

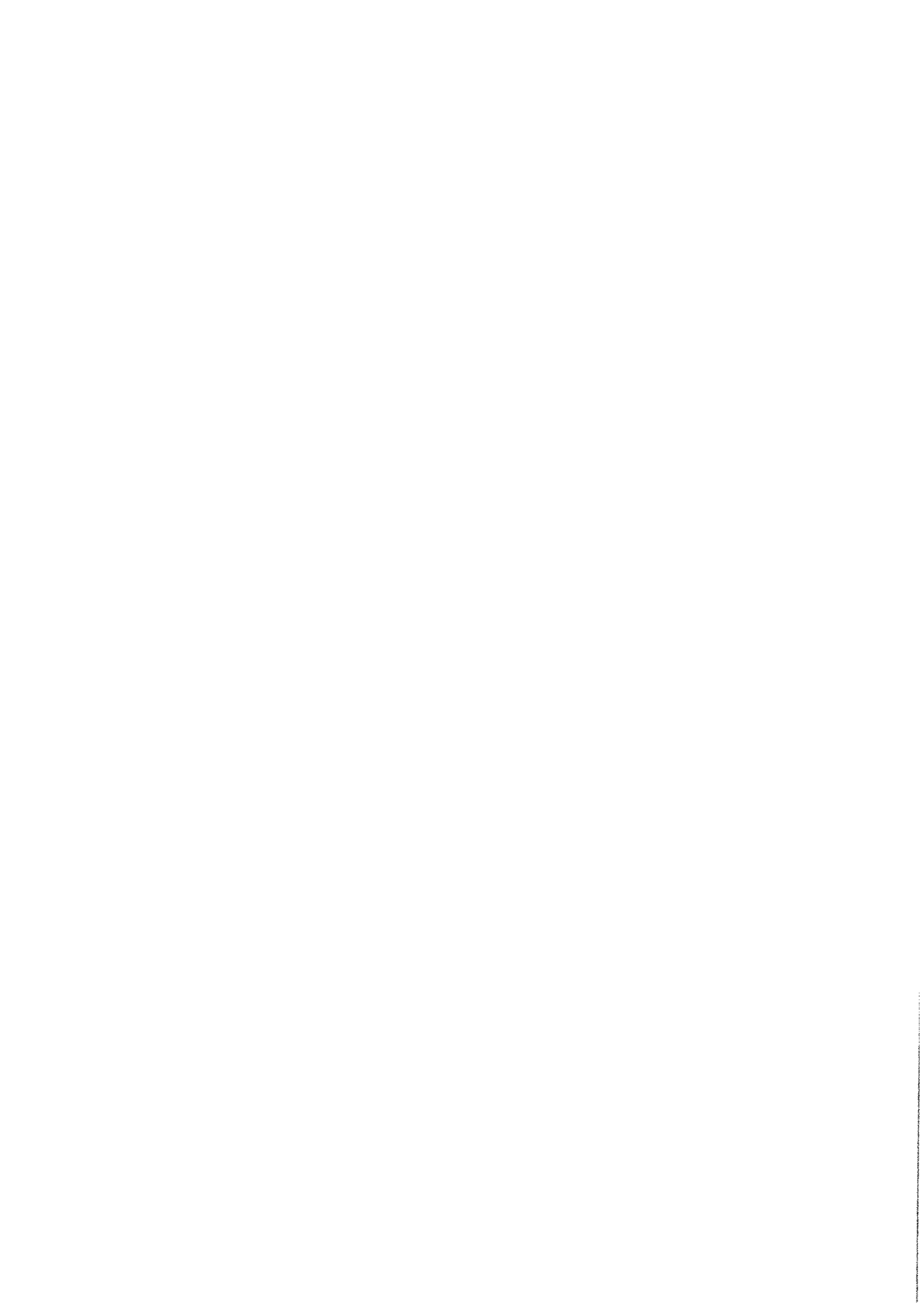


**NOTICE OF REPRESENTATION AND
EVIDENCE BUNDLE
BY NOTTINGHAMSHIRE POLICE
REGARDING
APPLICATION FOR A PREMISE LICENCE
QUEENS HEAD
34 MAIN STREET KIMBERLEY
NOTTINGHAMSHIRE NG16 2LL
DATE: 22ND OCTOBER 2021**

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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**
- d. Your e-mail address:
[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 within 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.

This new application is for licensable activities to allow for the sale of alcohol, provision of films, indoor sporting events, live music and recorded music, performances of dance and an increase of hours:

Supply of Alcohol

Sunday – Wednesday 10:00 – Midnight

Thursday – 10:00 – 01:00

Friday – Saturday – 10:00 – 04:00

Hours premise open to the public

Sunday – Wednesday 05:00 – 00:30

Thursday – 05:00 – 01:30

Friday – Saturday – 05:00 – 04:00

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.

Between June 2019 and September 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. This included a number of 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.

Various meetings were held between Mr Chen, Mei Mei Huang and Police licensing, the neighbourhood Policing Team, Broxtowe Borough Council Licensing and Environmental Health Departments to highlight areas of concern, discuss incidents that had occurred and offer solutions and support as a partnership approach.

Mr Chen 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, 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 has 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 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.

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 of the above, Nottinghamshire Police believe both the proposed premise licence holder Mei Mei Huang and the designated premise supervisor Juan Hua Chen are 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.

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 and the proposed designated premise supervisor Juan Hua Chen.

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: 23rd September 2021

Cc: Bernard Yoong c/o Ian Henery Solicitors Ltd Willenhall West Midlands (Applicants agent)



Broxtowe
Application for a premises licence
Licensing Act 2003

For help contact
licensing@broxtowe.gov.uk
 Telephone: 0115 917 3241

* required information

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?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

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.

Continued from previous page...

Address

* 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

Other telephone number

Include country code.

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

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	Quickjay Buildings
Street	Bilston Street
District	
City or town	Willenhall
County or administrative area	West Midlands
Postcode	WV13 2AW
Country	United Kingdom

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	Queens Head
Street	34 Main Street
District	Kimberley
City or town	Nottingham
County or administrative area	
Postcode	NG16 2LL
Country	United Kingdom

Further Details

Telephone number	0
Non-domestic rateable value of premises (£)	18,000

Section 3 of 21

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Section 5 of 21

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

Continued from previous page...

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.

Sale and consumption of alcohol at Ground floor and 1st floor; Indoor Sporting Events at Ground floor and 1st floor; Performance of live music, playing recorded music and performance of Dance at Ground floor and 1st floor.

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

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

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

All the exhibition of films take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

music will be amplified

State any seasonal variations for the exhibition of film

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 exhibition of film 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.

Maundy Thursday 10:00-01:30

Sundays preceding a Bank Holiday Monday 10:00-01:30

Bank Holiday Mondays 10:00-00:30

December 24 10:00-01:30

December 26 10:00-01:30

December 27-30 inclusive 10:00-01:30

December 31 10:00-Jan.1 terminal hour

When private functions are held terminal hour = 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

Will you be providing indoor sporting events?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

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.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

music will be amplified

State any seasonal variations for indoor sporting events

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

Continued from previous page...

Non-standard timings. Where the premises will be used for indoor sporting events 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.

Maundy Thursday 10:00-01:30

Sundays preceding a Bank Holiday Monday 10:00-01:30

Bank Holiday Mondays 10:00-00:30

December 24 10:00-01:30

December 26 10:00-01:30

December 27-30 inclusive 10:00-01:30

December 31 10:00-Jan.1 terminal hour

When private functions are held terminal hour = 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.

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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

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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.

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

music will be amplified

State any seasonal variations for the performance of live music

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 performance of live music 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.

Maundy Thursday 10:00-01:30

Sundays preceding a Bank Holiday Monday 10:00-01:30

Bank Holiday Mondays 10:00-00:30

December 24 10:00-01:30

December 26 10:00-01:30

December 27-30 inclusive 10:00-01:30

December 31 10:00-Jan.1 terminal hour

When private functions are held terminal hour = 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

music will be amplified

State any seasonal variations for playing recorded music

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

Maundy Thursday 10:00-01:30

Sundays preceding a Bank Holiday Monday 10:00-01:30

Bank Holiday Mondays 10:00-00:30

December 24 10:00-01:30

December 26 10:00-01:30

December 27-30 inclusive 10:00-01:30

December 31 10:00-Jan.1 terminal hour

When private functions are held terminal hour = 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

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 performance of dance take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

music will be amplified

State any seasonal variations for the performance of dance.

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 performance of dance 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.

Maundy Thursday 10:00-01:30

Sundays preceding a Bank Holiday Monday 10:00-01:30

Bank Holiday Mondays 10:00-00:30

December 24 10:00-01:30

December 26 10:00-01:30

December 27-30 inclusive 10:00-01:30

December 31 10:00-Jan.1 terminal hour

When private functions are held terminal hour = 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.

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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

Continued from previous page...

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

 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

SATURDAY

Start End Start End

SUNDAY

Start End Start End

Will the provision of late night refreshment take place indoors or outdoors or both?

 Indoors
 Outdoors
 Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

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 late night refreshments 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.

Waivandy Thursday 23:00-02:00

Sundays preceding a Bank Holiday Monday 23:00-02:00

Bank Holiday Mondays 23:00-01:00

December 24 23:00-02:00

December 26 23:00-02:00

December 27-30 inclusive 23:00-02:00

December 31 23:00-05:00

January 1 23:00-02:00

When private functions are held terminal hour = 02:00 following day.

From one hour before the start of the following events (when televised live) until standard opening time:

-Football World Cup

-Rugby World Cup

-Olympics

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

Section 15 of 21

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

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

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.

Maundy Thursday 10:00-02:00
 Sundays preceding a Bank Holiday Monday 10:00-02:00
 Bank Holiday Mondays 10:00-01:00
 December 24 10:00-02:00
 December 25 09:00-normal terminal hour
 December 26 09:00-02:00
 December 27-30 inclusive 10:00-02:00
 December 31 10:00-Jan.1 terminal hour
 January 1 10:00-02:00

When private functions are held terminal hour = 02:00 following day.

From one hour before the start of the following events (when televised live) until standard opening time:

- Football World Cup
- Rugby World Cup
- Olympics

Continued from previous page...

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

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

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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'.

Section 16 of 21

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.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

SATURDAY

Start End Start End

SUNDAY

Start End Start End

State any seasonal variations

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

Continued from previous page...

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.

Maundy Thursday 05:00-02:30

Sundays preceding a Bank Holiday Monday 05:00-02:30

Bank Holiday Mondays 05:00-01:30

December 24 05:00-02:30

December 26 05:00-02:30

December 27-30 inclusive 05:00-02:30

December 31 05:00-Jan.1 terminal hour

January 1 05:00-02:30

When private functions are held terminal hour = 02:30 following day.

From one hour before the start of the following events (when televised live) until standard opening time:

-Football World Cup

-Rugby World Cup

-Olympics

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

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)

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

-there 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 the premises from 21:00hrs to close of the premises on a Friday and Saturday

-Alcohol and soft drinks will be served in plastic glasses from 21:00hrs to close of the premises on a Friday and Saturday

-A C.C.T.V system with 18 cameras has been installed and is working

-Recordings to be made available for viewing and if needed downloading immediately

-A C.C.T.V camera will be in operation at the front of the premises at all times when the premises is in use

c) Public safety

-All exit doors are easily operable without the use of a key, card, code or similar means

-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

Continued from previous page...

nearby properties

e) The protection of children from harm

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

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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.

