (Democratic Services Officer)
Responsible Authorities Present:	Environmental Health, Broxtowe Borough Council (Represented by Suzanne Hickey)
Premises Licence Holder:	Mr Juan Hua Chen (Neither present, nor represented)
Designated Premises Supervisor:	Mr Juan Hua Chen (Neither present, nor represented)
Application:	S51 Licensing Act 2003 – Application for review of a Premises Licence
Decision:	Premises Licence Number 05/00219PREMCV dated 29th July 2005 relating to the Queens Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL be REVOKED in its entirety

PROCEDURAL NOTE

The hearing of the application was held virtually in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The Hearing Panel **RESOLVED** that the hearing should proceed with the press and public excluded as the public interest in doing so outweighed the public interest in the hearing taking place in public. The reason for this was the sensitivity of the information disclosed within the exhibits to the evidence bundle and discussed in the course of the hearing.

The Premises Licence Holder/Designated Premises Supervisor neither attended nor arranged for representation at the hearing. After hearing submissions with regard to the steps taken to bring the hearing to Mr Chen's attention, and to offer support and guidance, the Hearing Panel **RESOLVED** to proceed with the hearing in his absence pursuant to Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005.

Introductions were made and the procedure for the hearing was outlined to those present. It was confirmed that all members of the Hearing Panel had read the evidence provided and had viewed the CCTV footage.

It was explained that when all parties had made their representations, the hearing would close and the Hearing Panel would retire to make their decision. Thereafter, the written decision would be sent out to all parties within 5 working days of the hearing. All persons present agreed that they understood the purpose of the hearing and the procedure that would be adopted.

Once the Hearing Panel were satisfied that a fair hearing had been held, the Chair closed the hearing. The Hearing Panel then immediately retired to make their decision and sought advice from the Legal Advisor as required.

FINDINGS OF FACT

An application for a review of Premises Licence Number 05/00219PREMCV, under Section 51 of the Licensing Act 2003, was received on the 18th September 2020 in respect of the Queens Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL ("the Premises").

The Applicant explained the reasons for their application and highlighted particular incidents of serious crime and disorder that they demonstrated were associated with the Premises.

The Hearing Panel were advised that the Premises were a real cause of concern to the Applicant, and that the management and control of the Premises fell far below a reasonable standard. This irresponsible management and lack of control was undermining the licensing objectives and causing a risk to customers, staff, members of the public and police officers attending the Premises.

The Applicant advised that, as a Responsible Authority, they always tried to work with businesses to assist them to promote the licensing objectives and manage licensed premises effectively and responsibly.

The Applicant outlined the measures and interventions that they had taken to try and resolve the problems that were occurring at the Premises. They had worked in partnership with other agencies and had taken an incremental approach, using the statutory tools available. It was submitted that Mr Chen had received ample warnings, support, guidance and time in order to rectify the problems his premises were causing.

The Applicant highlighted evidence that demonstrated Mr Chen exercised little to no control over the Premises, and that he was reluctant to engage with the authorities when they tried to assist him. The CCTV footage was noted as clearly demonstrating this, together with the resultant need for an extensive police presence to control anti-social behaviour and crime and disorder, both inside the Premises and also when it spilled out onto the street.

It was explained that police officers attending incidents at the Premises had identified underage individuals, and also that Mr Chen had failed to contact the emergency services when crimes were in progress.

The Hearing Panel heard evidence that the Applicant assisted Mr Chen to obtain door staff and that the situation improved considerably on the occasion they were present. Unfortunately, however, Mr Chen failed to maintain this protection. It was noted that it was, in fact, the security company that refused to provide further door staff due to the poor management of the Premises and lack of COVID-19 measures in place.

The Applicant stated that Mr Chen's attitude and willingness to work with the authorities was poor. Whilst he occasionally complied, he was often aggressive and unwilling to make changes, particularly if there was any resultant cost to him. The Applicant had advised Mr Chen, on several occasions, to close the Premises early to avoid problems being caused by customers arriving to continue to drink after other licensed premises in the area had closed. It was noted that Mr Chen refused to do this for financial reasons, stating that it was his busiest time.

The Applicant explained that the lack of effective management of the Premises had adversely impacted on police resources, requiring the deployment of additional officers and also the instigation of dispersal powers pursuant to the Anti-social Behaviour, Crime and Policing Act 2014. This had a detrimental effect on policing the rest of the borough.

The Hearing Panel heard evidence from the Police Licensing Enforcement Officer that the assistance and guidance given and offered to Mr Chen was well above what they would usually give or expect to have to give. The officer further stated that in his 19 years of experience working in the role, the Premises was one of the worst he had seen.

The Hearing Panel heard evidence from the Chief Environmental Health Officer of Broxtowe Borough Council ("the Council") as to their involvement and how they had worked jointly with the Applicant and other authorities to try and resolve the problems being caused.

The Chief Environmental Health Officer explained the statutory measures and controls that it had been necessary to put in place to ensure public safety, due to Mr Chen's inconsistent and inadequate responses to their concerns. It was noted that an incremental approach, using various legislative tools, had been taken, which ultimately resulted in a Direction being made by the Chief Executive of Nottinghamshire County Council to close the premises pursuant to the Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020.

The Hearing Panel was advised that this closure had since been reviewed and remains in place as insufficient progress has been made to allow it to be removed.

The Chief Environmental Health Officer explained the efforts they had made to provide support and guidance to Mr Chen in an attempt to avoid formal action. Unfortunately, he had proved unable/unwilling to take the necessary steps, even failing to put in place simple management controls that would not incur any cost.

The Licensing Manager of the Council advised the Hearing Panel that the only representation received from Mr Chen was "do what you have to do".

THE DECISION OF THE HEARING PANEL

The Hearing Panel **RESOLVED** by a **UNANIMOUS** decision that Premises Licence Number 05/00219PREMCV dated 29th July 2005 relating to the Queens Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL be **REVOKED** in its entirety.

REASONS FOR THE DECISION

In reaching its decision, the Hearing Panel had due regard to the Council's Statement of Licensing Policy, the s182 Government Guidance, the four licensing objectives, the Licensing Act 2003 and the Crime and Disorder Act 1998.

The Hearing Panel listened carefully to the oral representations made during the hearing and considered them in detail, together with all of the relevant written representations received and the CCTV footage.

During the hearing, and upon consideration of the evidence, the Hearing Panel were mindful of the fact that English was not Mr Chen's first language. The Hearing Panel were satisfied, however, that the additional support and guidance offered by the authorities throughout their dealings with Mr Chen was more than sufficient to ensure that he suffered no prejudice or discrimination in this regard. The Hearing Panel was satisfied that Mr Chen properly understood these proceedings, and the preceding enforcement actions of the authorities, and had been given every opportunity to be involved. The Hearing Panel formed the view that Mr Chen's lack of engagement was his own informed choice.

The Hearing Panel found there was significant evidence that demonstrated a causal connection linking the anti-social behaviour, crime, disorder and nuisance that was occurring to the Premises.

The Hearing Panel found the evidence overwhelmingly demonstrated the Premises were having a negative effect on the community, and putting customers, staff, members of the public in the vicinity and attending police officers at risk. The Hearing Panel had no doubt that neighbours were adversely affected and that harassment, alarm and distress was being caused.

The Hearing Panel were satisfied the evidence clearly demonstrated Mr Chen had very little or no control over the Premises, and that he had shown very little concern for the problems emanating from his premises and the consequences thereof.

The Hearing Panel found it completely unacceptable that Mr Chen prioritised his own personal gain over and above the licensing objectives by refusing to close the Premises early when requested to do so by the authorities. Further, the Hearing Panel considered that Mr Chen's refusal and reluctance to co-operate with the authorities overall was wholly unreasonable and irresponsible in the circumstances.

The Hearing Panel were satisfied that the authorities had taken a reasonable stepped approach in their use of enforcement measures to try and resolve the problems at the Premises. They considered that Mr Chen had been given plenty of warnings and advice on the steps needed to improve, but that he had failed to respond adequately. They were satisfied that review of the Premises Licence was an appropriate and proportionate step.

The Hearing Panel noted that despite very serious action being necessary, namely the ultimate closure of the Premises, Mr Chen had still not put appropriate measures and safeguards in place. The Hearing Panel acknowledged that the closure had been effected as a result of non-compliance with COVID-19 legislative requirements, but found there was significant evidence to demonstrate that these additional requirements had merely exacerbated the situation, and that the licensing objectives were being undermined despite this.

The Hearing Panel was disappointed to note Mr Chen's failure to engage in the hearing and found this attitude to be consistent with the evidence submitted by the authorities. Accordingly, the Hearing Panel formed the view that this attitude demonstrated a complete disregard for authority and willingness to change. The Hearing Panel had no confidence that Mr Chen was competent as either a Premises Licence Holder or a Designated Premises Supervisor.

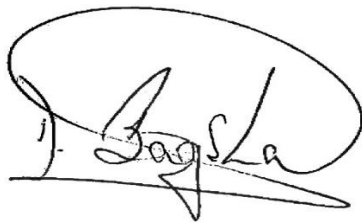
The Hearing Panel found that Mr Chen's actions and failure to act were undermining every licensing objective.

The Hearing Panel considered, at length, all of the options available to them, and, in particular, whether any action less than revocation would be sufficient and proportionate to resolve the problems at the Premises. However, given the serious nature of the evidence presented; the fact that the authorities had already taken a stepped approach; and the lack of co-operation by Mr Chen to a significant degree, being both the Premises Licence Holder and the Designated Premises Supervisor, the Hearing Panel felt the only appropriate action was to revoke the Premises Licence in its entirety.

In making this decision the Hearing Panel were mindful of the serious impact this would have on Mr Chen, but gave precedence to their duty to ensure promotion of the licensing objectives and to act in the best interests of the community. On balance, bearing in mind all of the evidence before them, the Hearing Panel were satisfied that revocation of the Premises Licence was proportionate and the only appropriate action to take.

RIGHT OF APPEAL

There is a right of appeal to the Magistrates' Court within 21 days from the date on which the parties are notified of the determination of the decision of the Hearing Panel.

A handwritten signature in black ink, appearing to read 'J. Bagla', is enclosed within a large, hand-drawn oval. The signature is fluid and cursive.

Signed:

Dated: 10TH NOVEMBER 2020



ALCOHOL AND ENTERTAINMENTS HEARING PANEL

DECISION OF HEARING

The Licensing Act 2003 (Hearings) Regulations 2005

Applicant:	Ms Mei Mei Huang (Assisted by Juan Hau Chen, proposed DPS) (Assisted by Po Lam Wong, Interpreter)
Premises:	Queens Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL
Hearing date and time:	2 November 2021 at 1.30pm
Hearing place:	The Council Chamber Broxtowe Borough Council Foster Avenue, Beeston, Nottingham, NG9 1AB
Constitution of the Panel:	Cllr P Lally (Chairman) Cllr J Patrick Cllr B Carr
Officers present:	Angela Edwards (Senior Solicitor) John Miley (Licensing Manager) Arron Beckworth (Democratic Services Officer)
Responsible Authorities Present:	Environmental Health, Broxtowe Borough Council (Represented by Suzanne Hickey) Chief Constable, Nottinghamshire Police (Represented by David Ring, Legal Representative)
Objectors Present:	Trevor Rood (Chairman, Kimberley Town Council) Anthony Mason Samuel Boneham
Application:	S17 Licensing Act 2003 – Application for a new Premises Licence
Decision:	The application for a new Premises Licence is REJECTED in its entirety

PROCEDURAL NOTE

Introductions were made and it was explained to everyone present that an independent interpreter had been provided to assist the Applicant as English was not her first language. The Interpreter provided a declaration to the Hearing Panel that she would interpret truthfully to the best of her skill and understanding. All parties spoke clearly and slowly when making their presentations to the Hearing Panel to allow effective interpretation to the Applicant.

The procedure for the hearing was outlined to those present and all parties agreed that they understood the purpose of the hearing and the procedure that would be adopted.

The Applicant specifically confirmed that she understood what the hearing was for; that she had been advised to seek independent legal advice; and that she wished to proceed with the hearing to determine her application without legal representation.

It was confirmed that, in the interests of fairness, the Chairman did not intend to impose a speaking time limit, but speakers were advised that the Hearing Panel had read the evidence provided and were asked to focus on the main points, avoiding repetition.

It was explained that when all parties had made their representations, the Hearing Panel would retire to make their decision and then return to announce it publicly. Thereafter, the written decision would be sent out to all parties within 5 working days of the hearing.

Once the Hearing Panel were satisfied that a fair hearing had been held, they immediately retired to make their decision and sought advice from the Legal Advisor as required.

THE DECISION OF THE HEARING PANEL

The Hearing Panel **RESOLVED** that the application for a new Premises Licence be **REJECTED** in its entirety.

REASONS FOR THE DECISION

In reaching its decision, the Hearing Panel had due regard to the Council's Statement of Licensing Policy, the s182 Government Guidance, the four licensing objectives, the Licensing Act 2003 and the Crime and Disorder Act 1998.

The Hearing Panel listened carefully to the oral representations made during the hearing and considered them in detail, together with all of the written representations received.

During the hearing, and upon consideration of the evidence, the Hearing Panel were mindful of the fact that English was not Ms Huang's or Mr Chen's first language, but were satisfied that the interpreter provided had enabled a fair hearing to take place. The

Hearing Panel were satisfied that Ms Huang and Mr Chen properly understood the proceedings and had been given every opportunity to be involved.

The Hearing Panel noted the representations made regarding crime and disorder which had led to the revocation of the previous Premises Licence on the 10th November 2020. The Hearing Panel acknowledged that there was considerable evidence justifying that action and were unconvinced by Mr Chen's assertions that the allegations were false.

The Hearing Panel were satisfied that the Responsible Authorities had acted appropriately and offered support to Ms Huang and Mr Chen following the submission of this application, but found that Ms Huang and Mr Chen had failed to put measures in place to make their application acceptable.

The Hearing Panel gave ample opportunity to Ms Huang and Mr Chen to demonstrate what action they would take in order to prevent the previous disorder from recurring. The Hearing Panel found that they had failed to put in any satisfactory measures at all. The Hearing Panel considered the unsupported assurance given by Mr Chen that he would control the Premises to be unconvincing.

The Hearing Panel were not satisfied that Ms Huang and Mr Chen were competent to control the Premises and manage it in a safe way in pursuance of the licensing objectives.

The Hearing Panel noted that Ms Huang and Mr Chen showed no remorse or acceptance of responsibility for the previous disorder and considered that they were motivated only by personal gain.

The Hearing Panel were of the view that the grant of the application would have a negative impact on the community and would undermine all of the licensing objectives.

The Hearing Panel consequently rejected the application in its entirety.

RIGHT OF APPEAL

There is a right of appeal to the Magistrates' Court within 21 days from the date on which the parties are notified of the determination of the decision of the Hearing Panel.

Signed:

A handwritten signature in black ink, appearing to be 'Lt Jell'.

Dated:

2ND NOVEMBER 2020

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**Broxtowe
Borough
COUNCIL**

**Broxtowe Borough Council
Licensing Department
Council Offices, Foster Avenue,
Beeston, Nottingham NG9 1AB
Tel: 0115 917 3241
Fax: 0115 917 3131
Email: licensing@broxtowe.gov.uk**

Licensing Act 2003

Form of Representation/Objection by an Interested Party

Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the sub-committee hearing.

As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious.

Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament or a local ward or parish councillor who can all act in such a capacity.

Please indicate in which capacity you are making this representation by ticking a box below:

A person affected by the premises	<input type="checkbox"/> Y
A body representing a person affected by the premises	<input type="checkbox"/>
A person involved in a business affected by the premises	<input type="checkbox"/>
A body representing a business affected by the premises	<input type="checkbox"/>

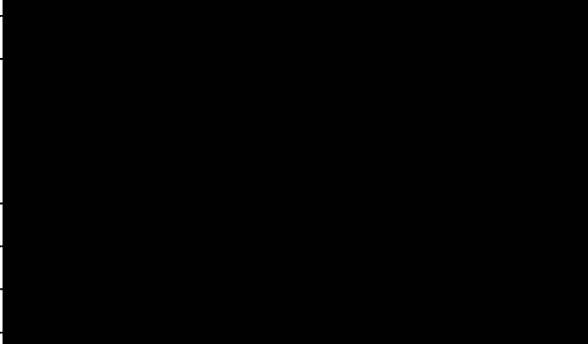
Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:

Name:		
Address:		
Postcode:		
Tel:		
Email:		

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	MeiMei Huang
Address of Premises:	Queens Head Public House, 34 Main Street Kimberley, NG16 2LL
Application Details:	The application to sell alcohol until midnight in the week and 2.30am on Saturday, the provision of live music, televised sport and late night refreshment in the above times.

