



Monday, 3 October 2022

Dear Sir/Madam

A meeting of the Alcohol and Entertainments Licensing Hearing Panel will be held on Tuesday, 11 October 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

Chief Executive

To Councillors: D Bagshaw D Grindell
 P D Simpson S Paterson (substitute)

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 FOR A NEW PREMISES LICENCE

(Pages 3 - 34)

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ALCOHOL AND ENTERTAINMENT LICENSING PANEL HEARING APPLICATION FOR A PREMISES LICENCE

Tuesday 11th October @10:00

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

Applicant:	Heron Foods Limited	
Premises applied for:	Heron Foods 46-48 Blenheim Drive Beeston Nottingham NG9 5ES	
Type of application:	S17 Licensing Act 2003 Application for a new premises licence	
Date application received	24.08.2022	
Consultation period end	21.09.2022	
Licensable Activities applied for:	Sale of Alcohol OFF the premises	
Variation(s) applied for:	N/A	
Hours applied for:	Monday – Saturday	07:00 – 22:00
	Sunday	08:00 – 20:00
Hours open to Public:	Monday – Saturday	07:00 – 22:00
	Sunday	08:00 – 20:00
Proposed Designated Premises Supervisor	Andrew Calcott	
Steps applicant proposes to take to promote the Licensing Objectives.	<p>See Conditions agreed with Nottinghamshire Police Licensing Team 21.09.2022</p> <p>The applicant has also provided copies of robust training procedures in respect of staff training regarding the sale of alcohol to prevent under age sales. These are commercially sensitive documents and do not form part of the hearing bundle. The Licensing Manager has reviewed these documents and is satisfied that they address the issues relating to the prevention of under age sales</p>	

Representations:	Licensing Objectives			
	Crime and Disorder	Public Safety	Public Nuisance	Protection of Children from harm
Responsible Authorities				
No Representations received	N/A	N/A	N/A	N/A
Interested Parties				
Mr Paul Malone	X		X	
Attendances on behalf of the Applicant:	Mr Christopher Rees-Gay Woods Whur 2014 Limited Solicitor			
	Laura Baker Heron Foods Limited Property Department/Head of Licensing			
	Andrew Calcott Area Manager/DPS Heron Foods Limited			
Attendances on behalf of Interested Parties	None			
Attached documents	<ul style="list-style-type: none"> • Application • DPS Consent Form • Plan • Relevant representation • Conditions agreed with Police 21.09.22 			

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**
- **Prevention of Public Nuisance**

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 representation.

Consideration of the application

Whether upon consideration of the facts, that the grant of an application by Heron Foods Limited in the terms applied for will undermine the licensing objectives above.

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

The representation from the Interested Party:

Note: although stamped 22.09.2022 the representation was received on 21.09.2022 and prior to the close of the consultation period. (JM)

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 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
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
 - Interested parties
 - Licensing Committee members
8. After each speaker the Chair will invite the Applicant tor his representative to respond through the Chair
9. The Chair invites the Interested party 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 asks the parties in the following order whether they have anything further to add as a closing statement.
 - Interested Parties;
 - Applicant.
12. 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.

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference This is the unique reference for this application generated by the system.
- Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes No

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number Include country code.
- Other telephone number
- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

- Is the applicant's business registered in the UK with Companies House? Yes No
- Note: completing the Applicant Business section is optional in this form.
- Registration number
- Business name If the applicant's business is registered, use its registered name.
- VAT number Put "none" if the applicant is not registered for VAT.
- Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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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

Provide a general description of 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.

Heron Foods is a convenience store selling frozen and convenience store goods.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Name

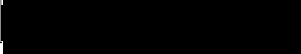
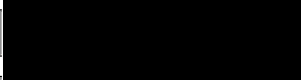
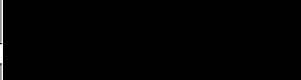
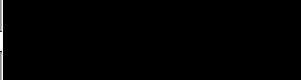
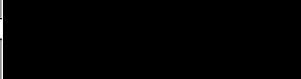
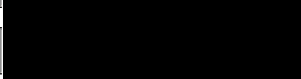
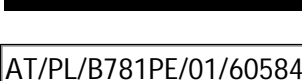
First name

Family name

Date of birth / /
dd mm yyyy

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Enter the contact's address

Building number or name		<input type="text"/>
Street		<input type="text"/>
District		<input type="text"/>
City or town		<input type="text"/>
County or administrative area		<input type="text"/>
Postcode		<input type="text"/>
Country		<input type="text"/>

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Please see b), d) and e) below.

b) The prevention of crime and disorder

1. Suitable close circuit television system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
2. The CCTV system will be of satisfactory resolution quality which will enable the identification of persons and activities.
3. The CCTV system will have sufficient storage, retention and capacity for a minimum of 28 days continuous footage which will be of good quality.
4. A designated member of staff will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the licensing authority or a responsible authority, any CCTV footage as requested will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied on request to an authorised officer of the licensing authority or a responsible authority.
5. An incident report register will be maintained on the premises to record incidents such as anti-social behaviour, admissions, refusal and ejections from the premises.
6. The incident report register will be produced for inspection immediately on the request of an authorised officer.
7. All staff will receive training on the Licensing Act 2003 and training will be refreshed at regular intervals.