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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 you 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	BY.RH.H1154.1
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
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

Juan Hua Chen

I
[full name of prospective premises supervisor]

of
 34 Main Street, Kimberley, Nottingham NG16 2LL

[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
 Mei Mei Huang

[name of applicant]

relating to a premises licence *[number of existing licence, if any]*

for
 Queens Head 34 Main Street Kimberley Nottingham 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

Mei Mei Huang

[name of applicant]

concerning the supply of alcohol at

Queens Head 34 Main Street Kimberley Nottingham 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

BROX17/01028

[insert personal licence number, if any]

Personal licence issuing authority

Broxtowe Borough Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

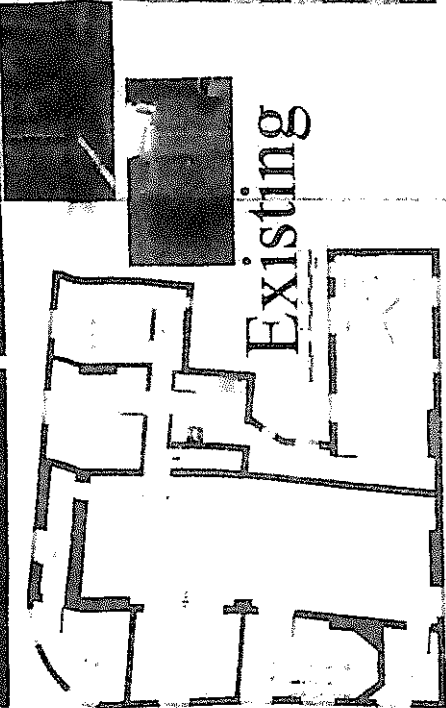
JUAN HUA CHEN

Name (please print)

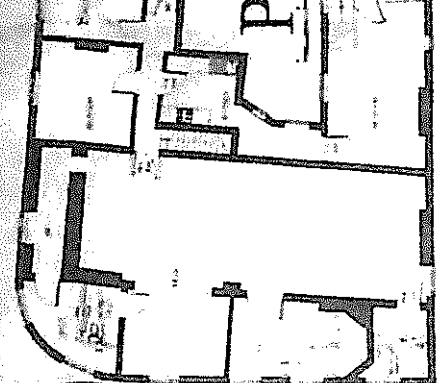
Juan Hua Chen

Date

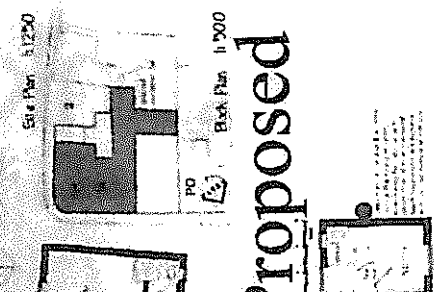
02/09/2020



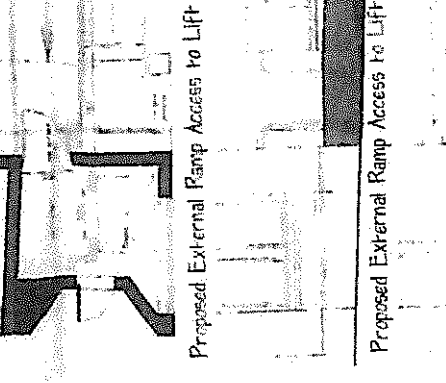
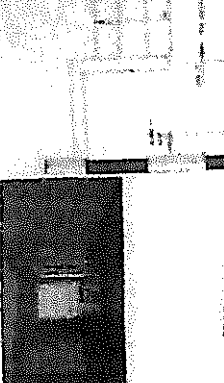
Existing First Floor Plan 1:100



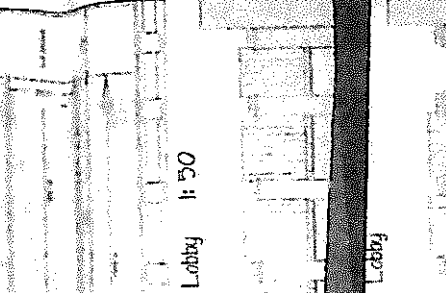
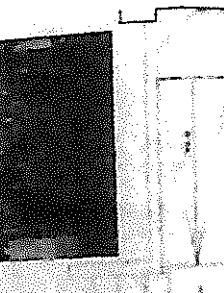
Proposed First Floor Plan 1:100



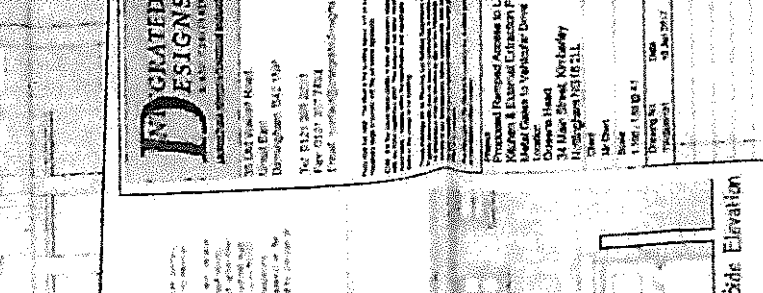
Proposed Ground Floor Plan 1:100



Proposed Ground Floor Plan 1:100



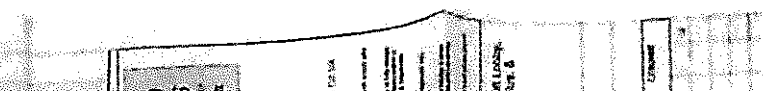
Proposed External Ramp Access to Lift Lobby 1:50



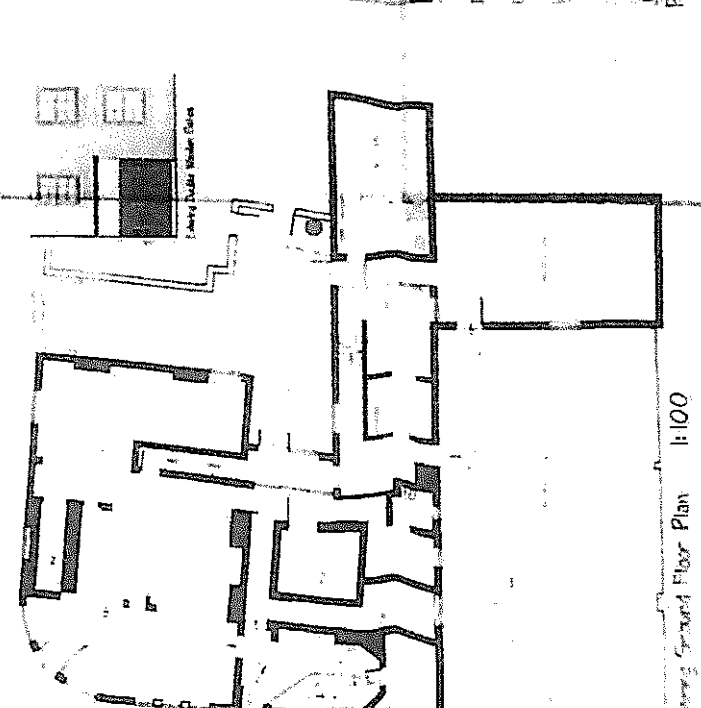
Proposed External Ramp Access to Lift Lobby



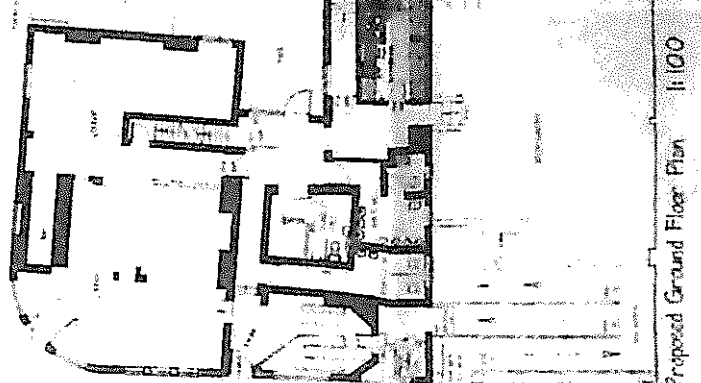
Proposed External Ramp Access to Lift Lobby 1:50



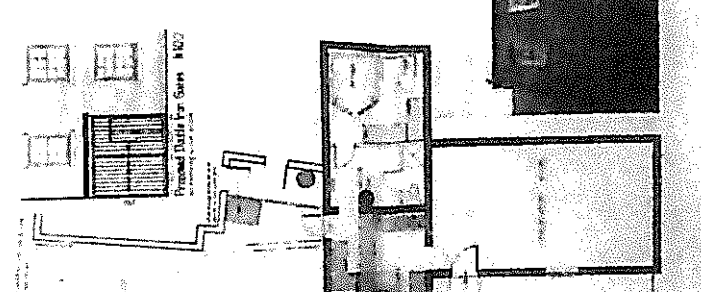
Proposed External Ramp Access to Lift Lobby



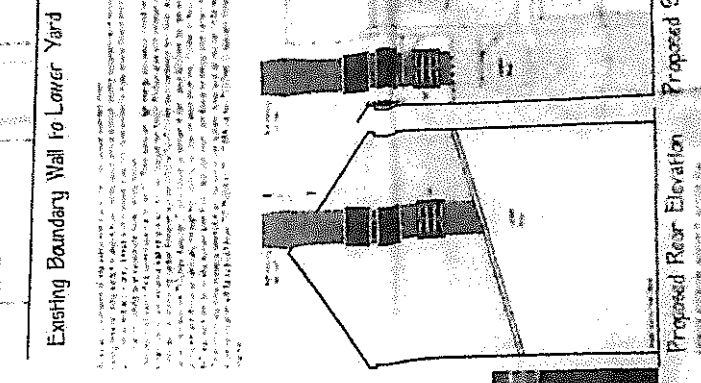
Existing Ground Floor Plan 1:100



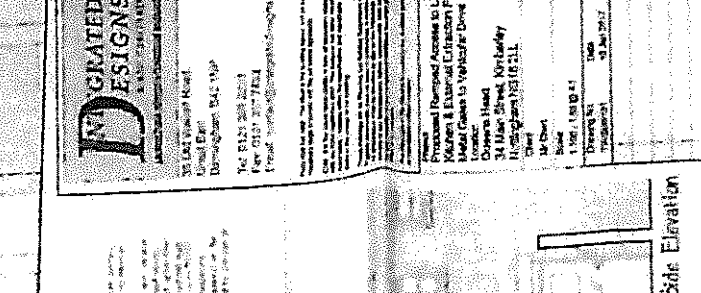
Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100



Proposed Rear Elevation



Proposed Side Elevation

Existing Boundary Wall to Lower Yard

THIS WALL IS TO BE MAINTAINED AS AN EXISTING BOUNDARY WALL TO THE LOWER YARD. THE WALL IS TO BE REPAIRED AND REFINISHED TO MATCH THE EXISTING WALL. THE WALL IS TO BE REPAIRED AND REFINISHED TO MATCH THE EXISTING WALL. THE WALL IS TO BE REPAIRED AND REFINISHED TO MATCH THE EXISTING WALL.

DIGATED DESIGNS
ARCHITECTURAL & INTERIOR DESIGN

30 LEE UNIVERSITY BLVD
NASHVILLE, TN 37203
TEL: 615.253.2811
FAX: 615.253.2774
EMAIL: info@digatedesigns.com

PROJECT: [Project Name]
DATE: [Date]
SCALE: [Scale]

PROFESSOR: [Name]
LECTURER: [Name]
STUDENT: [Name]

DATE	DESCRIPTION
10/15/17	ISSUED FOR PERMIT
08/15/17	ISSUED FOR PERMIT
07/15/17	ISSUED FOR PERMIT

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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: Simon RILEY

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

This statement (consisting of seven (7) 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: S. Riley

Date: 21/10/2021

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, a post I have held since April 2018.

I have been a police officer in Nottinghamshire for over 30 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. This includes identifying crime trends and working with partners across the community safety partnership to set policing priorities. These priorities are set by analysing police incidents and intelligence on a daily basis and comparing these with concerns regularly raised by the local community. It is my aim to set policing strategies that help Nottinghamshire Police to deliver a service that works for local people, with my primary focus being to keep people safe. As a result I have an interest in the operation of all the licensed premises within the borough,

Signature: S. Riley

Signature witnessed by:

particularly those where the sale of alcohol contributes to high levels of crime, disorder, anti-social behaviour and public nuisance.