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	y
Public Safety	y
Prevention of Public Nuisance	y
The Protection of Children from Harm	

Details of representation:

Once again I find myself objecting to yet another license application regarding the Queens Head. I previously made representation on my behalf and the behalf of a close family friend who resides upon James Street, a mere 1 minute up the road from the Queens Head.

Once again we are faced with an application that shows unreasonable and out of character closing times for the town of Kimberley. Once again we have an application from the family who have put nothing into practice from previous applications and have proven on multiple occasions that they shouldn't be running a public house.

I remind you that in the previous application and evidenced by those who were in the town centre at pub closing time, the Queens heads busiest time of trade was after midnight on weekends and after 11pm on weekdays when all other pubs and bars had closed. No one used the Queens Head before then due to its poor quality and facilities. They only used it as a last drink saloon once there was nowhere else to find a drink and they had become heavily intoxicated. I fear if this application is granted then again we will return to those habits.

This public house, it's late night customers and activities, it's landlords/staff have been a cause of much trouble in Kimberley all through Covid19 pandemic and before. The Police were almost religiously at this location every weekend.

As stated in my previous objections, I have no issue with the Queens Head opening on a realistic and appropriate timescale. The applicants in question should recognize that they have lots to prove to both relevant authorities and the community. Their application should reflect that.

I would again suggest that this application in it's current form be REFUSED.

The applicants should 1) look to close at 11pm every night for a 6 month period(minimum) to satisfy authorities that they can run a pub well. 2) employ an experienced manager to run the premise for them or to train them in the running of the pub.

If the applicants were to take on board feedback from all the local authorities and community and reflect this in an application then I may be able to support it. As it stands, Kimberley doesn't want or need a late night, badly run establishment causing nothing but trouble for residents, businesses and the town.

Please continue on separate sheet if necessary

Once the Licensing Section has received this form you will receive a written acknowledgment and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above (please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).

☐

Please tick this box if you do not intend to attend or be represented at any hearing.

☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed:

PRINT NAME:.....

Date:25/04/2022

Please return this form to the following address:

**Broxtowe Borough Council
Licensing Section
Public Protection Division
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB**

**Telephone 0115 917 3496
Email: licensing@broxtowe.gov.uk**

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John Miley

From: [REDACTED]
Sent: 15 April 2022 19:43
To: licensing
Subject: Objection to Renewed Licence for Queens Head in Kimberley

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

Dear Sir or Madam

I'd like to object to the recent license request for the Queen's Head on Main Street in Kimberley.

I have no issue with the pub being re-opened under a suitable landlord. However, living on James Street we found ourselves in fear for weeks on Friday and Saturday nights when the pub was last open. The landlord appeared to have no clue how to keep the peace and had zero respect for local residents. Customers would leave the pub late at night heavily intoxicated, shouting, fighting, hitting cars and some would urinate in our car port. As far as we know the landlord took no action to prevent this. The idea they'll be allowed to serve again, until 2:30am, is very worrying to us.

Kind regards

[REDACTED]



**Broxtowe
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Licensing Act 2003

Form of Representation/Objection by an Interested Party

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Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament or a local ward or parish councillor who can all act in such a capacity.

Please indicate in which capacity you are making this representation by ticking a box below:

A person affected by the premises	<input checked="checked" type="checkbox"/>
A body representing a person affected by the premises	<input type="checkbox"/>
A person involved in a business affected by the premises	<input type="checkbox"/>
A body representing a business affected by the premises	<input type="checkbox"/>

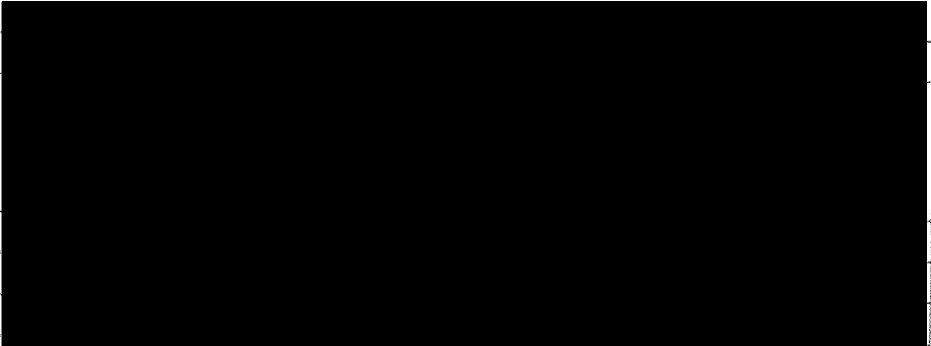
Representations are only relevant to an application if they relate to at least one of the four Licensing Objectives listed below:

1. The Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. The Protection of Children from Harm

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	QUEENS HEAD
Address of Premises:	main street Kumberley Nottingham
Application Details:	stop the pub getting a license

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
The Protection of Children from Harm	<input type="checkbox"/>

Details of representation:

when the pub was open every
Fri + Sat night around 1+2am
gangs would flood out of the
pub, mainly drunk + drugged up
There would always be fighting
on James St and main Street.
I was forever ringing the Police
to come out.
one night there was around
20 outside our house, two
youths were jumping on my
car bonnet which is now dented
my neighbour was filming it
I do not want a repeat of this
again

Please continue on separate sheet if necessary

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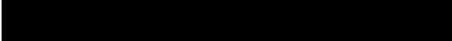


Please tick this box if you do not intend to attend or be represented at any hearing.

☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: ... 

PRINT NAME 

Date: ... 3.5.2022

Please return this form to the following address:

**Broxtowe Borough Council
Licensing Section
Public Protection Division
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB**

Telephone 0115 917 3496

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Licensing Act 2003

Form of Representation/Objection by an Interested Party

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Please indicate in which capacity you are making this representation by ticking a box below:

A person affected by the premises	<input checked="" type="checkbox"/>
A body representing a person affected by the premises	<input type="checkbox"/>
A person involved in a business affected by the premises	<input type="checkbox"/>
A body representing a business affected by the premises	<input type="checkbox"/>

Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

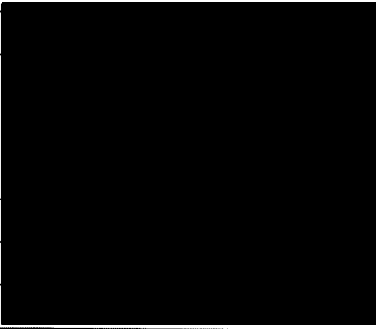
- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

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starting on the day after the application was given to the Licensing Authority.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:

Name:		
Address:		
Postcode:		
Tel:		
Email:		

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	Kimberley Public
Address:	People who trade or live in Kimberley
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	
Address of Premises:	
Application Details:	

Please give details of your representation in the box below. Indicate which of the

Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
The Protection of Children from Harm	<input type="checkbox"/>

Details of representation:

At the last licensing meeting which I attended, the police and the environmental lady explained to the panel all the times they had been call out and the reasons for being called out. The panel then gave him the right of reply, he said that none of the comments were true, when asked if a license was granted what changes he would be making, he replied he wouldn't change anything.

The police and environmental lady both said they don't think he is a fit and proper person to hold a license.

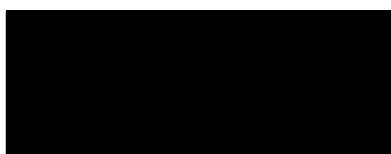
Kimberley Town Council are 100% behind the police's comments, the Council didn't just object to the late license they objected to him or anyone associated with him having any license at all.

I know he hasn't applied for the license in person this time, but in my opinion he will still oversee the running of the business.

The police said to me after the meeting that they would look into whoever applies for the license and if they have any link to him they would object to the application.

I hope Broxtowe Licensing review all the police and environmental reports on these premises, over the years he has held his license and reject this application.

Regards



Please continue on separate sheet if necessary

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☒

Please tick this box if you do not intend to attend or be represented at any hearing.

☒

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Signed:

PRINT NAME

.....

Date:

...20/04/22.....

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Beeston**

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John Miley

From: [REDACTED]
Sent: 15 April 2022 09:38
To: licensing
Subject: FW: Proposed licence for sale of alcohol at Queens Head main Street Kimberley.

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

From: [REDACTED]
Sent: 14 April 2022 16:49
To: [REDACTED]
Subject: Proposed licence for sale of alcohol at Queens Head main Street Kimberley.

Sent from Mail fl have just seen the application on a facebook posting.

I wish to make a strong objection to the grant of the licence under

The proposed times of opening.

[REDACTED]

Whenever very late night opening have been granted trouble and

Aggravation has ensued. (even with this same premises last time out)

I feel that normal opening hours is sufficient and I wish my objection to

The grant of the licence to be registered. Thank you.

[REDACTED]

or Windows



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Licensing Act 2003

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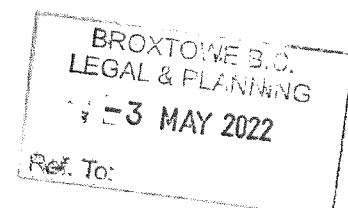
Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament or a local ward or parish councillor who can all act in such a capacity.

Please indicate in which capacity you are making this representation by ticking a box below:

A person affected by the premises	<input checked="" type="checkbox"/> • <input checked="" type="checkbox"/>
A body representing a person affected by the premises	<input checked="" type="checkbox"/> •
A person involved in a business affected by the premises	<input checked="" type="checkbox"/> •
A body representing a business affected by the premises	<input checked="" type="checkbox"/> •

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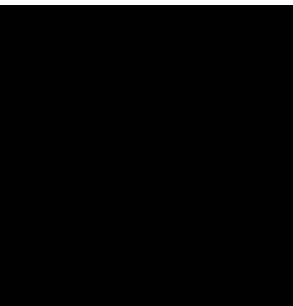
- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**



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Please enter contact details of interested party below:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	Meimei Huang
Address of Premises:	Queen's Head 34 Main Street Kimberley NG16 2LL
Application Details:	<p>Film, Indoor Sporting Events, Live and recorded music, performance of dance Sun – Wed 10:00 – 00:00 Thurs 10:00 – 01:00 Fri – Sat 10:00 – 02:30</p> <p>Late Night Refreshment Sun – Wed 23:00 – 00:00 Thurs 23:00 – 01:00 Fri – Sat 23:00 – 02:30</p>

	<p style="text-align: center;">Sale of Alcohol Sun – Wed 10:00 – 00:00 Thurs 10:00 – 01:00 Fri – Sat 10:00 – 02:30</p> <p style="text-align: center;">Opening Hours Sun – Wed 10:00 – 00:30 Thurs 10:00 – 01:00 Fri – Sat 10:00 – 02:30</p>
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Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	X
Public Safety	X
Prevention of Public Nuisance	X
The Protection of Children from Harm	x

Details of representation:
This is an ongoing saga.
The previous application was refused on many grounds and unless all the recommendations made by the Police, Environmental Health and the Licensing Department have been met this allocation has no validation.
If. All recommendations have been met then the objection will be for any late license. Kimberley, is a small town (really a large village) and if a licence was granted then it must be that the premises stops selling alcohol by 2330 and the establishment closed by midnight. To allow this establishment a late license would encourage drinkers from other areas to come in to Kimberley to continue drinking.
The last time this occurred, the Police had to pull resources from the Town Centre to deal with trouble.
The residents of Victoria Street are extremely unhappy that this application has been made.
We have a pub on each end of Victoria Street and because they abide by the rules and stop serving at a sensible time there is little, if any, inconvenience to the residents.
To allow late night drinking would lead to noise nuisance well in to the early hours of the morning.

Please continue on separate sheet if necessary

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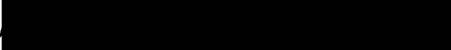
☒ x

Please tick this box if you do not intend to attend or be represented at any hearing.

☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: 

PRINT NAME 

Date: 29/04/22
.....

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Public Protection Division
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB**

Telephone 0115 917 3496

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A body representing a person affected by the premises	<input type="checkbox"/>
A person involved in a business affected by the premises	<input type="checkbox"/>
A body representing a business affected by the premises	<input type="checkbox"/>

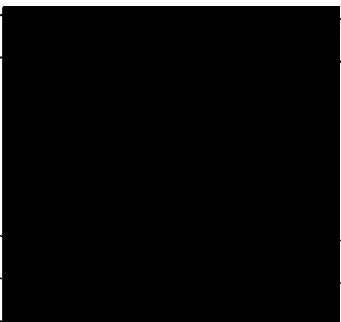
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Please enter contact details of interested party below:

Name:		
Address:		
Postcode:		
Tel:		
Email:		

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	Meimei Huang
Address of Premises:	Queens Head 34 Main Street Kimberley Nottingham NG16 2LL
Application Details:	Premises Licence – in particular closing time

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
The Protection of Children from Harm	<input type="checkbox"/>

Details of representation:

The Town Council wishes to object to the licence application on several grounds. The Council has concerns regarding the application for opening hours to be to 2.30 am. The Council's particular concerns are:

1. The proximity of the venue to James Street, Main Street, Victoria Street and Newdigate Street, which are residential streets. The sale of alcohol and the passage of people arriving and leaving the premises at times up to 2.30am would undoubtedly generate significant noise, as would the proposed live and recorded music. Residents would be adversely affected by this.
2. Past experience has shown that late-opening venues are likely to attract people who have left other venues and who will see this as a means of extending their drinking. In the past such people have come from both within and beyond Kimberley. Many local residents remember the withdrawal of public transport after 8:00pm at weekends because of violence towards bus drivers, which appeared to be related to customers of the former Dillinger's venue. When Dillinger's closed, the trouble ceased (although the loss of bus services continued for a very long time).
3. There is a potential for anti-social and criminal behaviour associated with late opening. Past problems associated with the Queens Head public house on the Main Street are a case in point.

Please continue on separate sheet if necessary

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Please tick this box if you do not intend to attend or be represented at any hearing.



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Signed:

PRINT NAME

Date: 28th April 2022

Please return this form to the following address:

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Licensing Section
Public Protection Division
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB**

Telephone 0115 917 3496

Email: licensing@broxtowe.gov.uk

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**Broxtowe
Borough
COUNCIL**

**Broxtowe Borough Council
Licensing Department
Council Offices, Foster Avenue,
Beeston, Nottingham NG9 1AB**

Tel: 0115 917 3241

Fax: 0115 917 3131

Email: licensing@broxtowe.gov.uk

Licensing Act 2003

Form of Representation/Objection by an Interested Party

Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the sub-committee hearing.

As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious.

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Please indicate in which capacity you are making this representation by ticking a box below:

A person affected by the premises	<input type="radio"/>
A body representing a person affected by the premises	<input type="radio"/>
A person involved in a business affected by the premises	<input checked="" type="radio"/> x
A body representing a business affected by the premises	<input type="radio"/>

Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:

Name:		
Address:		
Postcode:		
Tel:		
Email:		

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	Meimei Huang
Address of Premises:	Queens Head 34 Main Street Kimberley Nottingham NG16 2LL
Application Details:	Licensing Act 2003 Notice of Application for a premises licence

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	X
Public Safety	
Prevention of Public Nuisance	X
The Protection of Children from Harm	X

Details of representation:

I'm writing to provide a representation for the current application made by Meimei Huang for a premises license for The Queens Head, Main Street, Kimberley, Nottingham.

I'm the licensee for the The Gate Inn, Main Street, Kimberley, Nottingham as well as a resident of Kimberley and I have grave concerns around the granting of a premises licence for Queens Head. In the past when the Queens Head has been trading there has been many anti-social issues, including under age drinking and at times fighting both inside and outside of the premises. The licensee's didn't appear to have any control over the behavior of their customers or any policies or controls to monitor underage drinking or anti-social issues.

My pub is directly opposite the Queens Head and will be impacted by any anti-social issues arising at Queen's Head if a premises license was to be issued. Myself and other licensee's in Kimberley work tirelessly to act responsibly and ensure there are no anti-social issues arising from customers who visit our pubs. I myself close my doors at 11pm and employ door supervisors at weekends to ensure all our customers and the local community are safe and free from anti-social behaviors/issues.

I do not have confidence that the person(s) applying for the premises license for The Queen's Head will deal and control anti-social issues promptly and effectively, which will have consequences and impact my business and the local community. Therefore I fully object to the granting of a premises license.

Please continue on separate sheet if necessary

Once the Licensing Section has received this form you will receive a written acknowledgment and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above (please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).