c) Public safety

Please see b), d) and e) above and below.

d) The prevention of public nuisance

8. Notices shall be displayed at the exit requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

e) The protection of children from harm

9. Challenge 25 will be in operation at the premises.
10. Signage will be displayed in the premises informing both staff and customers of the Challenge 25 policy.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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 arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

1. [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). 2. 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)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/broxtowe/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="HER002-217-4"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Consent of individual to being specified as premises supervisor

I, ANDREW JOHN CALCOTT

DOB: [REDACTED]

Nationality: BRITISH

Place of Birth: [REDACTED]

Of [REDACTED]

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

Variation of Designated Premises Supervisor

by Heron Foods Limited

relating to premises licence

for Heron Foods, CHILWELL, 46-48 BLENHELM DRIVE, BEESTON, NG9 5ES.

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

Heron Foods Limited

concerning the supply of alcohol at

Heron Foods, CHILWELL, 46-48 BLENHELM DRIVE, BEESTON, NG9 5ES

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

- AT/PL/B78IPE/01/60584

Personal licence issuing authority

- NORTH WARWICKSHIRE BOROUGH COUNCIL

Signed [REDACTED]

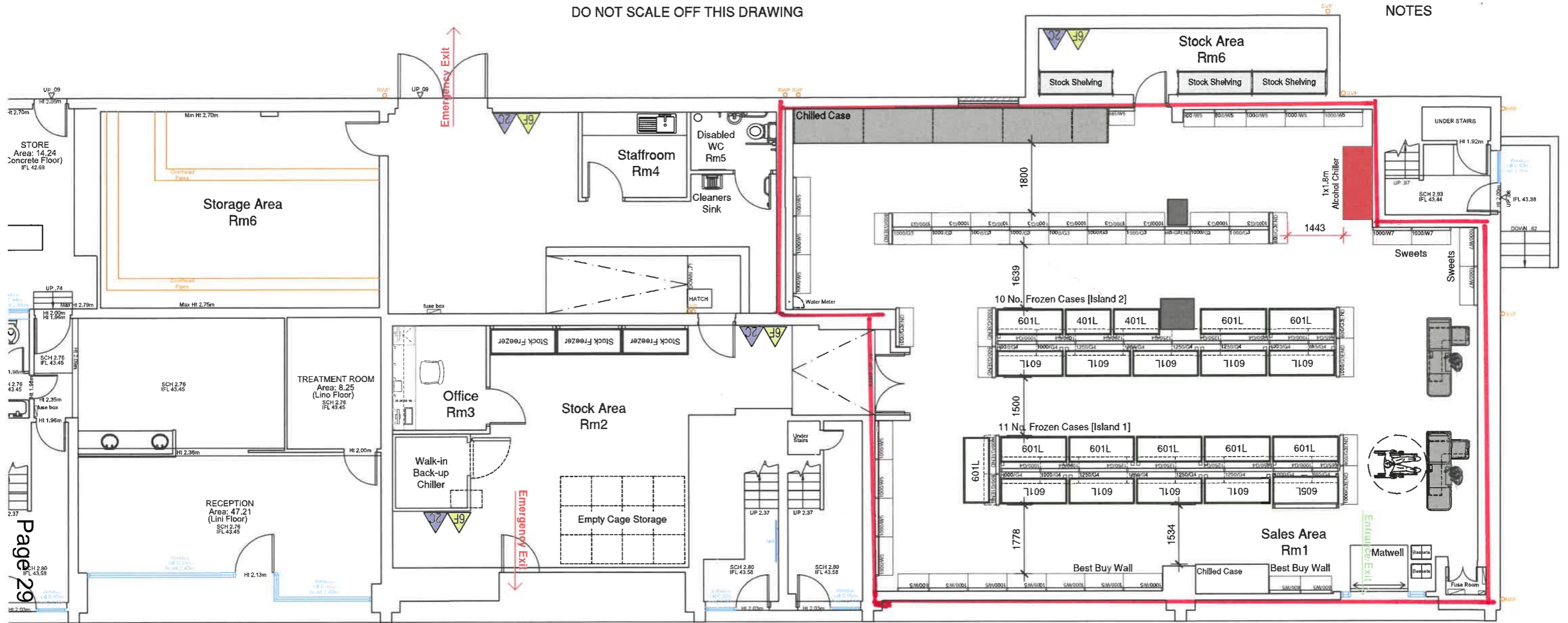
Name ANDREW JOHN CALCOTT

Dated 23/08/22

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DO NOT SCALE OFF THIS DRAWING

NOTES



Page 29

Fire Extinguishers	
	6Ltr Foam
	2Ltr Co2

Total Nett Sales Area = 2064ft²

Note:
All setting-out dimensions are given from finished face of perimeter wall paneling.