3. In October 2020, I submitted a witness statement in relation to a number of issues which had arisen as a result of the complete mismanagement of the Queens Head Public House, a licensed premises on my borough, situated at 34 Main Street, Kimberley, Nottingham, NG16 2LL. I now refer to this statement, as exhibited, as Police Item SR1, label attached which is signed by me. This witness statement details the issues of violence and disorder (*including the assault of police officers attending calls to the pub*), anti-social behaviour and public nuisance, which occurred as a result of the mismanagement of the premises, by the then Licensee / Designated Premises Supervisor, Mr Jua Hua CHEN and his partner, Ms Mai Mei HUANG.
4. A number of Covid 19 breaches were also catalogued and were relevant to local and national status around the ongoing Covid19 pandemic and the threat to public safety at that time and which were well publicised.
5. My previous statement was produced in relation to a licensing hearing held online on November 10th 2020, the result of which is exhibited at item no, PH03, label attached, signed by me. As a result of this hearing, Jua Hua CHEN had his licence revoked and the premises closed indefinitely.
6. I am aware that CHEN and HUANG have now applied for a new licence. As the District Policing Commander this causes me great concern. I do not consider either CHEN or HUANG as fit and proper persons to run a busy, late night licensed premises. The previous track record of the two, in running the premises leads me to this conclusion
7. In my previous statement (Exhibit SR1), at point number 8 onwards, I detail the extra policing measures it had been necessary for me to introduce, in order to prevent and control the disorder and ASB caused by the inept manner in which the Queens Head had been run up to that point by CHEN and HUANG. These included, provision of additional resources (officers) over and above what would normally be required to police

Signature: S. Riley

Signature witnessed by: _____

Kimberley in an evening, which had a detrimental impact on being able to provide the correct resources to deal with local policing priorities and threat & risk elsewhere in the borough. It was also necessary for me to introduce Dispersal Orders under Section 34 of the Anti-Social Behaviour, Crime and Policing Act 2014, which empowers officers to disperse people suspected of being involved in ASB and disorder in the locality and not return. The orders can run for up to 48 hours and are resource-intensive in terms of ensuring their effectiveness.

8. The inability of a local policing commander to adequately source threat and risk issues on their geographical area of responsibility presents an unacceptable risk to public trust and confidence in the police. If I have to re-deploy officers to police preventable disorder in the vicinity of a badly-run licensed premises, this means I am unable to use those officers to deal with issues elsewhere.
9. Since the licence was revoked (and immediately prior to that when the pub was closed by Nottinghamshire County Council due to a number of Covid restriction breaches), there has not been one occasion where I have had to redeploy officers in order to police Kimberley's night time economy, nor have I had recourse to authorise further use of the Section 34 Dispersal powers. I am one hundred per cent satisfied that this is because the Queens Head has remained closed during this time.
10. As the District Policing Commander, I have neither trust nor confidence in Juan Hua CHEN, nor Mai Mei HUANG as DPS / Licensees in maintaining the safe and effective operation of The Queens Head. Based on my previous experience, detailed in my previous statement, I am of the view that they will once again consistently fail to meet any of the Licensing Objectives, as outlined below;
 - The prevention of crime and disorder
 - Maintain public safety
 - The prevention of public nuisance
 - The protection of children from harm

Signature: S. Riley

Signature witnessed by: _____

11. Nottinghamshire Police works closely at a local level with all of its licensed premises, their licenses and DPS' in order to promote a healthy relationship and in order to ensure that licensing objectives are met and communities are protected. At no point after November 10th 2020, have either CHEN or HUANG made any contact with me or my neighbourhoods team at Broxtowe North in order to discuss a) the reopening of the venue and b) what measures would need to be in place for them to be able to do so. This causes me concern in terms of their suitability to hold licence.
12. As local policing commander, I wholeheartedly oppose the granting of a new licence to CHEN or HUANG – or indeed, any associate of theirs who may seek to install them as managers of the premises. I do not consider them to be fit and proper persons to whom the safe and effective running of a late night licensed premises should be entrusted. In my time as the person responsible for the policing of Broxtowe borough, no other licensed premises on the borough has had such a significantly negative impact on local policing issues and the local community.

Signature: S. Riley

Signature witnessed by: _____

EXHIBIT

SR01

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WITNESS STATEMENT

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

URN

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Statement of: Simon RILEY

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

This statement (consisting of seven (7) 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: S. Riley

Date: 14/10/2020

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 over 29 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. This includes identifying crime trends and working with partners across the community safety partnership to set policing priorities. These priorities are set by analysing police incidents and intelligence on a daily basis and comparing these with concerns regularly raised by the local community. It is my aim to set policing strategies that help Nottinghamshire Police to deliver a service that works for local people, with my primary focus being to keep people safe. As a result I have an interest in the operation of all the licensed premises within the borough,

Signature: S. Riley

Signature witnessed by:

particularly those where the sale of alcohol contributes to high levels of crime, disorder, anti-social behaviour and public nuisance.

3. The Queen's Head, 34 Main Street, Kimberley, Nottingham, NG16 2LL, is a licenced premises that causes me great concern. I consider The Queen's Head to be a 'risky venue' due to levels of crime, disorder and anti-social behaviour in and in the immediate vicinity of the premises. I am also of the opinion that the Designated Premises Supervisor (DPS) and his staff at The Queen's Head are unable to safely and appropriately manage their venue, within its existing licence conditions. The Queen's Head is one of only four premises within Nottinghamshire County that Nottinghamshire Police has significant concerns around and is classified as a problem premises.
4. Since August 1st 2020, a number of incidents of crime and disorder have occurred at - or in the immediate vicinity of - The Queen's Head, which can be directly attributed to the mismanagement and poor running of the premises. These incidents are recorded on both the SAFE Command and Dispatch system operated by Nottinghamshire Police and also on the 'Innkeeper' database used by the Nottinghamshire Police County Licensing Team. These incidents are listed and detailed elsewhere in the evidence bundle, but they include 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 have also been 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 have been made by either the Designated Premises Supervisor / Licensee or his staff.
5. On Friday 7th August 2020, as a result of disorder at the premises the previous weekend and intelligence received suggesting further, organised disorder over the weekend of 7-9th August, I attended the Queen's Head, in company with Police Sergeant 3541 BRYAN. There, I met with the Licensee/DPS, Mr Juan Hua CHEN and his partner, Ms

Signature: S. Riley

Signature witnessed by: _____

Mei Mai HUANG. At this time, I was aware that the previous day, CHEN had met with Sgt BRYAN, Police Constable 2596 WARD (Kimberley Beat Manager) and Paul HORTON, County Licensing Officer for Nottinghamshire Police.

During this meeting I outlined to CHEN my expectations of him as DPS, regarding the safe and proper running of his establishment. This included the provision of SIA-registered door staff and the operation of the 'Challenge 25' scheme, as intelligence had been received that under-aged drinkers were being served in the premises, later confirmed by CCTV and Body-worn video footage. I also outlined his responsibility to ensure suitable provisions around COVID-security in terms of access and egress to the premises and the control of numbers and social distancing in his establishment.

I discussed with him the options of voluntarily amending his operating hours and the options of closing earlier than he normally would to try and prevent future disorder, but Mr CHEN stated he was not prepared to do this - the bulk of his custom came from late night drinking when other local establishments had closed. He also informed me that he was unable to secure SIA registered door staff to work at his premises on that particular weekend, but that he personally was going to work his doors and control the flow of people into and out of his establishment. I underlined my expectation that future weekends would have suitably trained and registered door-staff in place.

6. Impact on Policing Resources

As can be seen from the incidents recorded by Nottinghamshire Police and detailed elsewhere, problems with crime, disorder and anti-social behaviour continued through the month of August 2020, at weekends in and around The Queens Head. This necessitated additional force resources being deployed into the area, under the Operation 'BION' reserve plan and typically entailed a personnel carrier of specifically-tasked officers being deployed, typically a Sergeant and 3 Constables, tasked with periodic patrols of the town centre and monitoring of the Queens Head.

7. I am aware that officers in attendance took video footage of the Queen's Head and it's vicinity on body-worn video cameras. These recordings, when viewed back clearly show

Signature: S. Riley

Signature witnessed by: _____

incidents of anti-social behaviour, crime and disorder. They provide a picture of the standards employed in terms of the running of the establishment by CHEN and his partner. They also show under-aged drinkers and people clearly drunk, being served with alcohol inside the premises. In addition, portray the complete disregard for any of the 'COVID-Security' measures that are now mandated in law under recently-passed Coronavirus legislation, in terms of permitted numbers, maximum gatherings, social distancing, hand sanitisation and track and trace provision.

8. As the result of ongoing incidents requiring police attendance during the month of August 2020, it became necessary for me to introduce additional policing measures and resources in order to prevent, or quickly respond to, incidents of crime and disorder in that location.

9. For the weekend periods listed below, I authorised the use of dispersal powers, provided to the police by Section 34 of the Anti-Social Behaviour, Crime and Policing Act 2014. The parameters of use of this power were identified by me as the area of Kimberley Town Centre immediately surrounding and affected by the Queens Head. The areas affected were highlighted in a map which is referred to as Police Item SDR1, label attached which I have signed and which can be produced if required.
 - Friday 4th - Sunday 6th September 2020
 - Friday 11th - Sunday 13th September 2020
 - Friday 18th - Sunday 20th September 2020
 - Friday 25th - Sunday 27th September 2020

10. The S.34 dispersal orders all ran from 22:00hrs on the Friday evening for a period of 48 hours, the maximum period of time provided by this piece of legislation. The use of dispersal orders such as these represents the use of a police power which seriously restricts the rights of the individual to freedom of association and assembly, and freedom of movement, as laid down in the Human Rights Act 1998 and is therefore not a power

Signature: S. Riley

Signature witnessed by: _____

to be authorised lightly. However, I considered their use in these instances as being necessary for the purpose of removing or reducing the likelihood of harassment, alarm or distress to the public occurring or continuing, and therefore reducing the likelihood of crime and disorder in the locality.

11. Because of the levels of ASB and disorder through the month of August, it was necessary for me to deploy a dedicated police response to Kimberley Town Centre on each of these evenings throughout September, the last of these being the weekend that the Queens Head was closed under Coronavirus legislation by the County Council and the first at which the current 10pm alcohol curfew applies to. Deployment of dedicated resources also meant that the dispersal powers provided by S.34 of the Anti-Social behaviour, Crime and Policing Act 2014 could be used where necessary. These officers were in addition to the Operation BION reserve officers, who continued to be centrally tasked to the town centre as a back-up resource to local officers. This entailed me tasking the afternoon shift on each of these dates with foot patrols in the town centre once they had handed over the Response cars to the incoming night shift. Typically this entailed a minimum of a sergeant and 4 constables, but on some occasions up to 6 constables. These deployments had a detrimental effect on policing the rest of the borough in terms of my ability to deploy staff into other local policing priorities, or provide much needed additional resilience to the weekend night shift officers.

12. As the District Policing Commander, I have neither trust nor confidence in Juan Hua CHEN as DPS / Licensee in maintaining the safe and effective operation of The Queens Head under the terms and conditions of his current licence. I am of the view that he is failing to meet any of the Licensing Objectives, as outlined below:
 1. The prevention of crime and disorder
 2. Maintain public safety
 3. The prevention of public nuisance
 4. The protection of children from harm

Signature: S. Riley

Signature witnessed by: _____

13. Juan Hua CHEN has no control over the premises and has proven that he is unable to maintain law and order. The mismanagement of the Queens Head and its patrons, has led to complaints from the public and local partners and a disproportionate amount of calls being made to the police in respect of ASB and disorder at the premises, during its hours of operation. CHEN and his staff have failed to contact emergency services when crimes are in progress, which if done so at the earliest opportunity would almost certainly have prevented assaults and injury to their customers and attendant police officers.
14. The employment of SIA-registered Door Supervisors has been infrequent at best, despite requests and direction from Police and Licensing officers for their deployment. Indeed, one supplier of SIA-registered door supervisors refused to send them again, such was the poor level of management of the premises, particularly in terms of their COVID-Security and the ability of CHEN to keep the door staff safe and their risk of contracting COVID-19 to a minimum.
15. The Queen's Head have failed to protect children, by failing to prevent them from entering their premises and by allowing them to be served with alcohol.
16. The Queen's Head has benefitted from other licensed premises in the area closing before them, and has, therefore, attracted more customers later in the night. They have failed to protect those customers from violence and disorder.
17. I have serious concerns that the current licensing conditions are having a negative impact on the community, by contributing to an increase in ASB, crime & disorder and nuisance. Continued operation of the premises under these conditions and under CHEN as DPS will lead to continued behaviour of the type described, thereby necessitating further deployment of additional police resources at a cost to the public which in turn is almost certain to lead to a loss of public confidence in the police and the local licensing authority.