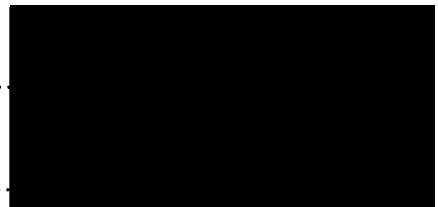
☐

Please tick this box if you do not intend to attend or be represented at any hearing.

☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed:



Date:4th
2022.....

May

Please return this form to the following address:

**Broxtowe Borough Council
Licensing Section
Public Protection Division
Council Offices
Foster Avenue
Beeston**

**Nottinghamshire
NG9 1AB**

Telephone 0115 917 3496

Email: licensing@broxtowe.gov.uk

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Please indicate in which capacity you are making this representation by ticking a box below:

None – I am writing on behalf of the Notts Safeguarding Children Partnership under the Protection of Children from Harm objective.

A person affected by the premises	<input type="checkbox"/>
A body representing a person affected by the premises	<input type="checkbox"/>
A person involved in a business affected by the premises	<input type="checkbox"/>
A body representing a business affected by the premises	<input type="checkbox"/>

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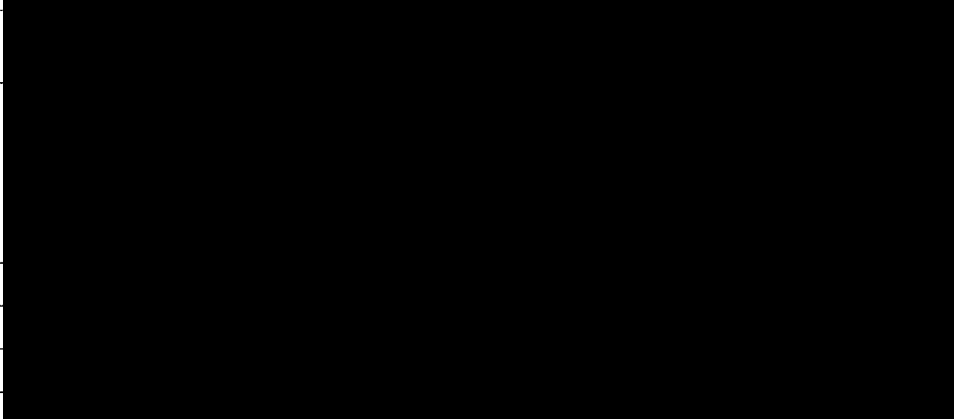
- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**

3. Prevention of Public Nuisance
4. The Protection of Children from Harm

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Please enter contact details of interested party below:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	Mei Mei Huang
Address of Premises:	The Queen's Head, 34 Main Street, Kimberley, NG16 2LL
Application Details:	Sale and consumption of alcohol at ground floor and first floor. Sporting, music, recorded music, dancing at ground floor and first floor. 10 – 23:30 during the week and 10am – 2:30am at weekends.

--	--

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes. Please ensure you read the guidance document to help ensure that your representation/objection is relevant.

The Prevention of Crime and Disorder	
Public Safety	
Prevention of Public Nuisance	
The Protection of Children from Harm	X

Details of representation:

From doing the standard check on the Nottinghamshire Children's Services computer system when this licensing application was received I can see that Mei Mei Huang has two female children [REDACTED] who live at the same address as the application is for [REDACTED]. From looking at the proposed plans it appears they are to extend the pub up onto the first floor, taking over what currently appears to be the family's sitting room. I am concerned that this will mean the children will no longer be living above the pub, but actually right next to it and that their home space will be limited to what seems to be small bedrooms and a small kitchen. My concern is therefore twofold:

The proposed license would potentially expose the children to harm as there will be intoxicated adults in what is currently their home environment until late in the week and the early hours of the morning at weekends. This will impact on them sleeping and could expose them to risk from inappropriate or abusive behaviour by customers who would only be a door away from them.

I am also concerned the proposed license may adversely affect the children's quality of life by significantly limiting their living space from how it is currently, and impact on their sleep and ability to move around safely in their own home.

Please continue on separate sheet if necessary

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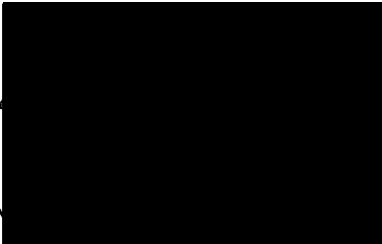
Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above (please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).

☒

Please tick this box if you do not intend to attend or be represented at any hearing.

☐

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: 

PRINT NAME

Date: 06/04/2022

Please return this form to the following address:

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Licensing Section
Public Protection Division
Council Offices
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Beeston
Nottinghamshire
NG9 1AB**

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Notification to Licensing Authority of Representation under Licensing Act 2003

1. Name of Responsible Authority making representation:

- a. Your name: **M Turner**
[Deputy Head of Legal Service, East Midlands Legal Services Unit, for and on behalf of the Chief Constable]
- b. Your address: **Nottinghamshire Police Headquarters**
HQ (CJ) Liquor Licensing
Mansfield Police Station
Great Central Road
Mansfield
Nottinghamshire
NG18 2HQ
- c. Your phone number: **101 ext. 3101987**
- d. Your e-mail address: **Adrian.paling@notts.police.uk**
[Contact at County licensing]

2. Please identify the application you wish to make a representation about.

a. Name and address of application premises:

Queens Head
34 Main Street
Kimberley
Nottinghamshire
NG16 2LL

b. Nature of application: **Application of a new Premises Licence**

3. Which of the licensing objectives does your representation relate to? Please delete as appropriate ².

- a. **The Prevention of Crime and Disorder.**
- b. **The Prevention of Public Safety**
- c. **The Prevention of Public Nuisance**
- d. **The Protection of Children from harm**

Details of the representation(s)

4. Please give details of your representation(s) including details as to why you feel the application would be unlikely to promote the objective(s) you have ticked above and including as much evidence as possible in support of your representation. Please continue on a separate sheet if necessary.

The application is for a new premise licence at the Queens Head, 34 Main Street, Kimberley, Nottinghamshire. NG16 2LL.

The Queens Head is located within Kimberley Town Centre, which accommodates a number of other licensed premises in a small, concentrated area within the town. These premises cater for the consumption of alcohol, dancing, late night refreshment and hours open to the public.

The Queens Head is situated directly next to a public highway on Main Street with the junction of James Street, Kimberley, and directly opposite to other licensed premise, retail and residential properties.

Prior to revocation of the original premises licence at hearing dated 10 November 2020, The Queens Head became a known premise of late-night violence, disorder and anti-social behaviour resulting in police attendance and concerns from the community between June 2019 and September 2020. This included several reported breaches relating to COVID 19 regulations.

At this time the premise licence holder and designated premise supervisor was Juan Hua Chen, the only other member of staff supporting Mr Chen was his partner Mei Mei Huang. This new application is submitted by Mei Mei Huang as the applicant and proposed Premise Licence Holder.

Various meetings have been held prior to original revocation of the original premises licence between Mr Juan Hua Chen, Mei Mei Huang and Police Licensing, the Neighbourhood Policing Team, Broxtowe Borough Council Licensing and Environmental Health Departments. The purpose was to highlight areas of concern, discuss incidents that had occurred and offer solutions and support as a partnership approach.

Mr Juan Hua Chen and Ms Mei Mei Huang clearly took no notice of advice given, or of COVID 19 guidance, and did not exercise or enforce any social distancing within the establishment. This was very concerning to Nottinghamshire Police and Broxtowe Borough Council, and as a result this was addressed numerous times by Environmental Health and the Police. Non-compliance was witnessed during visits and seen on CCTV footage.

There have been complaints by local residents who have called the Police due to being disturbed by various issues, including disorderly behaviour, anti-social behaviour noise and underage drinking.

The majority of these incidents occurred during the early hours of the morning on either a Friday or Saturday between midnight and 02:30hrs.

Despite numerous attempts to work with Mr Juan Hua Chen and encouraged him to uphold the licensing objectives, attempts failed due to him not willing to work in partnership with the Police and Broxtowe Borough Council Licensing and Environmental Health.

As a result of this Nottinghamshire Police applied to review the premises licence under Section 51 of the Licensing Act 2003 and an on-line licensing hearing took place on 10th November 2020. A unanimous decision was made by the Hearing Panel to revoke the premise licence in its entirety.

The Queens Head then submitted a new premise licence application on 01 September 2021, with Ms Mei Mei Huang as the Premise Licence Holder. Following a hearing on 02 November 2021, the application was rejected in its entirety. The Hearing Panel were not satisfied that Ms Mei Mei Huang (and the proposed DPS at that time, Mr Juan Hua Chen) were competent to control the Premises and manage it in a safe way in pursuance of the licensing objectives.

This new application submitted 07 April 2022 is worded in exactly the same way regarding the Licensing Objectives, with a slight reduction in opening hours on a Friday and Saturday night from the previous application (02:30 instead of 04:00) which we consider is still not acceptable. It is noted that it is still Ms Mei Mei Huang as the applicant and Premise Licence Holder, with a different proposed DPS (Sean Anthony Duggan)

This new application is for licensable activities to allow for the sale of alcohol, provision of indoor sporting events, live music and recorded music, performances of dance and late-night refreshment as detailed below:

Indoor Sporting Events

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Live Music

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Recorded Music

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Performance of Dance

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Late Night Refreshment

Sunday – Wednesday 23:00 - midnight

Thursday – 23:00 – 01:00

Friday – Saturday – 23:00 – 02:30

Supply of Alcohol

Sunday – Wednesday 10:00 – Midnight

Thursday – 10:00 – 01:00

Friday – Saturday – 10:00 – 02:30

Hours premise open to the public

Sunday – Wednesday 10:00 – 00:30

Thursday – 10:00 – 01:00

Friday – Saturday – 10:00 – 02:30

Having had regard to the nature, style and location of the premises, the Police have concerns over the increase in alcohol related anti-social behaviour, crime, disorder and nuisance that the extension of hours and management of the premises upon grant of this new application will cause.

The very style and nature of late-night pubs and bars creates problems of crime and disorder. These types of venues attract patrons later in the evening, many of whom have been drinking alcohol in the pubs and bars within the town centre. People have a tendency to become more disorderly and anti-social as the night progresses, they become increasingly intoxicated and therefore prone to engage in disruptive behaviour.

Broxtowe Borough Council's statement of licensing policy states at 2.1 in exercising their functions under the licensing act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the act.

Broxtowe Borough Council's policy also states at 2.6 the promotion of the licensing objectives is paramount consideration for the authority.

Nottinghamshire Police are of the opinion that this application in its entirety does not promote the licensing objectives, in particular the prevention of public nuisance and the prevention of crime and disorder.

The Police support licensed premises and encourage well managed, safe venues to thrive. On considering all the above, Nottinghamshire Police believe the proposed premise licence holder Mei Mei Huang is not fit and proper to hold a premise licence and would lack the ability to control the premises and fully uphold all four licensing objectives.

Following a joint meeting with Adrian Paling (Police Licensing), Sarah Steventon, (Broxtowe Borough Council Licensing Officer), Mei Mei Huang and Juan Hua Chen on Monday 25th April 2022, where we discussed the application and could see that there were still concerns over the proposed management and control measures which had not been addressed since the last hearing date, Nottinghamshire Police would like to object in full to the application as we have no confidence in the proposed premise licence holder Mei Mei Huang.

The Police reserve the right to:

- bring further evidence of the Licensing Objectives being undermined to any subsequent panel hearing and to provide live oral evidence to this effect.

5. If you are suggesting that conditions should be attached to any licence granted please give the wording of the proposed condition(s) and state why you feel they are necessary and proportionate. Please continue on a separate sheet if necessary.

Not Applicable

6. Please indicate any parts of the Licensing Authority's Statement of Policy that you feel may be relevant to your representation ³.

Indication of those relevant parts will be given in addition to those above, in a Panel Hearing.

7. Please indicate any parts of the Guidance issued under S 182 of the licensing Act 2003, which you feel may be relevant to your representation ⁴.

Indication of those relevant parts will be given within a Panel Hearing.

8. As you have made a representation the Application may need to be determined at a hearing of the Licensing Committee or one of its Panels. At this stage would you intend to attend such a hearing⁵? Please circle as appropriate.

Yes

No

9. If you intend to attend any hearing that may be held it would be helpful at this stage if you could give an indication as to how long you think you would need to make your representation(s).

Not Known

Signed: M Turner [Deputy Head of Legal Service, East Midlands Legal Services Unit, for and on behalf of the Chief Constable]

Date: 28 April 2022



Licensing Act 2003

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Please indicate in which capacity you are making this representation by ticking a box below:

• A person affected by the premises	<input type="checkbox"/>
• A body representing a person affected by the premises	<input type="checkbox"/>
•	<input type="checkbox"/>
• A person involved in a business affected by the premises	<input type="checkbox"/>
•	<input type="checkbox"/>
• A body representing a business affected by the premises	<input checked="" type="checkbox"/>

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- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

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Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:
Address:
Postcode:
Tel:
Email:

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	MEIMEI HUANG
Address of Premises:	QUEENS HEAD, 84 MAIN STREET, KIMBERLEY, NOTTS
Application Details:	NG16 2LL PREMISES LICENCE

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes:

The Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
The Protection of Children from Harm	<input type="checkbox"/>

Details of representation: PLEASE SEE ATTACHED PAPERWORK REGARDING CONCERNS
--

Please continue on separate sheet if necessary

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Signed:

PRINT NAME

Date:

5/5/22

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Chief Executive's Directorate
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To whom it may concern,

I'm writing to provide you with a representation for the current application made by Meimei Huang for a premises licence at Queens Head in Kimberley.

This representation is on behalf of all staff members, managers, and licensee holders of Cricketers Rest Kimberley.

We all live and work in Kimberley and have ran and run Cricketers rest for over 6 years, this pub along with many others are the core essence of our community.

We have seen pubs open and close within the community, hence this email for the representation and concerns regarding The Queens Head Kimberley.

We have seen and experienced the Queens Head Kimberley operated by the same people who not long ago had their licence taken away from them. It left the community trying to fight back to be a quiet, friendly, and welcoming community due to the anti-social behaviours that was brought in by this particular pub in question.

It has taken us a long time to bounce back, not only from COVID-19 but from the backlash of anti-social behaviour that the Queens Head Kimberley brought to our small community.

The concerns we have as a team are that if the premise was to re-open, the same short falls would be followed, and the anti-social behaviour would return. Not feeling safe when having to walk home from work, trash everywhere, loud music and late-night police calls.

Our community does not need this, neither do the core members of the community who keep shops, pubs, cafes open want this either.

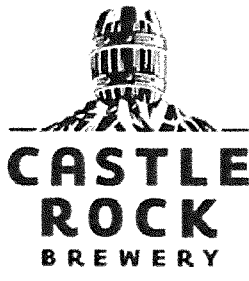
The licensees have shown no control over their customers or trading due to countless previous fights, anti-social behaviour, and underage drinking. I'm sure if they were to trade again it would have a direct impact on the community, customers, our staff members, and our pub. Having spoken to other licensees and members of the community it is clear we all share the

same message and do not wish the licence to be granted due to the points highlighted above.

Therefore, us as a team at Cricketers Rest in Kimberley are objecting in full to the granting of a premises licence to Meimei Huang for The Queens Head Kimberley

If you require any further information, please feel free to email.

Regards
Cricketers Rest Team.



Mick Simpson
General Manager
Cricketers Rest

Email: cricketersrest@castlerockbrewery.co.uk

Tel 01159 383105

Web www.castlerockbrewery.co.uk



5 MAY 2022

Licensing



**Broxtowe
Borough
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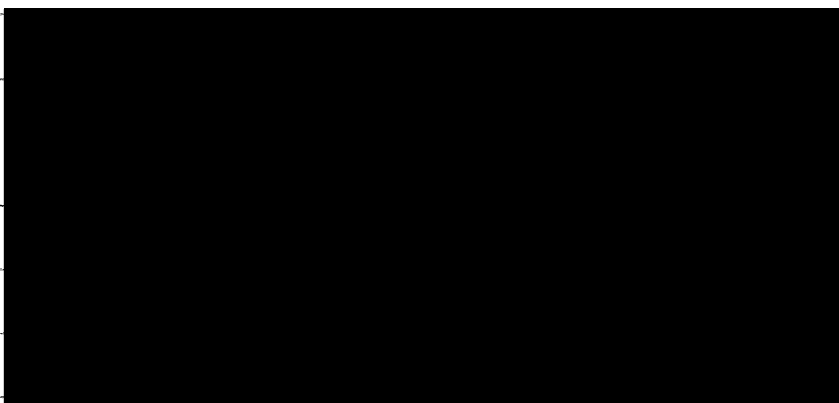
Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

- 1. The Prevention of Crime and Disorder**
- 2. Public Safety**
- 3. Prevention of Public Nuisance**
- 4. The Protection of Children from Harm**

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In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the notice was received.