Project
CHILWELL STORE
46-48 Blenheim Drive
Beeston
Nottingham NG9 5ES

Title
GENERAL ARRANGEMENT
Block Plan

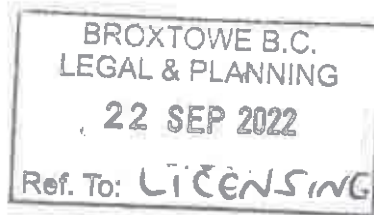
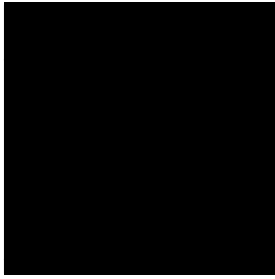
Scale 1:100@A3 Date 12.05.21
Drawn PS Checked

Drawing Number
7690-A-2101 D

Heron Foods Limited
Jackson Way
Melton
East Yorkshire
HU14 3HJ
t. 0345 603 7300
f. 01482 632520

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20/09/2022

Sale of Alcohol OFF the Premises - Heron Foods, 46-48 Blenheim Drive

To whom it may concern,

Could I please lodge an appeal against this application?

I really don't think there is a need for this in the area. There are more than enough establishments within walking distance if alcohol is required.

I don't have a problem with an alcohol licence being granted, rather the extension of hours. These premises offer low cost frozen foods and serve a use, however come 8pm there is no mad scramble to get these products, the site has operated well and kept noise to a minimum.

We have a young family and live opposite this establishment, and whilst 8pm closing time, is after one of our children going to bed, the noise is kept to a minimum.

With this application, from 7.00 - 22.00, we are being asked to endure disruption for a 15 hour period in 24 hours. At what point is it deemed reasonable to be buying alcohol at 7am? Surely we should be protecting our neighbourhood and the environs from seeing people buying alcohol this early. Those who may have issues with alcohol, may see this as a hub for a quick drink to start their day. This shop is based next to several schools, and many parents walk or park outside. Do we want to expose our children to individuals purchasing and potentially consuming it prior to school?

I would like to add, I'm not sure the store is set up for such a change in use. There may be CCTV, but the store is often run on a low staff level, often having to wait to be served as the assistant is in the store room. There is no security, which inevitably, there will be a need, both for the customers and staff alike, as alcohol related incidents and shop-lifting are highly likely to raise their head again, akin to Sainsbury's.

Historically when Sainsburys was in the location, we would often experience various anti-social behaviour with late night opening, youths and groups would often gather outside on

the steps to the side of the shop and have a drink, a loud conversation, and in some cases various fights would break out.

If the application is be be granted, I would ask that opening times be kept as they are, 8-8, a reasonable hour for the residents in the area. Lets not make this a late night off licence, selling cheaper more affordable alcohol, to those who may travel or be attracted to it.

I thank you for your time and hope my concerns and those of my neighbours be taken on board.

Regards



Paul Malone

**Annex 2 – Conditions consistent with the Operating Schedule
and as agreed with Police 21.09.2022**

1. A CCTV system shall be installed and operative in the premises when licensable activities are taking place and at any other times when members of the public are present on the premises.

All recordings used in conjunction with CCTV shall:

- Be of evidential quality which will enable the identification of persons and activities
- indicate the correct time and date
- be retained for a period of 31 days
- Cover the point of sale, and entry and exit, as a minimum
- At least one person trained and authorised to access the CCTV system shall be present during opening hours. They shall be able to perform basic operations such as reviewing and downloading recordings to removable media any CCTV footage as requested will be downloaded immediately or secured to prevent any overwriting if required for Police or other authorised officers.
Recordings to be made available for inspection to the Police or any other authorised person when requested.

2. All members of staff shall be fully trained in the retail sale of alcohol. The training shall be ongoing and each member of staff shall be reviewed every six months. All details of the level of training shall be recorded in a bound and sequentially paginated book or electronic record. This information shall be made available for inspection and copying by the Police or any other authorised person on request and all such books shall be retained at the premises for at least 12 months.

3. A bound and sequentially paginated incident book or electronic record shall be kept to record all instances of disorder, damage to property and personal injury at the premises. This book shall be made available for inspection and copying by the Police or any other authorised person upon request and all such books shall be retained at the premises for at least 12 months.

4. A bound and sequentially paginated refusals book or electronic record shall be kept at the premises to record all instances where admission or service is refused.

Such records shall show:

- The basis for the refusal;
- The person making the decision to refuse; and
- The date and time of the refusal.

Such records shall be retained at the Premises for at least 12 months, and shall be made available for inspection and copying by the Police or any other authorised person upon request.

5. A Challenge 25 scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (e.g. passport, driving licence, Military ID or PASS accredited card).

6. Challenge 25 notices shall be displayed in prominent positions throughout the premises
7. Notices shall be displayed at the exit requesting the public to respect the needs of local residents and to leave the premises and the area quietly.