Signature: S. Riley

Signature witnessed by: _____

RESTRICTED (when complete)**WITNESS STATEMENT**

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

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Statement of: Paul Horton

Age if under 18: OVER 18 (if over 18 insert 'over 18')

Occupation: Senior Licensing Officer

This statement (consisting of 15 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: Paul Horton

Date: 19th October
2021

Tick if witness evidence is visually recorded

(supply witness details on rear)

1. I am a Police Senior Licensing Officer for Nottinghamshire Police based at Mansfield Police Station. My role is to supervise the Licensing Department for the County of Nottinghamshire, monitor incidents and liaise with Designated Premises Supervisors (DPS), Premises Licence holders, door supervisors and partner agencies to work in partnership to reduce alcohol related violence and disorder incidents within licensed premises. I have been employed in this role since September 2021 on a temporary basis before this role I worked as a Police Licensing Enforcement Officer for Nottinghamshire Police and was employed in this role since February 2001.
2. I make this statement in respect of a notice of representation that was submitted by Nottinghamshire Police on 23rd September 2021 in relation to an application for the grant of a premise licence known as Queens Head, 34 Main Street, Kimberley, Nottinghamshire.

Signature:

Paul Horton



Signature witnessed by: _____

MG11 (10/18)

RESTRICTED (when complete)

On 3rd September 2021 I was made aware of the application for a new premises licence for Queens Head, 34 Main Street, Kimberley, and Nottinghamshire.NG16 2LL

3. . On reading the application I noted the following:

- The application was in the name of Mei Mei HUANG to become the Premise Licence Holder.
- The agent submitting the application for his client was Mr Bernard YOONG of Ian Henery Solicitors Limited, Quickjay Buildings, Bilston Street, Willenhall, West Midlands. WV13 2AW.
- The proposed Designated Premise Supervisor is Mr Mr Juan Hua CHEN.
- The proposal was to carry on a business which involves the use of the premises for licensable activities.
- The type of business is for a public house.
- This new application is for licensable activities to allow for the sale of alcohol, provision of films, indoor sporting events, live music and recorded music, performances of dance and an increase of hours to 04:00 hours on a Friday and Saturday in particular.
- **The proposed opening hours of the premises** are Sunday to Wednesday 05:00 – 00:30, Thursday – 10:00 – 01:00 and Friday – Saturday – 05:00 – 04:00 with non-standard timings of Maundy Thursday 05:00-02:30, Sundays preceding a Bank Holiday Monday 05:00-02:30, December 24 05:00-02:30, December 26 05:00-02:30, December 27-30 inclusive 05:00-02:30, December 31 05:00-Jan 1 to terminal hour, January 1 05:00-02:30, When private functions are held terminal hour until 02:30 following day.

Signature:

Paul Horton



Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

From one hour before the start of the following events (when televised live) until standard opening time: -Football World Cup, Rugby World Cup, Olympics.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Sale of alcohol** is proposed on Sunday to Wednesday 10:00 – Midnight, Thursday – 10:00 – 01:00 and Friday – Saturday – 05:00 – 04:00 with non-standard timings of Maundy Thursday 10:00-02:00, Sundays preceding a Bank Holiday Monday 10:00-02:00, Bank Holiday Mondays 10:00-01:00, December 24 10:00-02:00, December 25 09:00-normal terminal hour, December 26 09:00-02:00, December 27-30 inclusive 10:00-02:00, December 31 10:00-Jan.1 to terminal hour, when private functions are held terminal hour until 02:00 following day.

From one hour before the start of the following events (when televised live) until standard opening time: -Football World Cup, Rugby World Cup, Olympics.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Films** is proposed is proposed on Sunday to Wednesday 10:00 – 23:30, Thursday – 10:00 – 00:30 and Friday – Saturday – 10:00 – 04:00 with non-standard timings of Maundy Thursday 10:00-01:30, Sundays preceding a Bank Holiday Monday 10:00-01:30, Bank Holiday Mondays 10:00-00:30,

Signature:

Paul Horton

Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

December 24 10:00-01:30, December 26 10:00-01:30, December 27-30 inclusive 10:00-01:30, December 31 10:00-Jan.1 to terminal hour, when private functions are held terminal hour until 01:30 following day.

From one hour before the start of the following events (when televised live) until standard opening time: -Football World Cup, Rugby World Cup, Olympics.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Indoor Sporting Events** is proposed on Sunday to Wednesday 10:00 – 23:30, Thursday – 10:00 – 00:30 and Friday – Saturday – 10:00 – 04:00 with non-standard timings of Maundy Thursday 10:00-01:30, Sundays preceding a Bank Holiday Monday 10:00-01:30, Bank Holiday Mondays 10:00-00:30, December 24 10:00-01:30, December 26 10:00-01:30, December 27-30 inclusive 10:00-01:30, December 31 10:00 - Jan.1 to terminal hour, when private functions are held terminal hour until 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Live Music** is proposed on Sunday to Wednesday 10:00 – 23:30, Thursday – 10:00 – 00:30 and Friday – Saturday – 10:00 – 04:00 with non-standard timings of Maundy Thursday 10:00-01:30, Sundays preceding a Bank Holiday Monday 10:00-01:30, Bank Holiday Mondays 10:00-00:30, December 24 10:00-01:30, December 26 10:00-01:30, December 27-30

Signature:

Paul Horton


Signature witnessed by: _____

Continuation of Statement of: Paul Horton

inclusive 10:00-01:30, December 31 10:00 - Jan.1 to terminal hour, when private functions are held terminal hour until 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Recorded music** is proposed on Sunday to Wednesday 10:00 – 23:30, Thursday – 10:00 – 00:30 and Friday – Saturday – 10:00 – 04:00 with non-standard timings of Maundy Thursday 10:00-01:30, Sundays preceding a Bank Holiday Monday 10:00-01:30, Bank Holiday Mondays 10:00-00:30, December 24 10:00-01:30, December 26 10:00-01:30, December 27-30 inclusive 10:00-01:30, December 31 10:00 - Jan.1 to terminal hour, when private functions are held terminal hour until 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Performance of Dance** is proposed on Sunday to Wednesday 10:00 – 23:30, Thursday – 10:00 – 00:30 and Friday – Saturday – 10:00 – 04:00 with non-standard timings of Maundy Thursday 10:00-01:30, Sundays preceding a Bank Holiday Monday 10:00-01:30, Bank Holiday Mondays 10:00-00:30, December 24 10:00-01:30, December 26 10:00-01:30, December 27-30 inclusive 10:00-01:30, December 31 10:00 - Jan.1 to terminal hour, when private functions are held terminal hour until 01:30 following day.

Signature:

Paul Horton

Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

- **Late Night Refreshment** is proposed on Sunday to Wednesday 23:00 – Midnight, Thursday – 23:00 – 01:00 and Friday – Saturday – 23:00 – 04:00 with non-standard timings of Maundy Thursday 23:00-02:00, Sundays preceding a Bank Holiday Monday 23:00-02:00, Bank Holiday Mondays 23:00-01:00, December 24 23:00-02:00, December 26 23:00-02:00, December 27-30 inclusive 23:00-02:00, December 31 23:00- 05:00, January 1 23:00-02:00 When private functions are held terminal hour until 02:00 following day.

From one hour before the start of the following events (when televised live) until standard opening time: -Football World Cup, Rugby World Cup, Olympics.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

4. The Queens Head is located within Kimberley Town Centre, which accommodates a number of other licensed premises within 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.

Signature:

Paul Horton

Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

Continuation of Statement of: Paul Horton

5. 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.
6. Currently the latest live licence in Kimberley Town Centre belongs to The Dog House public house on Main Street, although this premise tends to close earlier. The nearest licensed venue to the Queens Head is the Gate Inn public house, directly opposite on Main Street. Licensed premises within this vicinity have closing times varying between 22:30 hours and 02:00 hours.

I produce a list of licensed premises within the vicinity including their terminal times for your information as exhibit PH01.
7. The Queens Head previously operated as a public house until 10th November 2020. Nottinghamshire Police applied to review the premises licence under Section 51 of the Licensing Act 2003 on 18th September 2020 due to continued problems of alcohol related violence, disorder and anti-social behaviour at the premise or in the area that occurred upon the premise closing late at night.
8. Between June 2019 and September 2020, The Queens Head became a problematic premise of late-night violence, disorder and anti-social behaviour resulting in police attendance to incidents and concerns from the community. This included a number of reported breaches relating to COVID 19 regulations.
9. At the time the premise licence holder and designated premise supervisor was Mr Juan Hua CHEN, the only other member of staff supporting Mr CHEN was his partner Mei Mei HUANG.

Signature:

Paul Horton

Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

The same proposed management as on the application for the new premise licence to be granted.

10. Various meetings were held between Mr CHEN, Mei Mei HUANG and Police licensing, the Neighbourhood Policing Team, Broxtowe Borough Council Licensing and Environmental Health Departments to highlight areas of concern, discuss incidents that had occurred and offer solutions and support as a partnership approach.
11. Mr CHEN 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, 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 by me.
12. There had been complaints by local residents who called the Police due to being disturbed by various issues, including disorderly behaviour, anti-social behaviour noise and underage drinking. They even had to call the Police Control Room on one occasion when Police Officers were being over-run due to an incident outside as customers were leaving and the premise closing.
13. Most of these incidents occurred during the early hours of the morning on either a Friday or Saturday between midnight and 02:30 hours.
14. Despite numerous attempts to work with Mr 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.

Signature:

Paul Horton

Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

Continuation of Statement of: Paul Horton

15. I produce a copy of my Witness Statement dated 19th October 2020 comprising of 21 pages that highlights the previous issues and interactions with the proposed Designated Premise Supervisor Mr Juan Hua CHEN and his partner and proposed Premise Licence Holder Mei Mei HUANG for your information as exhibit PH02.
16. An on-line licensing hearing took place on 10th November 2020 of which Inspector Simon Riley, Police Officers, Mrs Katie Buckley, Solicitor for Nottinghamshire Police and myself attended remotely to give evidence for the review of the premise licence and a unanimous decision was made by Broxtowe Borough Council Alcohol and Entertainments Hearing Panel to revoke the Premise Licence (Licence No05/00219PREMCV) in its entirety. I produce a copy of The Decision Hearing for information as exhibit PH03.
17. As a result of this application to object to the grant of a premise licence I have reviewed all Police interactions since the application was received on 3rd September 2021.

Police Interactions

18. On 3rd September 2021 I received a telephone call from John MILEY Licensing Manager Broxtowe Borough Council stating that the statutory blue notice on the window of the Queens Head was incorrect and had been handwritten on a piece of blue paper by the applicants.
19. On 3rd September 2021 at 12:33 hours I contacted by telephone the applicant's solicitor who had submitted the application on behalf of his client, Mr Bernard

Signature: Paul Horton  Signature witnessed by: _____

RESTRICTED (when complete)

YOONG of Ian Henery Solicitors Limited, Quickjay Buildings, Bilston Street, Willenhall, West Midlands. WV13 2AW.

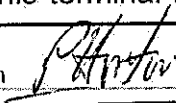
I informed Mr YOONG as solicitor and agent for his clients that the displayed statutory blue notice was incorrect and had been handwritten on a blue piece of paper by the applicants. His comment to this was "it sounds like they didn't know what they were doing". He had been told by his clients that it had been displayed in the window but hadn't been checked by himself. He stated this would be rectified and told me that he had also been informed of this by the Licensing Manager at Broxtowe Borough Council.

20. On 6th September 2021 at 12:05 hours I received an email from John MILEY Licensing Manager Broxtowe Borough Council with a photograph of the incorrect blue notice that was displayed at the Queens Head as disclosed and seen on 3rd September 2021. I produce a copy as exhibit PH04.
21. On 6th September 2021 at 21:58 hours I received an email from John MILEY Licensing Manager Broxtowe Borough Council with an attachment of the correct statutory blue notices to be displayed at the Queens Head. These had been sent to him by the proposed Premise Licence Holder Mei Mei HUANG. I produce a copy of this email as exhibit PH05.
22. On 7th September 2021 at 09:32 hours I received an email from Broxtowe Borough Council Licensing that there was a change of date when the application consultation period ended, this was due to the incorrect displaying of the statutory blue notice at the Queens Head. I produce a copy of this email as exhibit PH06.