Please enter contact details of interested party below:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	MEI MEI HUANG
Address of Premises:	QUEEN'S HEAD, 34 MAW ST.
Application Details:	Licence Application HIMBERLEY N616 2LL

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes:

The Prevention of Crime and Disorder

Public Safety

Prevention of Public Nuisance

The Protection of Children from Harm

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☐

Details of representation:

- ① Until previous licence was revoked this establishment was a perpetual local nuisance
- ② The applicant is not a suitable person to hold a drink licence, this was the view of the Police at the last application
- ③ The opening hours will adversely affect local residents - this was the case when Dillinger's held a late licence - there was so much trouble the buses refused to serve the area, impacting local residents for a long time afterwards
- ④ This is the same request

Please continue on separate sheet if necessary

Refused at the end of last year

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Please tick this box if you consent to any notice of any hearing being sent to you to the e-mail address provided by you above (please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).



Please tick this box if you do not intend to attend or be represented at any hearing.



If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed:

PRINT NAME:

Date: 2/5/22

Please return this form to the following address:

Broxtowe Borough Council
Licensing Section
Public Protection Division
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB

Telephone 0115 917 3496

Email: licensing@broxtowe.gov.uk

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**Broxtowe
Borough
COUNCIL**

**Broxtowe Borough Council
Licensing Department
Council Offices, Foster Avenue,
Beeston, Nottingham NG9 1AB
Tel: 0115 917 3496
Email: licensing@broxtowe.gov.uk**

Licensing Act 2003

Form of Representation by an Interested Party

Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the sub-committee hearing.

As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious.

Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament or a local ward or parish councillor who can all act in such a capacity.

Please indicate in which capacity you are making this representation by ticking a box below:

- | | |
|--|--|
| • A person affected by the premises | <input checked="checked" type="checkbox"/> |
| • A body representing a person affected by the premises | <input type="checkbox"/> |
| • A person involved in a business affected by the premises | <input type="checkbox"/> |
| • A body representing a business affected by the premises | <input type="checkbox"/> |

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Please enter contact details of interested party below:

Name:		
Address:		
Postcode:		
Tel:		
Email:		

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	MeiMei Huang
Address of Premises:	Queens Head, Main Street, Kimberley, NG16 2LL
Application Details:	Premises License

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes:

The Prevention of Crime and Disorder

☒

Public Safety

☒

Prevention of Public Nuisance

☒

The Protection of Children from Harm

☐

Details of representation:

The Queens Head aims only for the late night/extended hours trade, the sort which attracts trouble into the town when there are no other outlets operating such late hours.

Disorder The 2020 experience of the Queens Head was of major disorder both during the extended licensing hours and afterwards as out of town miscreants made their way home. Rowdy and often offensive behavior dominated the nights and early hours. The following day there was evidence of the disorder with broken glasses and bottles. For locals who live in the Town Centre there were disturbed nights as yobs loudly proclaimed their presence and the sound of sirens and visible effect of flashing blue lights often 4 to 5 police cars.

Crime At least one major assault in the pub last time with a skull fracture!

Public Safety Broken glass all over the town and no effort to clean up from either the public authority or the Queens Head management. Any attempt to ask for better behavior and less noise met with threats of physical violence.

Public Nuisance Noise, threatening behavior damage to property – disturbance.

Kimberley is not a late night venue and should not be rebranded as one. If a venue cannot prove a business case in conventional licensing hours it should not be allowed to do so with ludicrous 1am/2am or 4am weekend opening to the detriment of a well established community which would not avail itself of that 'opportunity' and where the custom is therefore out of town and with no conscience for what it does or leaves behind. I am sorry if the owners expectations for the property have not borne fruit. Kimberley residents should not be expected to pay the price for that flawed purchase!

Please continue on separate sheet if necessary

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Please tick this ☒ any notice of any hearing being sent to you to the e-mail address ☒ above (please note if any notice is sent to you by electronic means, you will also receive confirmation of the same in writing).

X

Please tick this box if you do not intend to attend or be represented at any hearing.

X

If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: ☒

PRINT NAME: ☒

Date:.....5May 2022.....

Please return this form to the following address:

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Licensing Section
Public Protection Section
Chief Executive's Directorate
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB**

Telephone 0115 917 3241

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Licensing Act 2003

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Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament or a local ward or parish councillor who can all act in such a capacity.

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|--|-------------------------------------|
| • A person affected by the premises | <input type="checkbox"/> |
| • A body representing a person affected by the premises | <input type="checkbox"/> |
| • A person involved in a business affected by the premises | <input type="checkbox"/> |
| • A body representing a business affected by the premises | <input type="checkbox"/> |
| • Broxtowe Borough Council Environmental Health Food team | <input checked="" type="checkbox"/> |

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- 2. Public Safety**
- 3. Prevention of Public Nuisance**

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In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter contact details of interested party below:

Name:	Mrs. Julie Hudson Jones o.b.o Mrs. Suzanne Hickey Chief EHO
Address:	Environmental Health Food/Health & Safety Team Public Protection Section Broxtowe Borough Council Council Offices Foster Avenue Beeston Nottingham
Postcode:	NG9 1AB
Tel:	07785 660 831 or 0115 9173191
Email:	Julie.jones@broxtowe.gov.uk or Suzanne.hickey@broxtowe.gov.uk

Please confirm name and address of person or business affected in the vicinity, if different from the address given above:

Name:	As above
Address:	
Postcode:	
Tel:	
Email:	

Please provide details of the application to which you wish to make a representation:

Name of Applicant:	Ms. Mei Mei Huang
Address of Premises:	Queens Head Public House 34 Main Street Kimberley

	Nottingham NG16 2LL
Application Details:	New Premises Licence and new proposed DPS

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant boxes:

The Prevention of Crime and Disorder

☒

Public Safety

☒

Prevention of Public Nuisance

☒

The Protection of Children from Harm

☐

Details of representation:

The Food team of Environmental Health are responsible for advising on and enforcing Food Safety, Health & Safety and Infectious Disease Control. Environmental Health also consider the wider impact of business activities on the locality and public nuisance.

The Environmental Health team made representations for the Alcohol and Entertainments Hearing Panels on 2nd November 2021 when the application for a new Premises Licence was rejected in its entirety and 10th November 2020 when the Premises Licence was revoked in its entirety.

The premises has not been used as a business open to the public since 2020. Therefore, Environmental Health have not had recent cause to be involved with the premises or Applicant

For this hearing in June 2022 for a new Premises Licence, whilst there have been changes to the application, **Environmental Health again recommends refusal of this application for a new Premises Licence.**

Hours of operation:

The proposed hours of operation have been amended to finish earlier on Saturday and Sunday mornings from the 2021 application, but they are still broadly in-line with those when the Premises Licence was revoked in its entirety in 2020.

Significant issues arose in 2020 with respect to:

Public Safety

Prevention of Public Nuisance

The Prevention of Crime and Disorder.

Please refer to the summary below and attachment.

Door Supervisors:

Ms. Huang has advised that Door Supervisors would be engaged if this was a requirement, however Door Supervisor firms refused to work for Ms. Huang and her partner Mr. Chen despite requests from the Police

Intensification of the site

Prior to Revocation of the Premises Licence in November 2020, the business was run as a wet sales pub on the ground floor only.

I understand that there is a proposal to have three activities on site should a new Premises Licence be granted, namely: a pub, restaurant and nightclub.

Greater occupancy numbers are likely to create additional public safety, public nuisance and disorder issues.

New Designated Premises Supervisor (DPS)

There is no guarantee that the new DPS will be present on site during the hours of operation or that the proposed DPS will continue in post.

Neither Ms. Huang or Mr. Chen were willing or able control the site or occupants.

Competent Staff to Work on Site

Previously there was insufficient income to pay staff.

Currently there is a shortage of experienced staff working in hospitality in Broxtowe Borough Council's area even in well run and well-paying premises.

Language Barrier

Ms. Huang & Mr. Chen's spoken and written English was still very poor in November 2021 and a translator was required to hold a meaningful discussion.

To run a business safely, it is essential to have a good command of spoken and written English especially where the DPS, staff and customers are likely to mainly speak English.

Both food and health and safety legislation requires the production of written safety plans and record keeping. These plans would require communicating to staff.

Day to day communication with staff is essential.

Allergens

Previously when the premises was a wet sales pub, open, unlabelled food was not sold. The food safety requirements in relation to allergen safety have changed and have been strengthened considerably since then.

Due to the language barrier, I have no confidence that food and drink can be sold safely.

Protection of Children from Harm.

Previously, Ms. Huang & Mr. Chen and their two primary school age children lived on site in the first floor accommodation. It is not known whether the Applicant's children will be on site during the hours of operation, however the first floor bar/nightclub is just across a very small landing from the private accommodation.

Pre 2022

Below is a summary of previous involvement prior to hearing on 2nd November 2021 for your information:

From 27th August 2020 during the COVID 19 pandemic restrictions, the Food Team were involved in a graduated enforcement response with Broxtowe Borough Council (BBC) Licensing Team, The Nottinghamshire Police and Nottinghamshire County Council and especially their Trading Standards team to ensure that the then Premises Licence holder and Designated Premises Supervisor Mr. Juan Hua Chen supported by his partner Ms. Mei Mei Huang complied with health and safety legislation and COVID 19 protection/restriction measures.

I have attached an updated version of our submission to the Licence Review Panel in October 2020 which provides details of our interventions until the present day.

The Food team and Nottinghamshire Trading Standards continued to work with Mr. Chen and Ms. Huang before and after the Premises Licence was revoked unanimously by the Alcohol and Entertainments Hearing Panel on 10th November 2020.

Intermittent very brief emails had been sent by Ms. Huang to me advising that they wanted to reopen the premises when the different steps of the COVID 19 restrictions were relaxed

Unfortunately, we couldn't tell from the emails what or how the couple wanted to reopen as, for example as a takeaway or shop and therefore further questions had to be asked. There was often a delay in any reply being received.

This was the last email I received:

"Sent: 02 July 2021 14:00

To: Jones, Julie <Julie.Jones@broxtowe.gov.uk>

Subject: reopen

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

Hi thank you for emailing me The business is
Leicens is alcohol. What is your want me to do business or. ...please
Thank you

I forwarded this email to John Miley, Licensing and he arranged a visit to see Ms. Huang and Mr. Chen.

Apparently the couple wanted to open the premises as a pub again despite the premises licence being revoked.

With regard to the application for a new premises licence I have the following comments:

- Considerable amount of time over and above usual was spent by all agencies on assisting Mr. Chen & Ms. Huang to achieve compliance with Licensing, Health & Safety and Coronavirus requirements to no avail; the couple were either unwilling or unable to take the necessary steps, even those that would not occur any cost.
- Nottinghamshire Trading Standards Team engaged professional interpreters. Whilst a discussion was possible it did not achieve a meaningful change for the Nottinghamshire County Council to lift their Direction Notice made under the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 until after the appeal period for the Revocation of the Premises Licence had elapsed.
Nottinghamshire County Council Direction No3 was revoked on 18th December 2020.

- It is necessary to have a reasonable level of spoken and written English to communicate and run a business safely especially with regard to food safety and health and safety.
New allergen requirements come into force on 1st October 2021 and they still will not be able to comply with this requirement.
The couple's spoken and written English is poor and communication is very difficult.
The couple did not appear to engage with local residents or the Chinese community in Nottinghamshire, which would provide a support network, their nearest contacts being in London.
The couple have two primary school age children whose English is impeccable, but it is not reasonable or proper for the children to translate for their parents
- Based on my numerous interactions with Ms. Huang and Mr. Chen at the Queens Head, including visits with Licensing, the Police and Trading Standards, viewing CCTV from the pub's CCTV system, Police Officer's body cams and the Council's street CCTV, I have no confidence in Ms. Huang and Mr. Chen's ability to run the premises in a safe manner or be able to keep themselves, their children, employees, customers, visitors, officers and members of the public safe.
- The applicants were not able to comply with the recommendations or requirements identified to ensure the premises was run in a safe manner, minimising impact on customers and the locality. Compliance could not be achieved even with guidance and on the hours of previous operation – the new application proposes longer opening times, which would further contribute to anti-social behaviour, noise and disturbance associated with the premises in the locality.
- The applicants are unpredictable and can be aggressive to enforcement officers, this is likely to escalate should the premises be allowed to obtain a Licence.

Therefore, the Food/Health & Safety Team of Environmental Health recommend refusal of grant of new Premises Licence to Ms. Mei Mei Huang for reasons of public safety, preventing public nuisance and preventing crime and disorder associated with the proposed activities.

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X

Please tick this box if you do not intend to attend or be represented at any hearing.



If you wish to withdraw any representations you may do so confirming this in writing to the address given below, providing you do so no later than 24 hours before the any hearing, or otherwise orally at the hearing.

Signed: 

PRINT NAME: Mrs. Julie Jones o.b.o Mrs. Suzanne Hickey, Chief EHO.....
.....

Date: ...04.05.2022

Please return this form to the following address:

**Broxtowe Borough Council
Licensing Section
Public Protection Section
Chief Executive's Directorate
Council Offices
Foster Avenue
Beeston
Nottinghamshire
NG9 1AB**

Telephone 0115 917 3241

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Licensing Review Consultation Licensed Premises Certificate
05/00219PREMCV

Queens Head PH, 34 Main Street, Kimberley, Nottinghamshire NG16 2LL

Form of representation by an Interested Party:

Broxtowe Borough Council Environmental Health Team

Public Safety

A graduated response from Broxtowe Borough Council Environmental Health and Nottinghamshire County Council with the Queens Head PH to address issues related to the COVID 19 pandemic has not yet been sufficient to address long term concerns for public safety.

The Environmental Health Team support the removal of Mr Juan Hua Chen as Designated Premises Supervisor (DPS) and the amendment to the closing hours.

Environmental Health are concerned about Mr Chen's ability to act as DPS, because:

- Mr Chen is displaying increasingly temperamental behaviour;
- Mr Chen has failed to make consistent improvements to make the premises COVID secure despite the interventions of the Police, Broxtowe Borough Council and Nottinghamshire County Council;
- Mr Chen has not been able to control customer behaviour previously to minimise the risk of transmission of COVID 19 and there remain concerns about Mr Chen's ability to control customer behaviour whilst on his premises in future.

Environmental Health would wish to see a reduction in the Licensed hours of operation to reduce the pub crawl culture where members of the public are moving from one pub to another, ending up at the Queens Head PH as it was open the latest of all the pubs in the area. By which time customers were in drink and had lost their inhibitions to manage social distancing practices.

One COVID 19 positive case staying in one pub significantly reduces transmission than if they visit a number of pubs in an evening.

The Queens Head PH is a Victorian type building situated on a corner plot of a busy crossroads in the centre of Kimberley. Public have access to the ground floor and beer garden.

Environmental Health were requested to attend a meeting with the Nottinghamshire Police and Broxtowe Borough Council Licensing team at the Queens Head PH, 34 Main Street, Kimberley, because of issues surrounding the conduct of the premises

which included concerns over lack of social distancing during the Coronavirus (COVID-19) pandemic.

In advance of the meeting, Nottinghamshire Police provided a document created by Mr Paul Horton, Licensing Enforcement Officer dated 25.08.2020 regarding interventions with the Queens Head PH. It was noted that "there was no social distancing by customers and no COVID 19 prevention measures in place". (Action plan document EH1)

On 27.08.2020 Mrs Julie Jones, Environmental Health Officer joined Mr Paul Horton, Mr John Miley, Broxtowe Borough Council Licensing Manager and Ms Sarah Steventon, Licensing/ASB Enforcement Officer for a meeting with the Queens Head PH proprietors. The Queens Head public house is operated by Mr Juan Hua Chen, Premises Licence Holder and Designated Premises Supervisor and his partner Ms Mei Mei Huang.

They live in the first floor flat above the pub with their two young daughters.

The visit lasted four hours and a significant amount of time was spent viewing footage on two of the CCTV recorders, touring the premises and reaching a mutually acceptable amended action plan agreement between Mr Chen and Mr Paul Horton. Mr Chen signed the action plan agreement. Mr Chen refused to amend the reduce the opening hours.