Signature: Paul Horton  Signature witnessed by: _____

23. On Friday 8th October 2021 at 08:54 hours I had a telephone call from the proposed designated premise supervisor, Mr Juan Hua CHEN. The reason for the call was to ask for my availability to have a meeting with himself in relation to the Queens Head. Mr CHEN was asked if I could call him back to arrange the date and he stated would ring me back after the weekend
24. On Monday 11th October 2021 at 09:00 hours I received a telephone call from the proposed designated premise supervisor, Mr Juan Hua CHEN asking for a meeting to discuss his application. An appointment was made for Daveen BROWN Licensing Enforcement Officer for Nottinghamshire Police and myself to attend the Queens Head for a meeting later that day.
25. On Monday 11th October 2021 at 11:00 hours Daveen BROWN Licensing Enforcement Officer for Nottinghamshire Police and myself visited the Queens Head. Present were the proposed applicants, Mr Juan Hua CHEN and Ms Mei Mei HUANG.
26. I have previously met with both the proposed applicants, Mr Juan Hua CHEN and Ms Mei Mei HUANG, on my own, with Police colleagues and with partner agencies with regards to incidents at the premise, meetings and interventions between February 2020 and September 2020 prior to the revocation of their previous premise licence that took place in November 2020.
- During the visit the following was discussed and observed:
27. My colleague Daveen BROWN asked Juan Hua CHEN what measures he had put in place to support his new application, in which he was requesting an extension to his terminal hour by two hours to 4am on a Friday and Saturday

Signature:

Paul Horton


Signature witnessed by: _____

RESTRICTED (when complete)

MG11 (10/18)

from his previous licence. She explained further, due to the language barrier to Juan Hua CHEN and Mei Mei HUANG so they fully understood the question. They were asked if the CCTV system had been upgraded as previously there had been three different systems and when requiring viewing any footage it was very difficult and they had issues operating it. Mr CHEN replied, "No, but could do".

28. I asked Mr Juan Hua CHEN and Mei Mei HUANG if they had undertaken any new licensing training or other relevant training to their proposed roles in the last year. Juan Hua CHEN replied, "No, he had his licence". I then asked Juan Hua CHEN would he be employing any staff, that would need training, Juan Hua CHEN replied, "No".
29. Daveen BROWN 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, "No, no". He made comment to previously having doorstaff and having struggled to find a company that wanted to continue to work at the premise.
30. Daveen BROWN also asked Juan Hua CHEN how he intended to control the two entrances to the venue, after the problems previously reported, where intoxicated customers were getting in through the rear garden gate and climbing over a wall. Juan Hua CHEN stated they would not be allowed in the rear door, that only the front door would be used, which he would monitor.

Signature: Paul Horton  Signature witnessed by: _____

Continuation of Statement of: Paul Horton

- He added that he would keep people in the venue until 04:00hrs to stop problems on street. Juan Hua CHEN struggled to explain how he planned to monitor both front and rear entrances himself.
31. He was asked if he had considered making the gate higher, but Mei Mei HUANG went to the next room to return and show us a letter regarding the issues they had had with the front gate, explaining that they had Planning issues with Broxtowe Borough Council, so would not be making the gate higher where they had previous issues with customers climbing over it.
32. Juan Hua CHEN explained he wanted to obtain a new licence for the premise to enable him to lease the premise out for someone else to manage. He confirmed that his partner Mei Mei HUANG would remain as the Premise Licence Holder and live in the residential part of the building with her two children.
33. Juan Hua CHEN stated he would not be involved in running the premise and would probably be living and working out of the area. I informed Juan Hua CHEN that the application submitted was for him to be the Designated Premise supervisor, Juan Hua CHEN tried to explain that this would change. Juan Hua CHEN was asked who he planned to lease the premise to, he said he had two people interested but he would not disclose any further details to me.
34. It was explained to Juan Hua CHEN that Nottinghamshire Police could not support his application for new premise licence and for a 04:00 hour licence when his previous licence had been revoked which terminated at 02:00 hours and attracted disorder and anti-social behaviour, when he was not offering to make any changes to the premise or management.

Signature:

Paul Horton

Signature witnessed by: _____

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MG11 (10/18)

35. Juan Hua CHEN informed us, he was having a meeting with Mr John MILEY, Licensing Manager, Broxtowe Borough Council at 14:00 hours that day to discuss his application. I informed Juan Hua CHEN that Mr MILEY would be able to help with his application and be able to advise him with regards to the hearing.
36. Daveen BROWN and I then left the premises at approximately. 12:30 hours.
37. During the meeting there were times language barriers was quite difficult, but I do believe that both Juan Hua CHEN and Mei Mei HUANG understood the points that were explained, and we were also able to answer their questions.

Summary

The concerns I have should the application be granted in its entirety is the impact to the immediate area, its residents, and the wider community.

I foresee a rise in incidents of crime and disorder, anti-social behaviour and noise accumulating from the premises and from patrons using this venue.

Patrons would be not be able to leave the area effectively at such a late time.

There are very limited transport links to the area in the early hours especially at 4am from taxis and buses and there are no late-night refreshment takeaway premises in the vicinity.

If this licence was to be granted to such a late time it would cause issues after the premise would close.

The premises would have a negative effect on the community and would put customers, staff, members of the public in the vicinity and attending Police Officers at risk.

Signature: Paul Horton  Signature witnessed by: _____

Continuation of Statement of: Paul Horton

I am disappointed that the applicants previously failed to engage with myself, my colleagues and any of the other Authorities involved. They had very little or no control over the premises, they failed to put any safeguards in place.

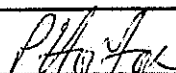
I have neither trust or have confidence in the proposed applicants Premise Licence Holder Ms Mei Mai HUANG or Designated Premise Supervisor Mr Juan Hua CHEN and agree with the previous Licensing panels concerns and decision.

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 of the above, Nottinghamshire Police believe both the proposed premise licence holder Mei Mei HUANG and the designated premise supervisor Juan Hua CHEN are 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.

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 and the proposed designated premise supervisor Juan Hua CHEN.

Signature:

Paul Horton

Signature witnessed by: _____

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MG11 (10/18)

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EXHIBIT

PH01

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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 05:00 – 00:30 Thursday – 05:00 – 01:30 Friday – Saturday – 05:00 – 04:00
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 – 22:30 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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EXHIBIT

PH02

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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:
Paul Horton

Age if under 18: Over 18. (if over 18 insert 'over 18')

Occupation
Police
Licensing
Officer

This statement (consisting of 21 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: _____ Date 19/10/2020

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

1. I am the Police Licensing Enforcement Officer for Nottinghamshire Police based at Mansfield Police Station. My role is to monitor incidents and liaise with Designated Premises Supervisors (DPS), 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 February 2001.

I make this statement in respect of an application to review the premises licence at Queens Head, 34 Main Street, Kimberley, Nottinghamshire as the premises licence holder (PLH) who is also the Designated Premise Supervisor (DPS), Mr Juan Hua Chen, is not able to uphold the licensing objectives, namely the prevention of crime and disorder, public nuisance and the protection of children from harm. Mr Chen has been the premises licence holder (PLH) since 15th December 2017.

2. Queens Head is subject to a Premises Licence 05/00219PREMCV. The licence permits the following licensable activity

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- The sale of alcohol for consumption both on and off the premises:
Monday to Wednesday and Sunday 1000 – 0000
Thursday 1000 – 0100 (following day)
Friday – Saturday 1000 - 0200 (following day)
- Regulated Entertainment : including: indoor sporting events, live music, recorded music and performances of dance:
Monday to Wednesday and Sunday 1000 – 2330
Thursday 1000 – 0030 (following day)
Friday – Saturday 1000 - 0130 (following day)
- Late Night Refreshment:
Monday to Wednesday and Sunday 2300 – 0000
Thursday 2300 – 0100 (following day)
Friday – Saturday 2300 - 0200 (following day)
- Opening Hours:
Monday to Wednesday and Sunday 0500 – 0030
Thursday 0500 – 0130 (following day)
Friday – Saturday 0500 - 0230 (following day)

I produce a copy of the premises licence and premises plan as exhibit PH01.

3. As a result of this review application I have been through previous incidents that are related to the Queens Head and have detailed those between 28th September 2019 to 25th September 2020, together with all police and partnership interactions with the premises.

Incidents and Interactions with the Premises

4. On 28th September 2019 at 0136 hours there was a report to the Police Control Room of a male that had been assaulted, on arrival of Police Officers, they came across a 26 year old male who kept collapsing and also fitting. The report came from a member of public who stated the staff at the pub didn't know what they were doing. The injured male refused treatment from the ambulance, he had injuries consistent with an assault. The male also refused to give his details and

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make a complaint. No one at the scene claimed to have seen anything. This incident did not get reported by anyone at the premises. I refer to Incident No 000069-28092019.

5. On 4th December 2019 at 1901 hours Mrs Daveen Brown Police Licensing Enforcement Officer visited the premise on a routine visit. Present were Designated Premises Supervisor (DPS) Mr Juan Hua Chen and his partner Ms Mei Mai Huang. At the time of the visit the premise was open with no customers present, there were two children playing in the bar area aged approximately 5 and 7 years old. They were the children of the DPS.

During the visit the CCTV system was checked, this was kept in an upstairs bedroom. It is not a condition on the Premise Licence but was found to be displaying the incorrect time. Mrs Brown gave advice in relation to this. Mrs Brown discussed allegations of underage drinking at the premise and relevant advice was given to Mr Chen.

The premise licence was not on display and Mr Chen was verbally warned about this. I produce a copy of the visit sheet as exhibit PH02.

6. On 5th December 2019 at 1124 hours an email was sent to DPS Mr Juan Hua Chen, from Mrs Daveen Brown Police Licensing Enforcement Officer the contents of the email gave written advice in relation to her visit to the Queens Head on 4th December 2019 in regard to the CCTV and how to operate best practice at the premise. Advice was also given about obtaining a copy of the premise licence from the licensing section at Broxtowe Borough Council due to the summary not being on display. I produce a copy of the email as exhibit PH03.

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7. On 21st December 2019 at 0323 hours a call was received by the Police Control Room from a male reporting he had been assaulted inside the Queens Head at approximately 0030 hours on the same night. He had been hit over the head with what he believed was a glass and was at Queens Medical Centre Nottingham having treatment; he received 14 stitches. This was an offence of Grievous Bodily Harm (GBH).

This incident occurred near the door inside the premises, and was seen on the external Broxtowe Borough CCTV camera. Police Officers requested the footage and shows at 0113hrs a male is seen striking the injured party several times. This incident did not get reported by anyone at the premises. I refer to Incident No 000159-21122019.

8. On 25th December 2019 at 2359 hours the Police Control Room received a call from Broxtowe Borough CCTV control room stating there were a group of up to 8 customers outside the Queens Head having an altercation. On arrival of Police Officers ten minutes later the group had dispersed and there were no one in the area.

9. On 8th January 2020 at 1900 hours Mrs Daveen Brown Police Licensing Enforcement Officer and Pc 2596 Ward visited the Queens Head to speak with Mr Juan Hua Chen.

They discussed the recent incident on 21st December 2019 where a male had been assaulted and glassed to his head. They explained to Mr Chen about the importance of customers not taking glasses and bottles outside into the street.

Mr Chen was issued a glassing warning letter with advice for using polycarbonate vessels or similar. During this visit both Mrs Brown and PC Ward found that

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conversation between them and Mr Chen proved to be difficult due to a language barrier as he spoke little English, this was a concern so Mr Chen was asked if he understood and he nodded to the officers. I produce a copy of the warning letter as exhibit PH04.

10. On 25th January 2020 at 0123 hours an anonymous call was received at the Police Control Room, stating it looked like underage persons were inside and outside the premise on Main Street Kimberley with their drinks. I provide a copy of Incident No 000062-25012020 for reference.
11. On 16th February 2020 at 0047 hours a call was received at the Police Control Room from a member of public reporting a fight inside the Queens Head. They reported a large group of males between 10 and 20 fighting with bottles and a bar stool being used as a weapon. Some of the group left and were seen to be fighting in the street. On Police Officers arrival all persons had left the area and there were no fighting on the street. I refer to Incident No 0037_16022020.
12. On 27th February 2020 at 1345 hours I visited the Queens Head, present were Mr Juan Hua Chen and his partner Ms Mei Mai Huang.

The reason for my visit was to discuss the incident that had taken place on 16th February 2020 inside the Queens Head where disorderly behaviour had taken place and glasses had been thrown. This was discussed with Mr Chen who stated there had been a problem.

He was given strict advice in relation to allowing disorderly behaviour to occur. He was also given advice about reporting incidents to the Police as this one in particular had been reported by a member of the public. I asked Mr Chen if the

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CCTV system could be viewed, he agreed. He took me to an upstairs first floor bedroom located to the rear of the building; on the floor of the room was a CCTV DVR recorder. The system showed playback footage recorded for 9 days with 8 cameras showing on the monitor. I was unable to view any footage for the incident. Mr Chen then explained that he had another CCTV system and took me to a disused function room located upstairs to the front of the building. The second CCTV DVR recorder was viewed by myself and showed an additional 6 cameras on the monitor.

I explained to Mr Chen I wished to view the CCTV footage for the 16th February 2020. After 45 minutes of viewing on the monitor the footage could not be found. I explained this to Mr Chen and told him this was not acceptable.

The footage showed a time of 0702 hours on 16th February 2020 and the premises were busy with people. A karaoke taking place in the downstairs bar area. Mr Chen was asked whether the time displayed was correct Mr Chen replied he didn't know. Again he was informed that he needed to correct this.

At this stage Mr Chen was asked to find the incident; after some time he succeeded. The monitor time was viewed between 0827 and 0830 hours which we knew to be incorrect. The incident occurred in the downstairs bar area and showed a scuffle between approximately 10 customers and confirmed that no glasses being used as a weapon. Other customers present had to get out of the way of the people fighting and at one stage a male picks up a bar stool to use as a weapon. Staff are not seen to ask anyone involved to leave and do not call the police.

Mr Chen was given clear advice in relation to his CCTV system displaying the correct time of day and how confusing this was as demonstrated trying to find this

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incident. His CCTV system time was approximately 8 hours fast. During the visit I took a photograph of the CCTV monitor displaying the incorrect time.

I produce a copy of the visit sheet and a photograph as exhibit PH05.

13. On 15th March 2020 at 0102 hours Police Control Room received a call from a female customer who was outside the Queens Head. She had been inside the pub, a short time before and a male had been filming up her skirt. The female's friend had grabbed the mobile phone and the male had been ejected believed by some customers but was outside the pub causing issues, shouting etc. The male then went inside the venue causing further problems.

The male was dealt with by Police Officers on their arrival. I refer to Incident No 0042_15032020 provided for your reference.

14. There were no reported incidents or visits to the Queens Head for during the period from 15th March 2020 to 1st August 2020. From 23rd March 2020 Covid 19 restrictions in relation to licensed premises took place and the premise was closed until a relaxation of restrictions took place and licensed premises were able re-open on 4th July 2020.

15. On 1st August 2020 at 0309 hours there was a call to the Police Control Room from a male reporting he had been assaulted inside the Queens Head between 0030 hours and 0100 hours on the same day. This started in the gent's toilets with the assault taking place in the beer garden. The male sustained injuries of a fractured cheek and eye socket resulting in an offence of grievous bodily harm (GBH).

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This incident had not been reported by staff at the Queens Head unfortunately there were no door staff working at the premise and no staff supervising the beer garden area that could have assisted or prevented this incident taking place. I refer to Incident No 0142_01082020.

16. An email was received from DC 2418 Penn the investigating officer for the incident that occurred on 1st August 2020. The email highlights his visit to the premises on 19th August 2020 whilst investigating this incident.

DC Penn recovered CCTV footage that shows a large disorder within the premises that goes on for approximately four minutes with no intervention from staff and no phone call to the Police. The staff can be seen cleaning up after the incident. It appears that from the footage there is little control over their customer's behaviour in the premises.

I produce a copy of an email as exhibit PH06 and witness statement from DC 2418 Penn as exhibit PH07.

17. On 2nd August 2020 at 0134 hours the police control room received a call from a member of public stating that there were approximately 30 people fighting in the street and glasses being smashed. It was reported that some of these people involved had come from the Queens Head and that they were able to leave with glasses in their hand. It was also reported from a customer inside the pub that a lady described as owning the pub was shouting to the customers for them to get out.

The police control room received a further three calls to this disturbance from members of the public and Incident numbers 0094_02082020, 0097_02082020, 0101_02082020 and 0105_02082020 refer and are included.

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On arrival of Police Officers a male was spoken too with an eye injury who stated that there were throwing of glasses and then a fight started with multiple people involved; he went on to say that persons trying to stop the fights got injured. At approximately 0230 hours Police Officers resumed after clearing a lot of glass from the roadway.

I produce a copy of the witness statement from PC 3581 Stackhouse as exhibit PH08.

18. On 4th August 2020 at 1430 hours I attended the Queens Head in company with Police Sergeant 3541 Bryan and PC2596 Ward I met Mr Chen and Ms Huang.

The purpose for the visit was to discuss the incidents of the previous weekend on 1st and 2nd August 2020. The discussion that took place was very demanding as it was difficult for me to understand what Mr Chen was saying due to a language barrier. On discussion with the Mr Chen over the incident, he refused to accept that there were any issues from the Queens Head as the fighting had occurred on the street. I informed him that it had been reported that his customers had been involved and had left his premise with glasses and taken them out into the street.

I asked to view the CCTV for the 2nd of August 2020 of which Mr Chen agreed. On viewing the footage I noticed that the time displayed was still incorrect, it was two hours fast. The footage showed there were approximately 20 customers present, who in my opinion, were acting in a boisterous manner. At the same time I sighted on the footage that there were customers leaving the Queens Head with glasses and drinking on the pavement. At no stage did either Mr Chen or Ms Huang make any efforts to prevent this from happening.

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Continuation of Statement of: Paul Horton

Mr Chen was given strict advice in relation to preventing customers leaving the Queens Head with glasses enabling them to drink in the street.

During this meeting, further issues and options were discussed to assist in the safe running of the premises, to prevent further issues of disorder and Anti-Social Behaviour occurring. Mr Chen was advised to:

- have 2 Security Industry Authority (SIA) registered door supervisors on duty on a Friday and Saturday from 2100 hours until the premise closed.
- the use of polycarbonate (plastic) glasses to be used on a Friday and Saturday from 2000 hours until they closed.
- any bottled drinks to be decanted into polycarbonate (plastic) glasses on a Friday and Saturday from 2000 hours until they closed.
- no drinks to be taken outside onto the street.
- effective signage to be put on the front doors and around the premise advising customers "No drinks to be taken outside".
- strict age checks to be carried out and adopt a challenge 25 policy.

Mr Chen agreed to carry out my advice but was reluctant to employ door staff due to the cost, I emphasised to Mr Chen that it was important to have door supervisors to help in the safe running of the premise and to help them manage the premise. I had to explain to him that door supervisors needed to be licensed by the SIA but Mr Chen didn't seem to understand this.

I advised Mr Chen that it would assist him to reduce incidents by closing the premise earlier than his licence allowed but he categorically refused to close early, citing the reason for this as their busiest time was between midnight and 0100hrs. Before finishing my visit I explained to Mr Chen again how important it was to have doorstaff for the forthcoming weekend, I assisted him in finding a doorstaff

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Continuation of Statement of: Paul Horton

company and gave him some details of different companies that provide such a service. I helped him send an email to a doorstaff company asking for their assistance for the weekend.

I also helped Mr Chen with writing A4 posters as a temporary measure stating no glasses to be taken outside.

On leaving, Mr Chen was issued with a glass related warning letter in relation to the incident on 2nd August 2020 with advice for using polycarbonate vessels or similar and this was fully explained to him.

I produce a copy of the glass related warning letter as exhibit PH09, witness statement from PC 2596 Ward as exhibit no PH10 and witness statement from PS 3541 Bryan as exhibit PH11.

19. On 5th August 2020 at 0929 hours I sent an email to the Mr Chen outlining the meeting we had on 4th August 2020 at the premises.

At 1002 hours I received a reply to the email from Mr Chen showing a photograph that he had put the posters up that had been produced during my visit on 4th August 2020 at the Queens Head.

On 6th August 2020 at 1030 hours I made a telephone call to Bret McMann Area Manager for Professional Security doorstaff company after he had left a message in relation to contact from Mr Chen. He had found it very difficult to understand Mr Chen; I explained the necessity for the premise to have doorstaff.

At 2129 hours I received an email from Mr Chen stating that he could not find any doorstaff and no one wanted to work at the Queens Head. This included a photo of a hand written poster that he had displayed on the window of the Queens Head.

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At 2326 hours I received an email from Bret McMann Area Manager for Professional Security doorstaff company stating that they were unable to supply doorstaff for the forthcoming weekend and Mr Chen was aware.

On 7th August 2020 at 0955 hours I sent an email to Mr Chen stressing how important it was for him to find a suitable doorstaff company to work at the Queens Head.

At 1107 hours I sent an email to Bret McMann Area Manager for Professional Security Doorstaff Company in reply to them stating that they were unable to supply doorstaff for the forthcoming weekend but confirmed Mr Chen still needed doorstaff for the following weekend. I produce copies of the exchange of emails between myself and Mr Chen as exhibit PH12

20. On 7th August 2020 between 1220 hours and 1300 hours the Queens Head was visited by Inspector S Riley, Borough Policing Commander for Broxtowe Borough and Police Sergeant 3541 Bryan, Mr Chen was present. Mr Chen was advised about the use of polycarbonate glasses and controlling access into the pub and that he needed to close if there were any trouble at the premises.

21. On 8th August 2020 at 0236 hours the police control room received a call from a member of public reporting that within the last 60 minutes of the call, they had been assaulted in the beer garden of the Queens Head.

This incident was not reported at the time of the incident by anyone from the premise. Incident No 0145_08082020 is provided for your reference.

22. On 16th August 2020 at 0123 hours the police control room received a call from a member of public reporting a fight outside the Queens Head. They stated there

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Continuation of Statement of: Paul Horton

were about 30 people involved; the caller could hear people screaming and glass breaking.

On Police investigation CCTV from Broxtowe Borough Council showed a male being kicked to the floor by two offenders.

A further call was received from a member of public at 0127 hours stating they could hear screaming and shouting from a large group. I provide Incident No 0063_16082020 and Incident No 0067_16082020 for your information.

23. On 16th August 2020 at 1900 hours Police Sergeant 3541 Bryan visited the Queens Head, present was Mr Chen and Ms Mei Mai Huang. PS 3541 Bryan expressed concerns in relation to the operating standards after viewing the CCTV footage for the incident on the 16th August 2020.

PS 3541 Bryan observed the main offender inside the premise before and after the incident took place.

PS 3541 Bryan stated that glasses were still being taken out of the premises and that although there were one member of doorstaff on the front door, there was no supervision in the beer garden area. There were issues in relation to large numbers of customers leaving at one time which would be a contributing factor to the disorder and noise outside. There were also no Covid 19 precautions in place, no social distancing amongst customers, use of hand sanitiser or track and trace.

24. On 22nd August 2020 at 0124 hours the police control room received a call from a member of public reporting a fight outside the Queens Head involving a large group of people. On Police Officers attendance they spoke with a female behind the bar at the Queens Head who stated no one had been fighting. A further call was received the following morning at 0925 hours by a local resident complaining about the

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Continuation of Statement of: Paul Horton

incident earlier and that customers were fighting in the street, the same as the week before. I provide Incident No 0058_22082020 and Incident No 0200_22082020 for your information.

25. On 27th August at 1200 hours I visited the Queens Head with Mr J Miley, Licensing Manager Broxtowe BC, Sarah Steventon Licensing Officer Broxtowe BC and Mrs J Jones, Environmental Health Officer, Broxtowe BC. Present was Mr Chen and Ms Mei Mai Huang.

On this visit we conducted a walk around the premises, during this we came across two empty drugs bags in the beer garden, I pointed these out to Mr Chen who in my opinion seemed uninterested in this matter and gave me the impression that he was unaware of their relevance.