During the visit for the purposes of COVID 19 Julie Jones noted:

- That furniture was not arranged to ensure that there was a two metre separation distance between tables and chairs (or one metre plus with mitigation measures such as screens or back to back seating);
- CCTV footage showed that customers were not socially distanced, with customers standing at the bar, which was also a pinch point with customers entering the pub.
- There were no screens to protect persons working behind the bar.
- Customers were not sitting at tables, were standing very close to each other and they appeared not to be observing the guidance to not meet indoors with more than two households.
- Hand drawn signs were displayed to show customers to observe 1m+ social distancing rather than 2metres.
- No table booking system was in place and customer details were not being recorded for the purposes of track and trace.

Julie Jones provided a current copy of the Government guidance for "Keeping workers and customers safe during COVID 19 in restaurants, pubs, bars and takeaway services" and her business card for Mr Chen if he needed advice on the guidance.

On 03.09.2020 Broxtowe Borough Council was notified that Police had responded to an incident at the Queens Head PH over the August Bank Holiday weekend. It appeared that Mr Chen had not complied with the amended agreement he had signed just before the Bank Holiday.

At the same time Environmental Health colleagues were dealing with notifications of positive cases of COVID-19 linked to pubs in the Kimberley area. Customers who attended these pubs were also believed to attend the Queens Head PH.

A further site meeting was held on 04.09.2020 with representatives of the Police, Mr John Miley and Julie Jones.

Julie Jones hand served a Health and Safety at Work etc. Act 1974 Improvement Notice reference number 20/00131/EHHIMP on Mr Chen for failing to ensure the health and safety of staff and public because social distancing was not being maintained at the Queens Head PH and mitigating measures had not been introduced to reduce the risk of transmission of COVID 19.

The Improvement Notice required Mr Chen to make a risk assessment of activities within the areas that staff and customers had access to. Identify measures to reduce the transmission of COVID 19 in accordance with current Government guidance. And put these measures in place by 01.10.2020. (IN document EH2)

Mr Paul Horton had arranged for Licensed Door Supervisors to work at the Queens Head PH for Friday 4th and Saturday 5th September. Emailed feedback from the door supervisor company to the Police after the weekend alleged that no precautions whatsoever were in place on the Friday and Saturday for social distancing. It would appear that despite all the meetings with the Police and Broxtowe Borough Council, Mr Chen had still not put measures in place to protect people from COVID 19.

Julie Jones wrote a letter dated 07.09.2020 related to the health and safety Improvement Notice and clearly setting out what Mr Chen needed to do to keep people safe. (Letter document EH3)

Julie Jones hand delivered the letter on the evening of 07.09.2020 and discussed that Mr Chen needed to make sure that people sat down rather than standing up socialising indoors. Also discussed in detail with examples of no more than two households meeting indoors or more than six outdoors from different households.

On 10.09.2020 Julie Jones was made aware that Environmental Health had been asked to serve a Community Protection Warning Notice CPNW on the Queens Head PH. A CPNW was drafted which contained actions for both Covid-19 and Police requirements for conduct at the premises. The CPNW was to be checked by Broxtowe Borough Council Legal department and served week commencing 14th September.

On 10.09.2020 Julie Jones spoke to Mr Chen on the telephone as a courtesy to advise him of the forthcoming change in the COVID 19 legislation on 14.09.2020 to the Rule of not more than six people meeting and the likely service of a CPNW. It had also become mandatory to collect trace and trace details.

On 14.09.2020 Julie Jones hand served CPNW documents on both Mr Chen and Ms Mei Mei Huang along with the most up to date copy of the Government guidance for "Keeping workers and customers safe during COVID 19 in restaurants, pubs, bars and takeaway services". (CPNW documents EH4 & EH5).

The premises was open for business. The tables and chairs had been rearranged inside and in the beer garden for social distancing, tape had been stuck on the floor

in front of the bar to separate customers from bar staff by two metres. An A4 pad was being used to gather customer details for track and trace. There was some confidence that measures were now being introduced to reduce the transmission of COVID 19.

On 22.09.2020 Julie Jones was made aware of a visit to the Queens Head PH on Saturday/Sunday 20th September by Police Sergeant M Sisson at around 01:00 Hours. In his email to Inspector S Riley he stated there were no door staff on duty, issues over collecting track and trace information and approximately 30 people inside who were not social distancing. Apparently customers were mingling in groups, talking to each other closely, hugging and singing together contrary to COVID 19 legislation and guidance. PS Sisson put this in an email to Inspector Riley who forwarded it to Broxtowe Borough Council later in the morning.

On 23.09.2020 there was a multi-agency "Teams meeting" regarding possible courses of action to deal with issues at the Queens Head PH including proposals to issue a Direction under Coronavirus legislation to protect against, control or provide a public health response to the incidence or spread of infection of Coronavirus in Broxtowe Borough Council's area.

Agency members included Broxtowe Borough Council Chief Executive Ruth Hyde, Legal Team solicitors, Licensing section, Environmental Health, Jonathan Gribbin, Director of Public Health for Nottinghamshire County Council (NCC), NCC Legal Team.

On 24.09.2020 Nottinghamshire County Council decided to issue an Advanced Notice of a Direction. A Direction is made under The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020. The legislation empowers the County Council to make Directions imposing prohibitions, requirements or restrictions on a premises. On 25.09.2020 Julie Jones accompanied by Ms Sarah Steventon hand served this document on Mr Chen and Ms Huang. They went through the document with the couple. Mr Chen and Ms Huang were surprisingly happy that they might be made to close that day because of COVID 19. (Advanced Direction documents EH6).

On 24.09.2020 it was also a requirement that pubs and restaurants shut between 22:00 and 05:00 hours in England.

Julie Jones hand served on Mr Chen and Ms Huang the Nottinghamshire County Council Direction Placing Restrictions on the Operation of a Premises just before 18:00 on 25.09.2020. There were no customers in the pub. The Direction required the closure of the pub from 18:00 hours. The couple were given a pack of documents each and a Public Notice and site plan were affixed in the windows either side of the main entrance door.

Unlike the morning when the couple were really happy to close for COVID 19 reasons, Mr Chen was really upset and speaking loudly. The couple were had put two new barrels of lager on at the cost of around £300 and these would be wasted having regard to the duration of the closure – potentially to 23.10.2020 with weekly reviews.

(Direction document pack EH7a to d)

An arrangement was made for Environmental Health to visit with Nottinghamshire Trading Standards Officers to carry out weekly reviews and provide further advice and encouragement for the Direction to be lifted before 23.10.2020

First review visit

On Monday 28.09.2020 Julie Jones made an appointment with Mr Chen for a site meeting including Ms Jessica Merryfield, Nottinghamshire County Council Trading Standards Officer to try to introduce measures to make the premises Covid Secure with a view to lifting the Direction.

When Julie Jones spoke to Mr Chen regarding the appointment she reminded him of the option of appealing to the Magistrates Court or making representations to the County Council. Mr Chen said he had emailed Mr Andrew Penn at Nottinghamshire County Council as per page 8 of the Direction.

At 10:00 hours on Wednesday 30.09.2020 Julie Jones and Ms Merryfield met Mr Chen and Ms Huang at the Queens Head PH in advance of the first review by the County Council on 02.10.2020.

Whilst Mr Chen had been fine on the telephone when the appointment was made on the Monday, he was very upset at the start of our visit saying that we were illegal. He was concerned that the wrong telephone number had been put on the Public Notice in the window and that all correspondence should only be sent to him as Ms Huang only worked at the pub, because Ms Huang had been declared bankrupt she couldn't sign documents. They also thought the Land Registry Title Deed was wrong. Eventually, Mr Chen was calm enough for Julie Jones and Ms Merryfield to visit the ground floor of the premises and beer garden to see what COVID 19 measures were in place as he had four whole days to make improvements.

Mr Chen had got an appointment with a Fire Officer to look at escape routes. The Police were concerned that Mr Chen bolted the external main entrance door with a single long bolt at waist height to control entry into the property, when it was a fire exit door. The Fire Officer was due to visit on the afternoon of 14.10.2020.

It was confirmed there would only be Mr Chen and Ms Huang working in the premises when the pub reopened.

Mr Chen had virucidal cleaner and disposable cloths and the premises had always been clean and tidy. Hand washing facilities were available behind the bar for handwashing as well as the public toilets, which were very clean too.

As Mr Chen's two printers were out of ink, Julie Jones agreed to bring a number of signs for display in the premises including the NHS QR code for track and trace which now had to be displayed in a premises.

Julie Jones needed to revisit on 02.10.2020 for the purposes of checking compliance with the health and safety Improvement Notice 20/00131/EHHIMP. It was agreed that Julie Jones would bring the signs and the amended Public Notice at the 10:00 hours appointment.

Ms Merryfield accompanied Julie Jones at the revisit on 02.10.2020 to see what further COVID 19 measures had been put in place. The purpose of Julie Jones' visit was to check compliance with the health and safety Improvement Notice and scenarios were used to check compliance with the Notice. As no written risk assessment was required due to small numbers of persons working there, it was deemed that Mr Chen had complied with the Improvement Notice as much as possible, however, as the premises was closed Julie Jones could not assess

whether measures were being implemented in practice.

Initially Mr Chen would not let Julie Jones put the amended Public Notices in the windows with the correct telephone number, but relented by the end of the visit.

The new laminated track and trace poster produced by Julie Jones was found to be working.

At the time it was felt that the meeting was positive, improvements had been made and thought had been given to scenarios.

The County Council review decided that the Direction should remain in force to keep the premises closed for a further week due to insufficient progress being made.

(Direction Review 02.10.2020 Document EH8)

Second Review

Julie Jones and Ms Merryfield carried out a visit to the Queens Head PH by appointment on 07.10.2020 at 09:30 hours for the purposes of the second review hearing on 09.10.2020.

Mr Chen and Ms Huang were clearly worried about the increase in numbers of COVID 19 cases in the area and the likelihood of further restrictions to control the transmission of COVID 19.

Mr Chen's mind was on other matters and the officers repeatedly had to refocus the purpose of the meeting. One issue at the first review was the lack of a one-way system for entry and exit. Mr Chen would be the only one controlling occupancy, entrance and exit.

Mr Chen was not prepared to accept Ms Merryfield's recommendation that customers enter the Queens Head PH via the entrance on Main Street near the Post Office, and exit via the main doors onto the crossroads.

Initially Mr Chen said he would let the public in the main crossroads door and they would exit via the gated archway – this is where the smokers would be and it is very small area to pass each other safely at a distance. Then a little bit later on in the conversation he said he would let people in via the main doors and let them out through the proper beer garden and at closing time push everyone out the main entrance.

Julie Jones was of the view that the only COVID 19 safe and Anti-Social Behaviour acceptable one-way system is the Entrance via the Main Street Post Office doors up the steep terrazzo steps and Exit out through the main entrance onto the crossroads. This would allow monitoring of both doors physically from the bar, not just via CCTV. Mr Chen could act as gatekeeper for both doors without leaving the bar area.

Mr Chen refused saying that it was not a fire exit, which it isn't, but it is still a reasonable entrance so long as you can manage steps. The beer garden and main entrance have steps out too. The only potentially level access in and out is via the archway.

Mr Chen was happy to have one door supervisor and was prepared to provide more hand sanitising stations.

However, Mr Chen had not recognised that there were bar stools that were adjacent to the bar and within the 2 metre distance of another table which needed removing upstairs and he hadn't removed the 1metre hand drawn sign from the window when the other signs had been stuck up.

The potential for having a trial opening on a quiet night in the week was also discussed to test their new practices and procedures, but Mr Chen said that he would have to consider this.

On 09.10.2020 the County Council review decided that the Direction should remain in force to keep the premises closed for a further week.
(Direction Review 09.10.2020 Document EH9)

Third Review.

Jessica Merryfield visited by appointment on 14.10.2020 with her colleague Ms Trish Hennessy. Ms Merryfield later telephoned Julie Jones that Mr Chen had refused entry to them and also to the Fire Officer who was due later in the afternoon. Mr Chen and Ms Huang were in the beer garden when they arrived. Mr Chen had appeared very stressed - was animated and shouting; bystanders had gathered on both sides of the road to observe.

Mr Chen answered Ms Hennessy's question on whether he wanted to open and he said that he didn't want to open.

On 16.10.2020 the County Council review decided that the Direction should remain in force to keep the premises closed for a further week.

A further appointment has been made for a visit on 22.10.2020 with Julie Jones and Trish Hennessy and an interpreter for the fourth review prior to the end date of the Direction on 23.10.2020.

The County Council served a further Notice of Direction (No2) on 23.10.2020 as insufficient progress had been made to allow the revocation of the Direction. Direction number 2 expired on 20.11.2020 subject to weekly review.

28.10.2020 Julie Jones emailed Mr Chen details of a link to GOV.UK update on financial support.

The Premises Licence Review was held on 10.11.2020. the Alcohol and Entertainments Hearing Panel unanimously agreed to Revoke the Queens Head premises licence in its entirety.

Nottinghamshire County Council served Direction No3 as the appeal period for the Premises Licence had not expired.

Julie Jones and Jessica Merryfield visited the Queens Head on 10.12.2020 by appointment by appointment as it was understood that the couple wanted to open a takeaway. However, this was not their intention. Alcohol was still on display and not removed. Licensing Paperwork was displayed at the bar. Coronavirus precautions were unchanged.

On 01.04.2021 I hand delivered two new QR posters to the Queens Head PH should the premises open at a later date. On the compliments slip I asked for an update of Ms. Huang and Mr. Chen's plans for the premises as agreed with myself and Ms. Merryfield.

12.04.2021 Julie Jones emailed Ms. Huang & Mr. Chen as they had spoken to Councillor Easom regarding reopening. Requested contact with your plans for the Queens Head PH.

Emails Received from Ms. Huang:

From: Meimei Huang [REDACTED]
Sent: 15 June 2021 07:16
To: Jones, Julie <Julie.Jones@broxtowe.gov.uk>
Subject: we are going to open

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

Hi we are looking to open up the business after 21 please

Thank you

发自 Android 版 Yahoo 邮箱

From: Meimei Huang [REDACTED]
Sent: 18 June 2021 08:35
To: Jones, Julie <Julie.Jones@broxtowe.gov.uk>
Subject: Thanks

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

Hi thank you for emailing and advice

I have to be open July

Thank you

发自 Android 版 Yahoo 邮箱

From: Meimei Huang [REDACTED]
Sent: 02 July 2021 14:00
To: Jones, Julie <Julie.Jones@broxtowe.gov.uk>
Subject: reopen

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

Hi thank you for emailing me The business is
Leicens is alcohol. What is your want me to do business or. ...please
Thank you

发自 Android 版 Yahoo 邮箱

Site visit by John Miley and Sarah Steventon on 06.07.2021 in response to this email and the police being inundated with emails after news that the Queens Head intended to reopen were on social media.

An application for a new Premises Licence for Mei Mei Huang with Juan Hua Chen as DPS dated 01.09.2021 received by Licensing Team.

John Miley

From: [REDACTED]
Sent: 06 May 2022 23:11
To: licensing
Cc: John Miley
Subject: Queens Head, Kimberley - licensing application

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

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>>

>>

>> To Whom It May Concern

>>

>> Following further licensing application for the Queens Head, Kimberley, I would again like to notify you of my objections regarding this most recent licensing application.

>>

>> As previously stated in my previous objection, I live on Newdigate Street and have witnessed first hand the anti-social behaviour associated with the sale of alcohol at the Queens Head. This has included massive and uncontrollable crowds of people congregating on main street adjacent to the Queens Head; people laying in the road drunk; people laying on the pavements drunk; shouting; swearing; vomiting. I have also witnessed a large police presence during these times in attempts to manage this. There has also been ongoing shouting and swearing, chanting beyond 11pm. People leaving the pub frequently walk up Newdigate Street often stopping off or hanging out at the car park where drunken rows / violence is often witnessed. Vomit can often be seen on pavement as can broken bottles both in the car park and also on the pavements. There has been no thought for the local community by the then licensee of the Queens Head who it appears did not abide by the rules of a licensee, but sold cheap alcohol to anyone - including underage drinkers. There were also issues of drugs being sold at the Queens Head.

>> There are a number of pubs selling alcohol within a small area - why is another one needed?

>>

>> There was no responsibility taken by the licensee who it appears was solely interested in making money regardless of the negative impact it had upon local residents. I don't think anything will change or lessons been learnt. In addition to this my daughter recently shared with me she had previously drunk in the Queens Head prior to their loss of license and staff insisted she/other customers pay for their drinks via bank transfer. I would query if these monetary transactions were legitimate and/or attributable to the financial accounts for the Queens Head? My daughter is happy to provide further information should this be needed.

>>

>> I'm sure you wouldn't want this on your doorstep and why should we have this on ours?