I viewed three separate CCTV systems during the visit of which all had incorrect times displayed. Previously I have advised Mr Chen on numerous occasions regarding this issue to which he has never followed my advice. I further discussed issues surrounding the beer garden and wall that surrounds it. He was advised to keep the rear gate closed and to put measures in place to stop his customers climbing in and out of the beer garden and that he would have better control of his premise if access was only gained through the main entrance.

Advice was given regarding lack of door supervisors at the premise on a Friday and Saturday. Mrs J Jones gave Mr Chen advice in relation to Covid 19 precautions and measures that needed to be put in place as there was none at present.

An action plan was then discussed with Mr Chen. The aim of an action plan was to assist with current problems and prevent further issues arising at the premises and recommend measures to be put in place. This plan included a number of recommendations including early closure to the premise including the beer garden;

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Continuation of Statement of: Paul Horton

the use of SIA registered doorstaff to identify hotspots areas and to assist in a reduction of incidents at the premise and to display effective signage advising customers of various measures. During the discussions Mr Chen accepted some recommendations but refused to consider closing the beer garden or premise any earlier than its licensing hours.

This document was signed by Mr Chen. I produce a copy of the action plan as exhibit PH13.

26. On 29th August 2020 at 0113 hours the police control room received a call from East Midland Ambulance Service control room that a passing ambulance was reporting approximately 50 people in the street, gathered outside the door to the Queens Head.

On Police arrival there were numerous people in the street. A short while after Police Officers saw a fight taking place through the window of the Queens Head; these officers were unable to get into the pub due to the door being locked.

Broxtowe Borough Council CCTV reported people in the street climbing over the six foot wall to the pub to gain access to the beer garden.

A female member of staff then asked Police Officers for their assistance in getting customers out of the pub. The pub was eventually cleared of its customers who were reluctant to leave, customers remained in the street where they started causing disorder that resulted in arrests for breach of the peace and two Police Officers were unfortunately assaulted. I refer to Incident No 0048_29082020 for your information.

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Signature witnessed by: _____

Continuation of Statement of: Paul Horton

I produce a copy of a witness statement of PC 2134 Brown as exhibit PH14 and a copy of PC Brown's body worn video footage as exhibit PH15. I produce a copy of a witness statement of PS 2561 Platt as exhibit PH16.

27. On 1st September 2020 at 1400 hours I visited the Queens Head to discuss the incident that took place on 29th August 2020, present was Mr Chen and Ms Mei Mai Huang.

I viewed two CCTV systems one that covered the bar area and the other the beer garden. Mr Chen stated he had been stood at the door and asked customers to leave, he also stated there were customers present on that night that were just stood around not drinking and in his opinion were there to cause trouble. Mr Chen was advised to ask customers to leave if he was not happy with their behaviour. From viewing the beer garden CCTV it showed customers climbing over the fence and gate to get into this area from Main Street, he was again advised that this should not happen and measures should be in place to stop it immediately.

I again reiterated the benefits of having door supervisors.

I strongly advised Mr Chen to close the beer garden at midnight on a Friday and Saturday night of which he agreed, but when asked to stop serving alcohol at 0100 hours and be closed by 0130 hours, he refused. I explained that this was to assist in the dispersal of customers and to reduce the incidents at the premise and he refused once again. This demonstrates a defiance to work in partnership with Nottinghamshire Police.

Mr Chen was also told that by not putting in additional measures to reduce incidents he could find it to lead to an application to review the premise licence. At this stage

Signature: _____

Signature witnessed by: _____

Continuation of Statement of: Paul Horton

Mr Chen's demeanour changed and he became irate and dismissive telling me he did not want to see me again.

28. On 3rd September 2020 at 0900 hours an email was sent to Mr Chen outlining the visit from myself on 1st September, this also suggested that Mr Chen apply to vary the premise licence to reduce closing times and add conditions. I produce a copy of an email as exhibit PH17.

29. On 3rd September 2020 at 1430 hours I viewed the Broxtowe Borough Council CCTV system covering Kimberley Town Centre for the incident that occurred on 29th August 2020.

I viewed footage between 0030 hours and 0230 hours. The footage showed a lot of people queuing in the street to get into the Queens Head, people climbing in and out the beer garden via the wall. There were also people causing disorder in the street with bottles and glasses. It shows Mr Chen let two customers in the front door with a bottle and a glass. I produce a copy of this CCTV as exhibit PH18.

30. On 4th September 2020 at 1330 hours I visited the Queens Head with Mr J Miley, Licensing Manager Broxtowe BC and Mrs J Jones, Environmental Health Officer, Broxtowe BC. Also present was Pc 2134 Brown who recorded the meeting on his Police body worn video. Present was Mr Chen and Ms Mei Mai Huang.

The purpose of the meeting was to explain the email sent on 3rd September 2020 and the proposed variation to the premise licence.

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Signature witnessed by: _____

At the meeting Mr Chen was served with an Improvement Notice under the Health and Safety at Work Act 1974 in relation to having no Covid 19 measures in place by Mrs J Jones.

31. On 7th September 2020 at 1335 hours I received an email from Mr Jeff Hutchison of Burgess Security who had supplied doorstaff to the Queens Head during the weekend of 4th and 5th September 2020. This company were also working at the Gate Inn directly opposite.

The email states Mr Hutchison had concerns expressed to him from his staff regarding the Queens Head. I produce a copy of an email from Mr J Hutchison Burgess Security as exhibit PH19.

32. On 11th September 2020 between 2300 hours and midnight a number of visits in Kimberley Town Centre were carried out by PC 2903 Johnson as part of Nottinghamshire Police's strategy to patrol licensed premises during the Covid 19 pandemic.

PC 2903 Johnson re-visited the Queens Head again on 12th September 2020 and I refer to Incident No 0920_11092020 for your information. I produce a copy of a witness statement from PC 2903 Johnson as exhibit PH20.

33. On 18th September 2020 at 1700 hours the Queens Head was visited by Naseem Begum a Fire Safety Inspector from Nottinghamshire Fire and Rescue Service. As a result of the information regarding fire doors being locked on 16th September 2020. Mr Chen was advised and a warning letter was issued on 22nd September 2020. I produce a copy of the Fire Safety Warning Letter as exhibit PH21.

Signature: _____

Signature witnessed by: _____

Continuation of Statement of: Paul Horton

34. On 20th September 2020 Police Sergeant 3616 Sisson was on duty in the Kimberley conducting licensed premise visits.

At approximately 0050hrs he visited the Queens Head after being outside for a while before in a marked Police vehicle, and observed various issues that were concerning. These included breaches of numerous Covid 19 regulations. He also noticed people climbing over the wall and gate into the beer garden from the Main Street. I produce a copy of this witness statement from Pc 3616 Sisson as exhibit PH22.

35. On 25th September 2020 a Closure Notice under Covid 19 legislation Was issued to Mr Chen and Ms Huang by Nottinghamshire County Council. This took effect from 25th September 2020 and to continue until 23rd October at 1800 hours. I produce a copy of the Coronavirus Closure Notice as exhibit PH22 for your information.

36. On 19th October 2020 at 0653 hours I received an email from Mr Chen; this email was difficult to understand and mentioned issues surrounding door staffing, CCTV and a mention of drugs. This is the first communication I have received from Mr Chen since the application to review the premise licence was submitted on 18th September 2020. I produce a copy of this email for your reference as exhibit PH23.

Summary

I have concerns that the Premises Licence Holder is seriously undermining the licensing objectives. Mr Chen has shown a blatant disregard for authority and has not continued to operate the premise in a safe and responsible manner.

Signature: _____

Signature witnessed by: _____

Mr Chen has failed to take notice of partnership advice given to him. The Police support and encourage well managed, safe licensed premises to thrive at all times. Mr Chen has demonstrated a clear violation for the licensing objectives. He has also disregarded the Coronavirus Regulations during the current pandemic that has resulted in the premises being closed under these sanctions by Nottinghamshire County Council Public Health.

Nottinghamshire Police believe that in order to rectify issues at the premises surrounding crime and disorder and to uphold the licensing objectives we would request the Licensing Authority to consider the following:

- 1.) Reduce the times that licensable activities take place so they cease at midnight
Amendment to times:
 - Monday to Sunday (10:00am to Midnight for Sale of Alcohol, Regulated Entertainment and Late Night Refreshment Monday to Sunday (10:00am to 12:30am Opening hours of the premises)
- 2.) Add additional conditions to promote best practice namely:
 - A CCTV system with recording equipment shall be installed and maintained at the premises. Cameras shall cover the entrance and exit to the premises and all areas where the sale/supply and consumption of alcohol takes place. Equipment shall be maintained in good working order and Be of evidential quality and produce images in all lighting conditions;

Indicate the correct time and date;

Be retained for 31 days;

Sufficient staff will be trained to use the system;

The original images will be made available for inspection upon reasonable request to Officers of responsible authorities.

Copies of the recordings shall be provided in a format which can be viewed on readily available equipment without the need for specialist software.

- A minimum of two SIA licensed door supervisors shall be employed at the premises on Friday & Saturday evenings from 2000 hours until close when the premises are offering licensable activities. A bound and sequentially numbered book or electronic record shall be kept at the premises. This book shall contain the names, addresses, dates of birth, full SIA licence number(s) (16 digits) and hours worked of all door supervisors employed on any day. The book shall be retained at the premises for at least 12 months and shall be made available for

Signature: _____

Signature witnessed by: _____

Continuation of Statement of: Paul Horton

inspection and copying by the Police, SIA or any other authorised person immediately upon request.

- Alcoholic and other drinks may not be removed from the premises save for the consumption in any external area provided for that purpose.
- 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.
- All members of staff shall be fully trained in the retail sale of alcohol. The training shall be on-going and each member of staff shall be reviewed every six months. All details of the level of training will 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.
- The outside drinking area shall be closed by midnight and all customers to have vacated this area by this time.
- A Challenge 25 or similar policy will be implemented and enforced at all times. 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. a passport or driving licence, Military ID or PASS accredited card.)
- Challenge 25 notices will be displayed in prominent positions throughout the premises.

3.) Removal of Juan Hua Chen as the Designated Premises Supervisor

A revocation has been considered due to Juan Hua Chen being both DPS and sole Premise Licence holder, however, Nottinghamshire Police are confident that if a competent DPS was put in place at the premises, the licence could be complied with.

We would not request a revocation at this time, but we do support the Licensing panels decisions for revocation if they wish to make it.

Signature: _____

Signature witnessed by: _____

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EXHIBIT

PH03

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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.

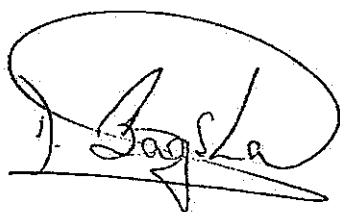
The Hearing Panel found that Mr Chen's actions and failure to act were undermining every licensing objective.

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', enclosed within a large, hand-drawn oval.

Signed:

Dated: 10TH NOVEMBER 2020

EXHIBIT

PH04

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Horton, Paul

From: John Miley <John.Miley@broxtowe.gov.uk>
Sent: 06 September 2021 12:05
To: Horton, Paul
Subject: Queens Head Kimberley Blue Notice
Attachments: Queens Head Notice.jpg

Categories: Red Category

John Miley
Licensing Manager
Public Protection Division
Broxtowe Borough Council
Tel: 0115 917 3752
john.miley@broxtowe.gov.uk

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QUEENS

Head

REAPPLY FOR THE

Premises Licence

01159382150

EXHIBIT

PH05

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Horton, Paul

From: John Miley <
Sent: 06 September 2021 21:58
To: Horton, Paul
Subject: FW: 转发: Fw: Advertisement in blue 牌照申请 (蓝色广告)
Attachments: 001.jpg; 002.jpg; 004.jpg; 003.jpg
Categories: Red Category

John Miley
 Licensing Manager
 Public Protection Division
 Broxtowe Borough Council
 Tel: 0115 917 3752

From: Meimei Huang [mailto:
Sent: 06 September 2021 17:21
To: licensing <licensing@broxtowe.gov.uk>
Subject: 转发 : Fw: Advertisement in blue 牌照申请 (蓝色广告)

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.