>>

>> [REDACTED]

>>

>>

>>

>> Sent from my iPhone

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**NOTICE OF REPRESENTATION AND
EVIDENCE BUNDLE
BY NOTTINGHAMSHIRE POLICE
REGARDING
APPLICATION FOR A PREMISE LICENCE
QUEENS HEAD
34 MAIN STREET KIMBERLEY
NOTTINGHAMSHIRE NG16 2LL
HEARING DATE: 07 JUNE 2022**

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Notification to Licensing Authority of Representation under Licensing Act 2003

1. Name of Responsible Authority making representation:

- a. Your name: **M Turner**
[Deputy Head of Legal Service, East Midlands Legal Services Unit, for and on behalf of the Chief Constable]
- b. Your address: **Nottinghamshire Police Headquarters**
HQ (CJ) Liquor Licensing
Mansfield Police Station
Great Central Road
Mansfield
Nottinghamshire
NG18 2HQ
- c. Your phone number: **101 ext. 3101987**
- d. Your e-mail address: **Adrian.paling@notts.police.uk**
[Contact at County licensing]

2. Please identify the application you wish to make a representation about.

a. Name and address of application premises:

Queens Head
34 Main Street
Kimberley
Nottinghamshire
NG16 2LL

b. Nature of application: **Application of a new Premises Licence**

3. Which of the licensing objectives does your representation relate to? Please delete as appropriate ².

- a. The Prevention of Crime and Disorder.**
- b. The Prevention of Public Safety**
- c. The Prevention of Public Nuisance**
- d. The Protection of Children from harm**

Details of the representation(s)

4. Please give details of your representation(s) including details as to why you feel the application would be unlikely to promote the objective(s) you have ticked above and including as much evidence as possible in support of your representation. Please continue on a separate sheet if necessary.

The application is for a new premise licence at the Queens Head, 34 Main Street, Kimberley, Nottinghamshire. NG16 2LL.

The Queens Head is located within Kimberley Town Centre, which accommodates a number of other licensed premises in a small, concentrated area within the town. These premises cater for the consumption of alcohol, dancing, late night refreshment and hours open to the public.

The Queens Head is situated directly next to a public highway on Main Street with the junction of James Street, Kimberley, and directly opposite to other licensed premise, retail and residential properties.

Prior to revocation of the original premises licence at hearing dated 10 November 2020, The Queens Head became a known premise of late-night violence, disorder and anti-social behaviour resulting in police attendance and concerns from the community between June 2019 and September 2020. This included several reported breaches relating to COVID 19 regulations.

At this time the premise licence holder and designated premise supervisor was Juan Hua Chen, the only other member of staff supporting Mr Chen was his partner Mei Mei Huang. This new application is submitted by Mei Mei Huang as the applicant and proposed Premise Licence Holder.

Various meetings have been held prior to original revocation of the original premises licence between Mr Juan Hua Chen, Mei Mei Huang and Police Licensing, the Neighbourhood Policing Team, Broxtowe Borough Council Licensing and Environmental Health Departments. The purpose was to highlight areas of concern, discuss incidents that had occurred and offer solutions and support as a partnership approach.

Mr Juan Hua Chen and Ms Mei Mei Huang clearly took no notice of advice given, or of COVID 19 guidance, and did not exercise or enforce any social distancing within the establishment. This was very concerning to Nottinghamshire Police and Broxtowe Borough Council, and as a result this was addressed numerous times by Environmental Health and the Police. Non-compliance was witnessed during visits and seen on CCTV footage.

There have been complaints by local residents who have called the Police due to being disturbed by various issues, including disorderly behaviour, anti-social behaviour noise and underage drinking.

The majority of these incidents occurred during the early hours of the morning on either a Friday or Saturday between midnight and 02:30hrs.

Despite numerous attempts to work with Mr Juan Hua Chen and encouraged him to uphold the licensing objectives, attempts failed due to him not willing to work in partnership with the Police and Broxtowe Borough Council Licensing and Environmental Health.

As a result of this Nottinghamshire Police applied to review the premises licence under Section 51 of the Licensing Act 2003 and an on-line licensing hearing took place on 10th November 2020. A unanimous decision was made by the Hearing Panel to revoke the premise licence in its entirety.

The Queens Head then submitted a new premise licence application on 01 September 2021, with Ms Mei Mei Huang as the Premise Licence Holder. Following a hearing on 02 November 2021, the application was rejected in its entirety. The Hearing Panel were not satisfied that Ms Mei Mei Huang (and the proposed DPS at that time, Mr Juan Hua Chen) were competent to control the Premises and manage it in a safe way in pursuance of the licensing objectives.

This new application submitted 07 April 2022 is worded in exactly the same way regarding the Licensing Objectives, with a slight reduction in opening hours on a Friday and Saturday night from the previous application (02:30 instead of 04:00) which we consider is still not acceptable. It is noted that it is still Ms Mei Mei Huang as the applicant and Premise Licence Holder, with a different proposed DPS (Sean Anthony Duggan)

This new application is for licensable activities to allow for the sale of alcohol, provision of indoor sporting events, live music and recorded music, performances of dance and late-night refreshment as detailed below:

Indoor Sporting Events

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Live Music

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Recorded Music

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Performance of Dance

Sunday – Wednesday 10:00 – 23:30

Thursday – 10:00 – 00:30

Friday – Saturday – 10:00 – 02:30

Late Night Refreshment

Sunday – Wednesday 23:00 - midnight

Thursday – 23:00 – 01:00

Friday – Saturday – 23:00 – 02:30

Supply of Alcohol

Sunday – Wednesday 10:00 – Midnight

Thursday – 10:00 – 01:00

Friday – Saturday – 10:00 – 02:30

Hours premise open to the public

Sunday – Wednesday 10:00 – 00:30

Thursday – 10:00 – 01:00

Friday – Saturday – 10:00 – 02:30

Having had regard to the nature, style and location of the premises, the Police have concerns over the increase in alcohol related anti-social behaviour, crime, disorder and nuisance that the extension of hours and management of the premises upon grant of this new application will cause.

The very style and nature of late-night pubs and bars creates problems of crime and disorder. These types of venues attract patrons later in the evening, many of whom have been drinking alcohol in the pubs and bars within the town centre. People have a tendency to become more disorderly and anti-social as the night progresses, they become increasingly intoxicated and therefore prone to engage in disruptive behaviour.

Broxtowe Borough Council's statement of licensing policy states at 2.1 in exercising their functions under the licensing act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the act.

Broxtowe Borough Council's policy also states at 2.6 the promotion of the licensing objectives is paramount consideration for the authority.

Nottinghamshire Police are of the opinion that this application in its entirety does not promote the licensing objectives, in particular the prevention of public nuisance and the prevention of crime and disorder.

The Police support licensed premises and encourage well managed, safe venues to thrive. On considering all the above, Nottinghamshire Police believe the proposed premise licence holder Mei Mei Huang is not fit and proper to hold a premise licence and would lack the ability to control the premises and fully uphold all four licensing objectives.

Following a joint meeting with Adrian Paling (Police Licensing), Sarah Steventon, (Broxtowe Borough Council Licensing Officer), Mei Mei Huang and Juan Hua Chen on Monday 25th April 2022, where we discussed the application and could see that there were still concerns over the proposed management and control measures which had not been addressed since the last hearing date, Nottinghamshire Police would like to object in full to the application as we have no confidence in the proposed premise licence holder Mei Mei Huang.

The Police reserve the right to:

- bring further evidence of the Licensing Objectives being undermined to any subsequent panel hearing and to provide live oral evidence to this effect.

5. If you are suggesting that conditions should be attached to any licence granted please give the wording of the proposed condition(s) and state why you feel they are necessary and proportionate. Please continue on a separate sheet if necessary.

Not Applicable

6. Please indicate any parts of the Licensing Authority's Statement of Policy that you feel may be relevant to your representation ³.

Indication of those relevant parts will be given in addition to those above, in a Panel Hearing.

7. Please indicate any parts of the Guidance issued under S 182 of the licensing Act 2003, which you feel may be relevant to your representation ⁴.

Indication of those relevant parts will be given within a Panel Hearing.

8. As you have made a representation the Application may need to be determined at a hearing of the Licensing Committee or one of its Panels. At this stage would you intend to attend such a hearing⁵? Please circle as appropriate.

Yes

No

9. If you intend to attend any hearing that may be held it would be helpful at this stage if you could give an indication as to how long you think you would need to make your representation(s).

Not Known

Signed: M Turner [Deputy Head of Legal Service, East Midlands Legal Services Unit, for and on behalf of the Chief Constable]

Date: 28 April 2022

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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 MEL MBI HOWARD

(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>34 MAIN ST.</u>	
Post town <u>KIMBERLEY</u>	Postcode <u>NG16 2LL</u>

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

Part 2 - Applicant details

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

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 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	Mrs ✓	Miss	Ms	Other Title (for example, Rev)	
Surname			Huang		
First names			MEI MEI		
Date of birth		n 18 years old or over		Please tick yes ✓	
Nationality		BRITISH			
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 <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <u>HUANG</u>			First names <u>MEI MEI</u>		
Date of birth <u>17/11/73</u>		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes	
Nationality <u>BRITISH</u>					
Current postal address if different from premises address		<u>10, ...</u>			
Post town				Postcode	<u>...</u>
Daytime contact telephone number		<u>...</u>			
E-mail address (optional)		<u>...</u>			

(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)

sale and consumption of alcohol at ground floor and first floor
sporting, music, recorded music, dance at.
ground floor and 1st floor.

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

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

☒

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" 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						
Thur			State any seasonal variations for performing plays (please read guidance note 5)			
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	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur			State any seasonal variations for the exhibition of films (please read guidance note 5)			
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	10:00	23:30	
Tue	10:00	23:30	State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	10:00	23:30	
Thur	10:00	00:30	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	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	23:30	

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		
Mon			Please give further details here (please read guidance note 4)	
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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	23:30	Please give further details here (please read guidance note 4) <i>music will be amplified</i>	Both	<input type="checkbox"/>
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	00:30	State any seasonal variations for the performance of live music (please read guidance note 5)		
Fri	10:00	02:30			
Sat	10:00	02:30	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)		
Sun	10:00	23:30			

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	23:30	Please give further details here (please read guidance note 4) <i>music will be amplified.</i>	Both	<input type="checkbox"/>
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Fri	10:00	02:30			
Sat	10:00	02:30	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	10:00	23:30			

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 checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	10:00	23:30	music will be amplified.			
Tue	10:00	23:30				
Wed	10:00	23:30	State any seasonal variations for the performance of dance (please read guidance note 5)			
Thur	10:00	00:30				
Fri	10:00	02:30	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	10:00	02:30				
Sun	10:00	23:30				

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 checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 4)			
Tue	23:00	00:00	N / D			
Wed	23:00	00:00				
Thur	23:00	01:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Fri	23:00	02:30				
Sat	23:00	02:30	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	23:00	00:00				

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	02:30			
Sat	23:00	02:30	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)		
Sun	23:00	00:00			

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"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00	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)		
Thur	10:00	01:00			
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	00:00			

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	SEON ANTHONY DOGGAN.
Date of birth	6
Address	5 'S
Postcode	
Personal licence number (if known)	047174
Issuing licensing authority (if known)	NOTTINGHAM CITY

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).

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	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)
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	00:30	

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)

three are sufficient competent staff on duty at the premises
all staff will undertake training in their responsibilities
in relation to the sale of alcohol

b) The prevention of crime and disorder

door supervisor will be hired if local authority requires
Plastic glasses to be used in 20:00 to close of the premise on Friday and Saturday
A CCTV system has been installed and is working, recording.
A CCTV camera will be in operation at the front.
Secur door men if needed.

c) Public safety

all Exit doors are easily operable without the use of a key, card
Exit doors are regularly checked to ensure they function satisfactorily
Fire resistant doors to service shafts ducts and cupboards are kept locked shut.
adequate and appropriate First Aid equipment and materials are
available on the Premises.

d) The prevention of public nuisance

doors and windows will be kept closed when regulated entertainment
is taking place.
the playing of live music in garden or outside seating areas of the premises
is not permitted
all ventilation and extract systems are designed and maintained
so as to prevent noxious smells causing a nuisance to

e) The protection of children from harm

Alcohol is not available on the Premises when only
under 18's are permitted

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"> • [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). • 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)
Signature	
Date	
Capacity	

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	MEI MEI HUANG
Date	7.4.22
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
MEI MEI HUANG			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

PRIVACY NOTICE

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also, and on occasions will be required to, share this information with other bodies responsible for auditing or administering public funds for these purposes.

Broxtowe Borough Council collects personal information when you contact us for any services we provide. We will use this information to provide these services. We may need to share your information with service providers and other departments within Broxtowe Borough Council to ensure that you receive the best possible service. If so, this will be made clear in our privacy notice. We will not share your information with third parties for marketing purposes or any other reason unless required to do so by law.

For more information explaining how we protect and use your information please see our privacy policy at <https://www.broxtowe.gov.uk/about-the-council/communications-web-social-media/legal-privacy/>

Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial



**Broxtowe
Borough
COUNCIL**

Broxtowe Borough Council
Licensing Section
Public Protection Division
Council Offices, Foster Avenue,
Beeston, Nottingham, NG9 1AB
Phone: 0115 917 3241
Fax: 0115 917 3683
Email: licensing@broxtowe.gov.uk

Consent of individual to being specified as Premises Supervisor

I Sean Anthony DUGGAN
Full name of prospective premises supervisor

of 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000
home address of prospective premises supervisor

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises licence type of application

by Sean A Duggan name of applicant

relating to premises licence N/A number of existing licence, if any

for The Queens head, 34 Main St, Kimberley, NG16 2LL
name and address of premises to which the application relates

and any premises licence to be granted or varied in respect of this application made by
Sean A Duggan name of applicant


concerning the supply of alcohol at

The Queens head, 34 Main St, Kimberley, NG16 2LL
Name and address of premises to which application relates

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number 047174
Insert personal licence number, if any

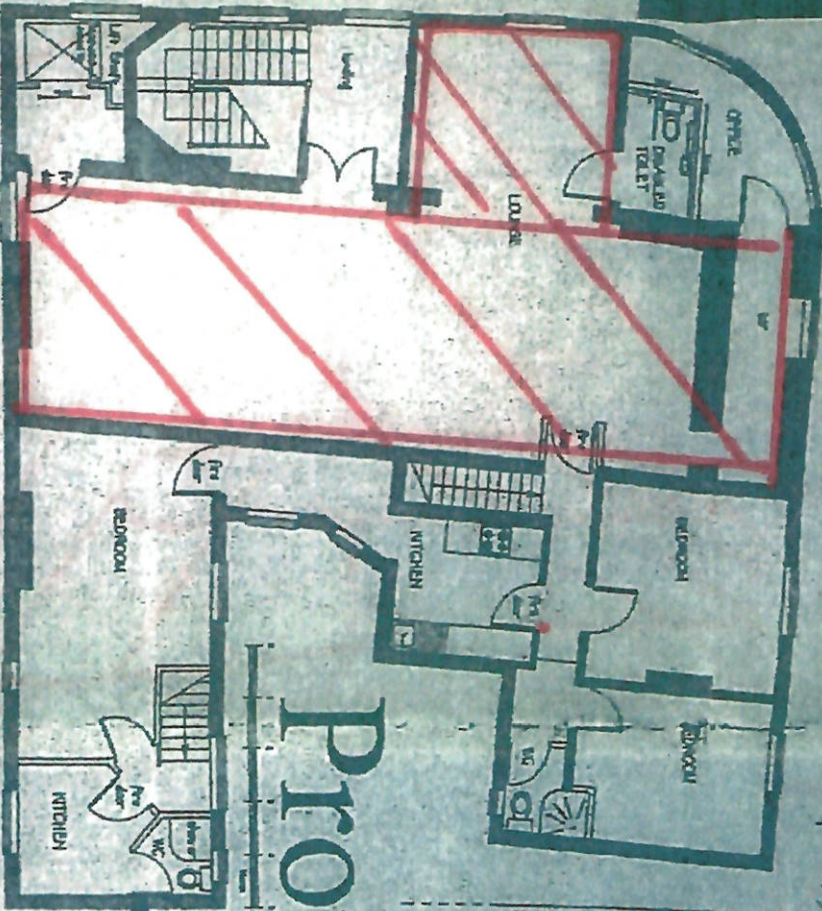
Personal licence issuing authority NOTTINGHAM CITY
Telephone no of authority

Signed: 

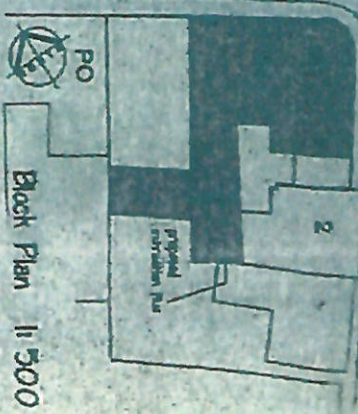
Name: Sean DUGGAN
Please print name

Date: 20 MARCH 2022

Proposed First Floor Plan 1:100



Proposed



Site Plan 1:1250

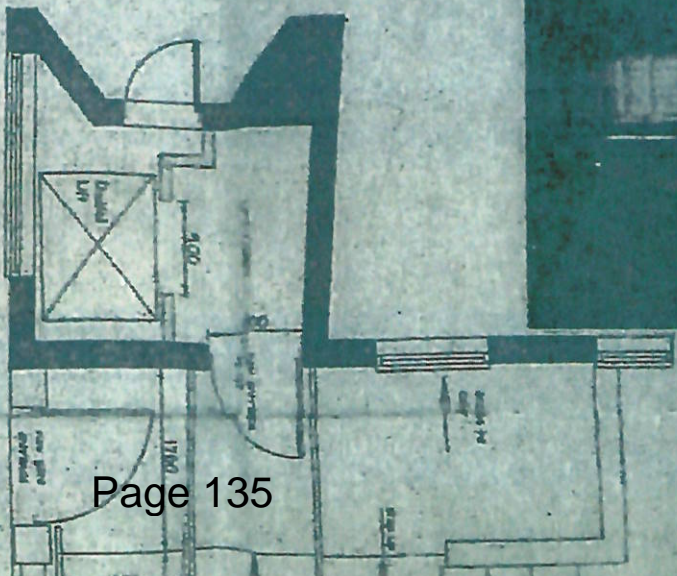


connect entrance door to external
vertical shaft to set of stairs
interconnecting fan, ductwork and
exhaust fan to be maintained
with fire and sound at high level

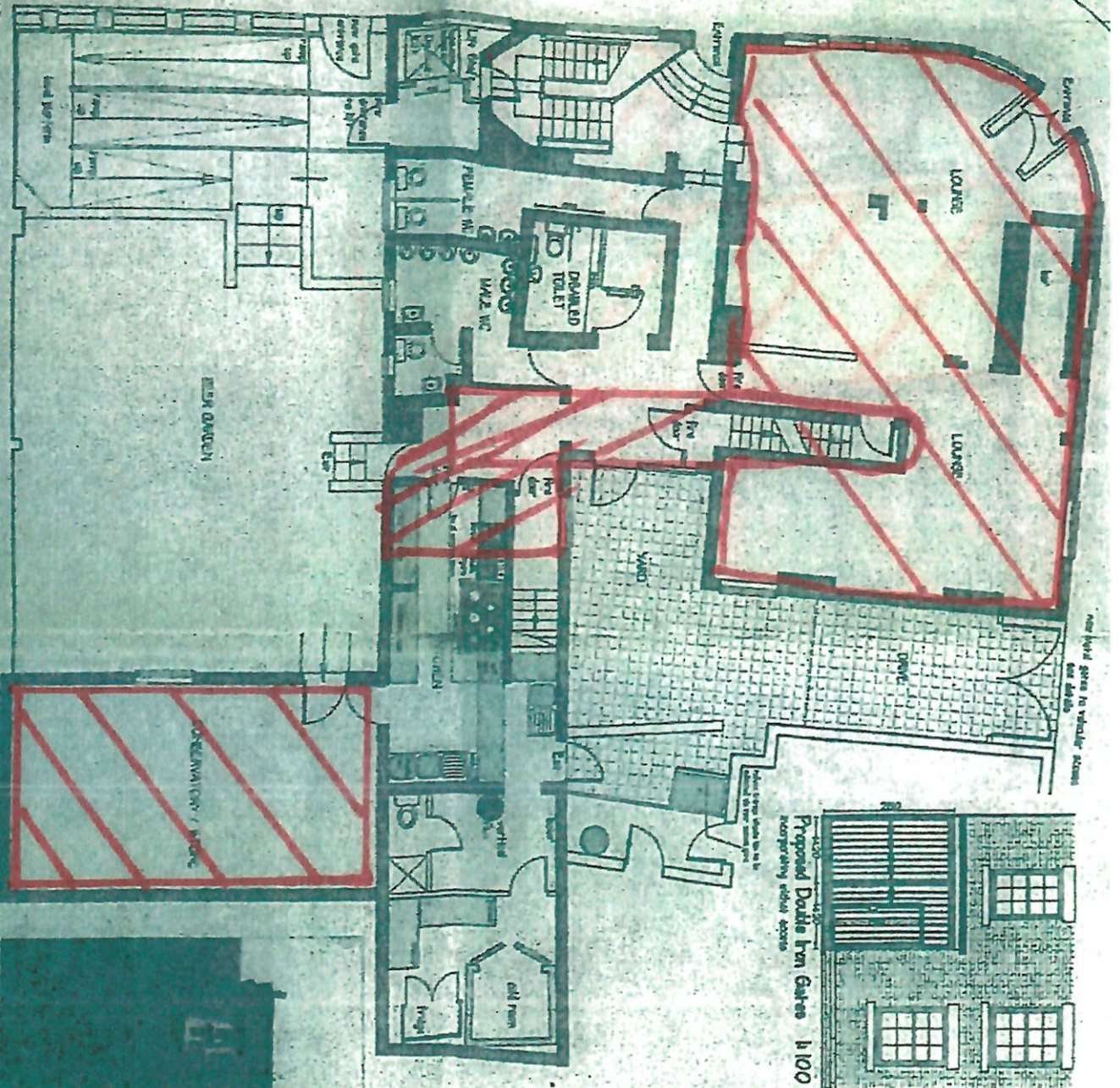
Proposed External Ramp Access to



Proposed External Ramp Access to



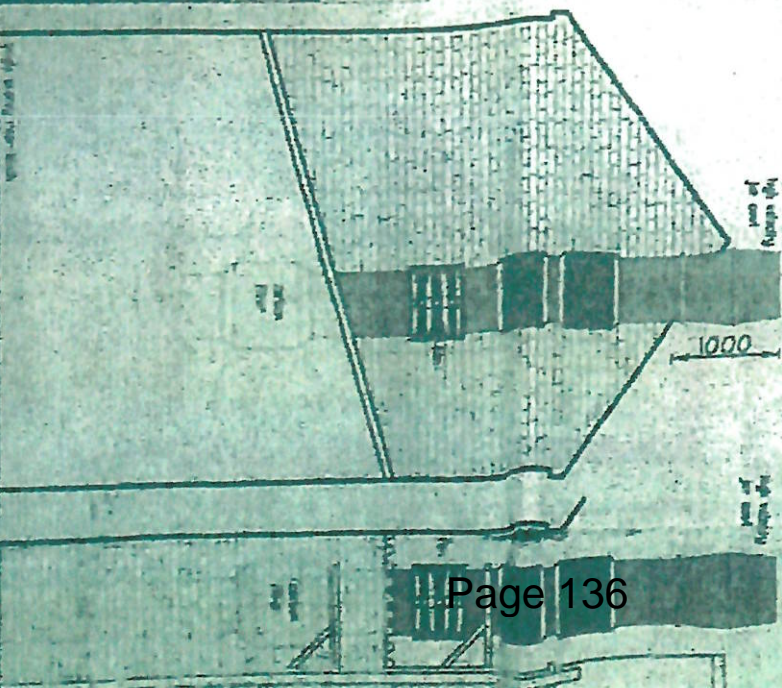
Proposed Ground Floor Plan 1:100



Existing Boundary Wall to Lower Ya

All external elements of the extraction flue to be in galvanneal steel half finish. Ceiling mounted flue welded stainless steel canopy above where wall of existing segment is 250mm at end and front, fitted with stainless steel fire resistant buffer type ground floor collection of coating at a rate of 100g/m² below canopy plan.

Satellite steel Vent-A-Sole centrifugal turbo fan 300mm diameter (1/2 hp energy efficiency) mounting on rear external wall to give 60 m/s air discharge per hour. A Vent-A-Sole with 1 L 6m/sec, horizontal carbon filtration system 650x650x2000mm, deep activated carbon units, two stainless 500mm diameter ID both fitted up stream of fan, using 6000mm dia. ductwork and discharging vertically through high velocity jet can in above porch area. Vent-A-Sole fan 1/2 hp minute fresh air intake system with filter, also gas inlet-back valve to comply with a To eliminate any noise nuisance emitted from the extraction unit, noise level of the fan from termination will be reduced from 70, 5A8A to 50, 5A8A via two 300mm ID stainless steel fan.



Complete If Req'd	GSC Class: Handling Conditions:	Reason:
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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of: Adrian Charles Edward Paling
Age if under 18: (if over 18 insert 'over 18') Over 18 18') Occupation: Police Licensing Enforcement Officer

This statement (consisting of four (4) pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: Adrian Paling
Date: 24 May 2022

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

- 1: I am the Police Licensing Enforcement Officer for Mansfield, Ashfield and Broxtowe areas and I am based at Mansfield Police Station. My role is to monitor incidents and liaise with designated premises supervisors, premises licence holders, door supervisors and partner agencies to try to reduce alcohol related violence and disorder incidents within licensed premises. I have been employed in this role since June 2021.
- 2: I make this statement in respect of an application by Mei Mei HUANG for a new Premise Licence at the Queens Head, Main Street, Kimberley, Nottingham NG16 2LL.
- 3: Mei Mei HUANG's live-in partner Juan Hua CHEN was previously the Premise Licence Holder and Designated Premise Supervisor for the premise, which had been revoked on 10th November 2020 after incidents of serious crime and disorder, reports of poor management of the premise and several breaches of their Licensing conditions placed within the premises licence.
- 4: On 20th April 2022 at 13:48 I made a phone call to Mei Mei HUANG to request a meeting to discuss this application. There was no answer and no option to leave a voice message. On 20th April 2022 at 13:56 I sent an email to Mei Mei HUANG to request a meeting to discuss this application. I acknowledged that English may not be a first language so asked if anyone could attend that may translate if needed.
- 5: On 22nd April 2022 at 10:55 I made a phone call to Mei Mei HUANG to request a meeting to discuss this application. The phone was answered by Juan Hua CHEN who said they would like a meeting and to arrange for an appointment with them. I explained that I had emailed Mei Mei HUANG on 20 April 2022, and could this email be read and replied to, as I had offered my availability on that email. I again acknowledged that English may not be a first language so asked if anyone could attend that may translate if needed.

Signature: A C E Paling

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Witnessed by:

Error! Reference source not found.

6: On 22nd April 2022 at 11:09 Juan Hua CHEN replied to my email to say that a meeting time of Monday 25th April at 11:00 was agreeable.

On 22nd April 2022 at 11:11 I replied by email to Juan Hua CHEN, again asking if there would be someone in attendance that may be able to translate.

On 22nd April 2022 at 11:41 Juan Hua CHEN replied by email to say that an 'English Man will attend'

7: On 25th April 2022 at 11:00 Sarah STEVENTON (Broxtowe Borough Council Licensing Officer) and myself attended the Queens Head and met with Mei Mei HUANG and her partner Juan Hua CHEN to discuss the application and to address any concerns to allow the premises to be operated safely. This specifically related to the necessity for door staff to be employed, CCTV installation and retention periods, and access to the property via the back gate which had all been raised previously by colleagues with Mr Chen as known issues at the premise whilst it was trading, all having the potential to facilitate incidents of Crime and Disorder taking place. Other historical incidents that have taken place were reported by local residents suffering from noise emanating from the premise as a result of disorderly behaviour. It is a concern of Nottinghamshire Police that should this application be granted in its entirety these issues will arise without the sufficient safeguards to prevent them.

Upon arrival they explained that the 'English Man' that was due to attend was not there due to having COVID 19. I asked who the person was, but they did not know this person's name. Mei Mei HUANG wrote on a sheet of paper a mobile phone number and a name as 'Mr J M'. I again asked them what the name of this person was, and they did not know, saying 'I think they called Karl?'. From this it was not clear who this person was, nor what their role was to be at the premise.

8: It is noted that Mei Mei HUANG is not fluent in English, and we did have a language barrier in understanding each other. Juan Hua CHEN had a better understanding of English, but it is also noted there is still a language barrier in understanding each other. Mr Juan Hua CHEN was the person we conversed with the most throughout the meeting.

9: Nottinghamshire Police and Broxtowe District Council colleagues have previously met with Juan Hua CHEN and Mei Mei HUANG with regards to incidents at the premise prior to the revocation of their previous premise licence. I asked Juan Hua CHEN what measures he had put in place to support his new application. I explained further, due to the language barrier to Juan Hua CHEN and Mei Mei HUANG so they fully understood my question. I asked if he had upgraded his CCTV system in any way or was it still three different systems. Mr Juan Hua CHEN replied that it is still on three systems. Mr Juan Hua CHEN then showed me one of the systems that is in the downstairs area. There were eight cameras covering some areas of the downstairs. The cameras were poor quality with blind spots in the venue and the system only showed recording footage for the last nine days (17 April 2022 – 25 April 2022 inclusive). This is not in

Signature: A C E Paling

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Signature witnessed by:

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line with current CCTV best practice, nor would not meet the condition for CCTV if premises were granted a licence, stating that the system must record for 31 days as a minimum. Mr Juan Hua CHEN then showed me two CCTV boxes which he stated were the other systems and they recorded for 31 days. I asked if they could be accessed, and we did view one of the boxes. It is noted that they have not been plugged in for over two years, so cannot confirm the availability of footage for retention periods. I told Mr Juan Hua CHEN that the CCTV was of poor quality and would not be acceptable in its current format.

10: I am aware from reading the Decision of Hearing delivered on 02 November 2021 that in making the decision, the Hearing Panel stated, they were not satisfied that Ms Huang and Mr Chen were competent to control the premises, and manage it in a safe way, in pursuance of the Licensing Objectives. It is of my opinion that unfortunately there has been no progress from Ms Huang and Mr Chen to be able to safely run a premise and uphold the Licensing Objectives. A copy of the Decision Hearing can be found at AP4

11: I asked Juan Hua CHEN why they wanted later opening on Friday and Saturday nights (until 02:30). Mr Juan Hua CHEN says it is quiet in the pub so wants the late licence to get some customers in. Mr Juan Hua CHEN sates 'only time gets busy is late at night'. Asked if they would agree to closing earlier, ie midnight which would potentially reduce issues. Mr Juan Hua CHEN said 'no, it is not worth it and would not make any money and would not be survivable'. Mr Juan Hua CHEN says most of the customers come in after midnight. It is of the opinion of Nottinghamshire Police that at this time of the night the venue may be susceptible to incidents of crime and disorder in relation to excessive alcohol consumption.

12: I asked Juan Hua CHEN who had completed the hand-written Premise Licence application form, bearing in mind that Mei Mei HUANG has signed the application. Mr Juan Hua CHEN stated that he had completed the form.

13: I asked Juan Hua CHEN if there are any plans to change the beer garden and stated he has no plans to alter anything despite accepting customers previously jumping over the gate and accessing pub via rear door to the beer garden.

14: I asked Juan Hua CHEN if he was offering to have SIA registered door supervisors at the premise, to reassure customers, residents, and the Police. Juan Hua CHEN replied that he would agree to a maximum of two SIA door supervisors to support the later closing times. I explained that we would like more, ideally three as a minimum, as the premises are on two levels plus a beer garden and a small restaurant area to the rear, meaning it would be difficult to control the premises in entirety. I explained a minimum of three x SIA would be required, two to cover the entrance and one to walk the floor and monitor the rear gated area. Potential capacity would be circa 250, plus staff. Mr Juan Hua Chen reiterated he will agree to no more than two door staff on the premises.

15: I asked Juan Hua CHEN and Mei Mei HUANG who will operate the premises on day-to-day basis. Mei Mei HUANG stated if they get a Premise Licence intention is to lease/contract out the Ground Floor to one individual and lease the First Floor separately to another person to operate that. They also propose to lease the kitchen/restaurant to another operator. This then makes it three potential businesses/uses on the same premises so this may impact on the Premise Licence. I asked how this would be achieved. Mr Juan Hua CHEN states that people using the upstairs will use a side entrance, but the whole premise has shared toilets on the ground floor. Access to the restaurant area would be through the pub. This would again make it difficult to control with just two door staff.

16: Sarah STEVENTON again asked if Mr Juan Hua CHEN and Mei Mei HUANG will be involved in the business whilst it is open, even if contracted/leased out. Mr Juan Hua CHEN states they will both be there. Upon further questioning from Sarah STEVENTON, the same question was repeated, and Mr Juan Hua CHEN said will not be working behind the bar but will be checking CCTV, so would be involved. Mei Mei HUANG then stated she would not be working. From this conversation it was not clear exactly what entity they will be working in but stated they will have a 'manager' in the bar. This 'manager' is the person known as 'Mr J M' as referenced above. There is also a proposed DPS, namely Sean Anthony DUGGAN.

17: Mei Mei HUANG produced some paperwork to say they owe outstanding business rates of £4491 for period 01/04/22 to 31/03/2023. Ms Mei Mei HUANG says do not have the money to pay this as no money coming in. Has sold properties in London to get capital. Both are not working currently so relying on savings, but Mr Juan Hua CHEN says majority has gone, with circa £10,000 left.

18: I asked Mr Juan Hua CHEN if they have £10,000 in bank now, how much will it cost to replace alcohol, food and redecorate. Mr Juan Hua CHEN states will not redecorate (NB pub is in need of cosmetic decoration inside and some repairs) Mr Juan Hua CHEN believes he has enough money and can borrow money from family if premise licence granted.

19: I asked Mei Mei HUANG and Juan Hua CHEN if they had any further questions and they replied 'No'. I explained they would hear from the Council regarding the next steps. The meeting was concluded at 12:15 and Sarah STEVENTON and I left the premises.

20: I would like to add that during the meeting there were times the language barrier was quite difficult, and we had to repeat questions/expand further. I do believe that Juan Hua CHEN and Mei Mei HUANG understood the points we were explaining, and we were also able to answer their questions. If I were to have further conversations with Juan Hua CHEN and Mei Mei HUANG I would recommend use of an interpreter to ensure they fully understand what is asked of them.

21: I am aware of several meetings and phone calls by colleague's and Broxtowe Borough Council previously, to offer support to Mei Mei Huang and Juan Hua Cheng and their

business. Mei Mei Huang and Juan Hua Cheng do not seem to have taken any of the advice given from these meetings resulting in a lack in confidence in Mei Mei Huang and Mr Juan Hua Chen being able to promote all four Licensing Objectives and safely operate this venue.

22: I refer to exhibit AP1 (written account of Sarah Steventon, Licensing Officer for Broxtowe Borough Council) who attended the meeting on 25th April at Queens Head, Kimberley.

23: I refer to Insp Mike Ebbins (District Policing Commander for Broxtowe Borough) statement as AP2

24: The intention of the meeting on 25 April 2022 with Mei Mei HUANG and Juan Hua CHEN was to discuss the application and raise my concerns with an offer of an amendment to the application. This amendment was felt appropriate as Nottinghamshire Police were of the opinion that potentially the premise could be managed with an experienced Designated Premise Supervisor with safeguards in place to prevent historical issues reoccurring. This would have included conditions, an example of this would have been a request for door supervisors to be employed at the premises, a reduction in hours licensable activities can take place and a reduction in opening hours. These requests were with a view to minimise potential for incidents in relation to all four Licensing Objectives. However, during the meeting it became clear that Mei Mei HUANG and Juan Hua CHEN would not agree to, nor offer these as precautionary measures to support the granting of a Premise Licence. As such, it is with regret that I respectfully ask for the application to be refused in its entirety.

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EXHIBIT

AP01

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Adrian Paling

From: Steventon, Sarah <Sarah.Steventon@broxtowe.gov.uk>
Sent: 23 May 2022 09:38
To: Adrian Paling
Subject: Statement
Attachments: Queens head statment.docx

Hi Adrian

Sent you wrong statement earlier this is the right one

Regards

Sarah

Sarah Steventon
 Anti-Social behaviour and Licencing Enforcement Officer
 Broxtowe Borough Council
 Foster Avenue
 Beeston
 NG9 1AB

Email: sarah.steventon@broxtowe.gov.uk
 Office: 0115 917 3281

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I Sarah Steventon Licensing ASB Enforcement officer for Broxtowe Borough Council was asked to attend a meeting.

On Monday 25th April 2022 at 10:00am I attended a meeting at the Queens Head with Adrian Palling Police Licensing officer and Ms. Mei Mei Huang (proposed Premise Licence Holder) and Mr Juan Chen (Partner of Ms Huang)

The purpose of the meeting was to discuss proposed New Premise Licence application.

We were told that a person known as JM was to attend the meeting to help with translation as Mr. Chen and Ms. Huang find English difficult. But he has unable to do to Covid.

They showed us their new business plan which was to have a DPS run the bar on the ground floor. And also have a different person run the bar and the first floor as a dancing type venue and also they wanted to have a restaurant type area in the back of the building run by someone else.

Mr. Chen and Ms. Huang would still live on the premises with their children.

I asked the question if they would still play a role in the business which at first they both answered yes to. Stating that Ms. Huang would work behind the bar. Later in the conversation Mr. Chen said he would be involved by watching the CCTV.

At this point Adrian Palling and I checked the CCTV system CCTV – CCTV system is accessed by a large TV on wall in main bar area, whereby the mouse is used by standing on a chair next to the ornate gold mirror and using the wall as a mat. On this system only one camera covers the public bar and only partially shows the bar. There are blind spots in the ground floor bar area that are not covered. There are 3 systems. Mr. Chen explained that these had been added separately over time

No 1 system has 8 cameras and is only recording 9 days. (17/04/22 to 25/04/22 inclusive)

No 2 system and number 3 system have extra cameras covering various parts in the pub, still with blind spots. These have not been plugged in so unable to verify how many days' storage. Advised that as of today onus is on them to prove the cameras are working and recording correctly.

We then asked if they would consider reducing their opening hours which they refused as they stated that opening late was the only time they would get customers and during earlier times the venue is empty.

Mr. Chen was asked about door staff and agreed to no more than two as he felt any more would have a cost impact and also was not needed.

No plans are in place to alter the side entrance gate to the garden area where we had issues before of people climbing over the gate to gain entrance to the venue.

There will be three different business running from the same venue with the potential of approx. 250 people in the premises using the front and side entrance and all sharing the toilets down stairs on the first floor and the garden area.

Due to the language barrier both myself and Adrian spent time explaining why they would need to have door staff due to previous issues at the venue and why they would need the CCTV system to be

operational stating the correct time and date and all camera's working. We went over this several times to make sure that they understood. THE END.

EXHIBIT

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RESTRICTED (when complete)

MG11 2015

WITNESS STATEMENT***CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1***

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Statement of: Mike EBBINS

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Inspector

This statement (consisting of three (3) pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature: M. EBBINS 2706

Date: 28/04/2022

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

1. I am a Police Inspector with Nottinghamshire Police currently based at Beeston Police Station, Broxtowe Civic Centre, Foster Avenue, Beeston, NG9 1AB. I am the District Policing Commander for Broxtowe Borough which includes the town of Kimberley.

I have been a police officer in Nottinghamshire for 20 years and I am fully conversant with the issues of crime and anti-social behaviour that have been, and continue to be, addressed by partners, stakeholders, the community and those within the policing family.

2. As District Commander for Broxtowe, I am responsible for managing the policing response to crime and disorder within the borough. As a result I have an interest in the operation of all the licensed premises within the borough, particularly those where the sale of alcohol contributes to high levels of crime, disorder, anti-social behaviour and public nuisance.
3. In making this statement I have referred to the statement by my predecessor, Insp Simon RILEY, dated 14/10/2020, for guidance on previous issues at the Queens Head.

Signature: M.EBBINS

Signature witnessed by: _____

4. The Queen's Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL, is a licenced premises that has historically caused concern for the Police. Prior to its closure in November 2020 it was considered a 'risky venue' due to high levels of crime, disorder and anti-social behaviour in and in the immediate vicinity of the premises. There were concerns that the Designated Premises Supervisor (DPS) and staff were unable to safely and appropriately manage their venue, within its existing licence conditions.
5. In November 2020 the venue was closed after a series of incidents of disorder linked to the venue. These incidents were recorded on both the Police Command and Control database and also on the 'Innkeeper' database used by the Nottinghamshire Police County Licensing Team. These incidents included offences of violence where glass bottles were used to assault and injure a member of the public and assaults of two police officers called to reports of disorder at the Queen's Head. A number of complaints were also received from members of the public and local councillors regarding crime & disorder and anti-social behaviour that have occurred as a result of the poor management of The Queen's Head. None of the calls to police and emergency services were made by either the Designated Premises Supervisor / Licensee or his staff.
6. As a result of the incidents at the Queens Head PH in August 2020, Nottinghamshire Police deployed additional force resources to the venue in the form of Operation BION officers (Sergeant and three constables) tasked with periodic patrols of the Queens Head.
7. The Operation BION officers in attendance took video footage of the Queen's Head and it's vicinity on body-worn video cameras which would be used as evidence for anti-social behaviour, crime and disorder. They showed under-aged drinkers, people clearly drunk, being served with alcohol inside the premises. It showed a disregard for any of the 'COVID-Security' measures that were law at the time with breaches in capacity, distancing, hand sanitisation and track and trace provision.

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8. My predecessor Inspector RILEY had to authorise the use of dispersal powers under Section 34 of the Anti-Social Behaviour, Crime and Policing Act 2014 on four occasions to combat the issues at the venue. This power being reserved for serious nuisance only.
9. Because of the levels of ASB and disorder during the month of August 2020, Inspector RILEY provided a dedicated police response to Kimberley Town Centre for the month of August which concluded the day the Queens Head was closed under Coronavirus legislation by the County Council. The staff intensive operation had a detrimental effect on policing in the rest of Broxtowe for this period.
10. Having reviewed the previous issues at the venue and the huge impact this had on policing resources in Broxtowe I can conclude that I have serious concerns around the proposed new Licensee Mei Mei HUNAG (partner of previous license holder and DPS Mr CHEN) being allowed to reopen the public house. The evidence indicates Mr CHEN would still be in control of the premises and they would not be able to maintain a safe and effective operation at The Queens Head under the terms and conditions of his current licence and that this would lead to an increase in ASB, crime & disorder and nuisance in the area.

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EXHIBIT

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Licensed Premises within Kimberley Town Centre and Terminal Time of Sale of Alcohol

<u>Name and Address</u>	<u>Premises Type</u>	<u>Terminal Time of Licensable Activity</u>
Queens Head (PROPOSED) 34 Main Street Kimberley	Public House	Sunday – Wednesday 10:00 – 00:00 Thursday – 10:00 – 01:00 Friday – Saturday – 10:00 – 02:30
Gate Inn Main Street Kimberley	Public House	Monday – Thursday & Sunday 10:00 – Midnight Friday – Saturday 10:00 – 01:00
Zeon Bar 23 – 27 Main Street Kimberley	Café Bar	Monday – Sunday 11:00 – Midnight
Dandelion Deli and Coffee Shop 33 Main Street Kimberley	Café Bar	Monday – Saturday 09:00 – 22:30 Sunday - 09:00 – 19:30
Farm Fresh Market 45 – 47 Main Street Kimberley	Café Bar	Monday – Sunday 08:00 – 22:00
Doghhouse 55 Main Street Kimberley	Public House	Sunday – Wednesday 10:00 – 00:00 Thursday 10:00 – 01:00 Friday – Saturday 10:00 – 02:00
Roots 17 Nottingham Road Kimberley	Public House	Monday – Saturday 12:00 – 23:00 Sunday 12:00 – 22:00
Stag Inn 67 Nottingham Road Kimberley	Public House	Monday – Thursday 10:00 – Midnight Friday – Saturday 10:00 – 01:00 Sunday - 11:00 – Midnight
Cricketers Rest 4 Chapel Street Kimberley	Public House	Monday – Thursday & Sunday 10:00 – Midnight Friday – Saturday 10:00 – 01:30
Nelson and Railway 12 Station Road Kimberley	Public House	Monday – Thursday & Sunday 10:00 – 00:00 Friday – Saturday 10:00 – 01:00

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ALCOHOL AND ENTERTAINMENTS HEARING PANEL

DECISION OF HEARING

The Licensing Act 2003 (Hearings) Regulations 2005

Applicant:	Ms Mei Mei Huang (Assisted by Juan Hau Chen, proposed DPS) (Assisted by Po Lam Wong, Interpreter)
Premises:	Queens Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL
Hearing date and time:	2 November 2021 at 1.30pm
Hearing place:	The Council Chamber Broxtowe Borough Council Foster Avenue, Beeston, Nottingham, NG9 1AB
Constitution of the Panel:	Cllr P Lally (Chairman) Cllr J Patrick Cllr B Carr
Officers present:	Angela Edwards (Senior Solicitor) John Miley (Licensing Manager) Arron Beckworth (Democratic Services Officer)
Responsible Authorities Present:	Environmental Health, Broxtowe Borough Council (Represented by Suzanne Hickey) Chief Constable, Nottinghamshire Police (Represented by David Ring, Legal Representative)
Objectors Present:	Trevor Rood (Chairman, Kimberley Town Council) Anthony Mason Samuel Boneham
Application:	S17 Licensing Act 2003 – Application for a new Premises Licence
Decision:	The application for a new Premises Licence is REJECTED in its entirety

PROCEDURAL NOTE

Introductions were made and it was explained to everyone present that an independent interpreter had been provided to assist the Applicant as English was not her first language. The Interpreter provided a declaration to the Hearing Panel that she would interpret truthfully to the best of her skill and understanding. All parties spoke clearly and slowly when making their presentations to the Hearing Panel to allow effective interpretation to the Applicant.

The procedure for the hearing was outlined to those present and all parties agreed that they understood the purpose of the hearing and the procedure that would be adopted.

The Applicant specifically confirmed that she understood what the hearing was for; that she had been advised to seek independent legal advice; and that she wished to proceed with the hearing to determine her application without legal representation.

It was confirmed that, in the interests of fairness, the Chairman did not intend to impose a speaking time limit, but speakers were advised that the Hearing Panel had read the evidence provided and were asked to focus on the main points, avoiding repetition.

It was explained that when all parties had made their representations, the Hearing Panel would retire to make their decision and then return to announce it publicly. Thereafter, the written decision would be sent out to all parties within 5 working days of the hearing.

Once the Hearing Panel were satisfied that a fair hearing had been held, they immediately retired to make their decision and sought advice from the Legal Advisor as required.

THE DECISION OF THE HEARING PANEL

The Hearing Panel **RESOLVED** that the application for a new Premises Licence be **REJECTED** in its entirety.

REASONS FOR THE DECISION

In reaching its decision, the Hearing Panel had due regard to the Council's Statement of Licensing Policy, the s182 Government Guidance, the four licensing objectives, the Licensing Act 2003 and the Crime and Disorder Act 1998.

The Hearing Panel listened carefully to the oral representations made during the hearing and considered them in detail, together with all of the written representations received.

During the hearing, and upon consideration of the evidence, the Hearing Panel were mindful of the fact that English was not Ms Huang's or Mr Chen's first language, but were satisfied that the interpreter provided had enabled a fair hearing to take place. The

Hearing Panel were satisfied that Ms Huang and Mr Chen properly understood the proceedings and had been given every opportunity to be involved.

The Hearing Panel noted the representations made regarding crime and disorder which had led to the revocation of the previous Premises Licence on the 10th November 2020. The Hearing Panel acknowledged that there was considerable evidence justifying that action and were unconvinced by Mr Chen's assertions that the allegations were false.

The Hearing Panel were satisfied that the Responsible Authorities had acted appropriately and offered support to Ms Huang and Mr Chen following the submission of this application, but found that Ms Huang and Mr Chen had failed to put measures in place to make their application acceptable.

The Hearing Panel gave ample opportunity to Ms Huang and Mr Chen to demonstrate what action they would take in order to prevent the previous disorder from recurring. The Hearing Panel found that they had failed to put in any satisfactory measures at all. The Hearing Panel considered the unsupported assurance given by Mr Chen that he would control the Premises to be unconvincing.

The Hearing Panel were not satisfied that Ms Huang and Mr Chen were competent to control the Premises and manage it in a safe way in pursuance of the licensing objectives.

The Hearing Panel noted that Ms Huang and Mr Chen showed no remorse or acceptance of responsibility for the previous disorder and considered that they were motivated only by personal gain.

The Hearing Panel were of the view that the grant of the application would have a negative impact on the community and would undermine all of the licensing objectives.

The Hearing Panel consequently rejected the application in its entirety.

RIGHT OF APPEAL

There is a right of appeal to the Magistrates' Court within 21 days from the date on which the parties are notified of the determination of the decision of the Hearing Panel.

Signed:



Dated:

2ND NOVEMBER 2020

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