发自 Android 版 Yahoo 邮箱

----- 转发邮件 -----

发件人 : "Meimei Huang"
收件人 :
抄送 :
发送时间 : 2021 年 9 月 6 日星期一 17:10
主题 : Fw: Advertisement in blue 牌照申请 (蓝色广告)

Sent from Yahoo Mail on Android

----- Forwarded message -----

From: "Steve Du"
To:
Cc: "Rena He" <
Sent: Mon, 6 Sep 2021 at 17:06
Subject: Advertisement in blue 牌照申请 (蓝色广告)

黄女士您好,

请您查收附件中的广告（蓝色）。请您仔细阅读以下要求:

店里广告, 最少贴28天-每50米贴一张

-纸张要求

- a) A4 size or larger 最小为A4纸
- b) Pale blue in colour 天蓝色/淡蓝色背景纸
- c) Printed legibly in ink or in large black type (at least font size 16)以墨水或大号黑色字体清晰打印（字体大小最少为16号）

2. Publishing a notice in a local newspaper:本地报纸广告要求 You must publish a notice in a local newspaper circulating in the area of the premises on at least one occasion not more than 10 working days from the day you after you give your application to the Licensing Authority.酒吧区域内的最少一种报纸, 张贴至少10个工作日

3. 广告内容请查看附件。广告一共有四页纸, 请全部打印出来贴在外墙。每50米要贴一份。

感谢您,

Steve Du
Paralegal

My office:

Ian Henery Solicitors Ltd.

Unit 1 Latitude

155 Bromsgrove Street, Birmingham B5 6AB

Tel: 0121 692 1898 Fax: 0121 622 3828. SRA ID 618357

Other branches of our Law Firm:

Ian Henery Solicitors Ltd., 6 Old Walsall Road, Great Barr, Birmingham B42 1NN.

Tel: 07802 881523

Our Head office and Registered Address:

Ian Henery Solicitors Ltd., Quickjay Buildings, Bilston Street, Willenhall, West Midlands WV13 2AW. Tel: 01902 366615 Fax: 01902 366614. SRA ID 519162

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Please note that we cannot guarantee that the sale/purchase will be completed by 30th September 2021 within the government's stamp duty holiday. The buyers are advised that they need to budget for the extra stamp duty tax payable if completion takes place after 30th September 2021.

This firm is authorised and regulated by The Solicitors Regulation Authority.

Company Registration No. 6998324

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Birmingham Law Society's Legal Awards 2015. We also won NICHE LAW FIRM OF THE YEAR 2015 and CRIMINAL LEGAL AID LAWYER 2005. We were shortlisted for Partner of the Year 2015, Criminal Law Firm of the Year UK 2015, Excellence in Business Development Award 2015, Managing Partner of the Year 2015 and Most Innovative Marketing Idea 2015. We were finalists in the Signature Awards 2017 for the categories of Excellence in Law, Excellence in Diversity & Inclusion; Irene Yoong-Henery was the only female finalist in Entrepreneur of the Year 2017 and we were a finalist in International Enterprise of the Year 2017 at the Nachural Awards. We are the UK member of Winteam500 Law Group based in Beijing with over 100 branches worldwide.

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LICENSING ACT 2003

**[Meimei Huang & Queens Head 34 Main Street Kimberley
Nottingham NG16 2LL]**

Notice is hereby given that I (MeiMei Huang) have applied to Broxtowe Borough Council for the Grant of a Premises Licence for the above premises. The licensable activities proposed to be carried on or from the premises are as follows: -

Regulated Entertainment (Films, Indoor Sporting Events, Live Music, Recorded Music and Performance of Dance):

Monday to Wednesday & Sunday 10:00-23:30

Thursday 10:00-00:30 (following day)

Friday to Saturday 10:00-04:00(following day)

Non-standard timings:

Maundy Thursday 10:00-01:30(following day)

*Sundays preceding a Bank Holiday Monday 10:00-01:30
(following day)*

Bank Holiday Mondays 10:00-00:30 (following day)

December 24 10:00-01:30 (following day)

December 26 09:00-01:30 (following day)

December 27-30 inclusive 10:00-01:30 (following day)

December 31 10:00-Jan.1 terminal hour

When private functions are held terminal hour = 01:30 following day.

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.

Late night refreshment:

Monday to Wednesday & Sunday 23:00-00:00

Thursday 23:00-01:00 (following day)

Friday to Saturday 23:00-04:00(following day)

Non-standard timings:

Maundy Thursday 23:00-02:00 (following day)

Sundays preceding a Bank Holiday Monday 23:00-02:00
(following day)

Bank Holiday Mondays 23:00-01:00 (following day)

December 24 23:00-02:00 (following day)

December 26 23:00-02:00 (following day)

December 27-30 inclusive 23:00-02:00 (following day)

December 31 23:00-05:00 (following day)

January 1 23:00-02:00 (following day)

When private functions are held terminal hour = 02:00 following
day.

From one hour before the start of the following events (when
televised live) until standard opening time:

-Football World Cup

-Rugby World Cup

-Olympics

On the morning of commencement of British Summer Time
where the terminal hour is later than 01:00 am, the terminal
hour shall be extended by one hour.

Sale and supply of alcohol:

Monday to Wednesday & Sunday 10:00-00:00

Thursday 10:00-01:00 (following day)

Friday to Saturday 10:00-04:00(following day)

Non-standard timings:

Maundy Thursday 10:00-02:00 (following day)

Sundays

preceding a Bank Holiday Monday 10:00-02:00 (following day)

Bank Holiday Mondays 10:00-01:00 (following day)

December 24 10:00-02:00 (following day)

December 25 09:00-normal terminal hour

December 26 09:00-02:00 (following day)

December 27-30 inclusive 10:00-02:00 (following day)
 December 31 10:00-Janurary 1 terminal hour
 January 1 10:00-02:00 (following day)

When private functions are held terminal hour = 02:00 following day.

From one hour before the start of the following events (when televised live) until standard opening time:

- Football World Cup
- Rugby World Cup
- Olympics

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

Opening hours of the premises:

Monday to Wednesday & Sunday 05:00-00:30 (following day)
 Thursday 05:00-01:30 (following day)
 Friday to Saturday 05:00-04:00(following day)

Non-standard timings:

Maundy Thursday 05:00-02:30 (following day)
 Sundays

preceding a Bank Holiday Monday 05:00-02:30 (following day)
 Bank Holiday Mondays 05:00-01:30 (following day)
 December 24 05:00-02:30 (following day)
 December 26 05:00-02:30 (following day)
 December 27-30 inclusive 05:00-02:30 (following day)
 December 31 05:00-Janurary 1 terminal hour
 January 1 05:00-02:30 (following day)

When private functions are held terminal hour = 02:30 following day.

From one hour before the start of the following events (when televised live) until standard opening time:

- Football World Cup
- Rugby World Cup
- Olympics

On the morning of commencement of British Summer Time where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

The Licensing Register, and full details of this application can be viewed at the offices of the Licensing Authority at Licensing Section, Broxtowe Borough Council, Council Offices, Foster Ave, Beeston, NG9 1AB (www.broxtowe.gov.uk) between the hours of 9.00am and 4.30pm Monday to Friday by prior appointment.

Interested parties or responsible authorities can make representations in writing to the Licensing Authority at any time up to (5th October 2021).

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is unlimited.

Dated this [07] day of [September 2021]

EXHIBIT

PH06

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Horton, Paul

From: Meakin, Adele <
Sent: 07 September 2021 09:32
To: Fire (fireprotectionadmin@notts-fire.gov.uk); Health; Immigration Enforcement (alcohol@homeoffice.gov.uk); Notts CC Childrens Social Care; pabc; HQ (CJ) Liquor; Public Health NHS Notts.County; Trading Standards
Subject: [OFFICIAL (SENSITIVE)] New Premises Licence Application - Queens Head, Kimberley
Categories: Red Category

UPDATE OF PREVIOUS NOTIFICATION

Please note the following change of date :-

Applicants Name: Mei Mei Huang

Premises Name: Queens Head, 34 Main Street, Kimberley, Nottingham NG16 2LL

CONSULTATION PERIOD ENDS : 5TH OCTOBER 2021

If you wish to discuss this application further, please contact John Miley, Licensing Manager on tel. 0115 9

Regards

Adele Meakin
Licensing Officer
Tel: 0115

Broxtowe Borough Council
Public Protection Division
Broxtowe Borough Council
Foster Avenue
Beeston
Nottingham
NG9 1AB

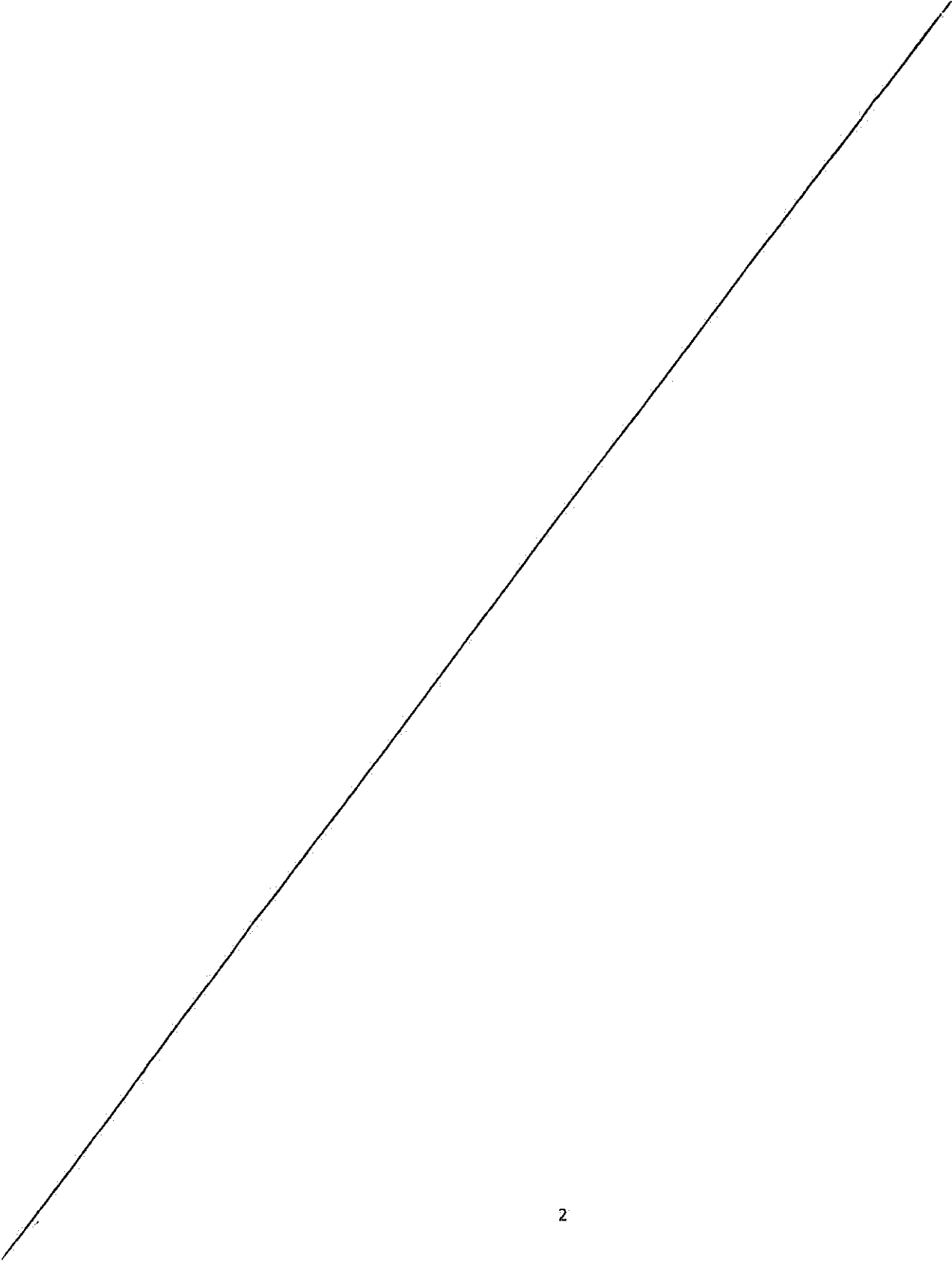
Tel: 0115 917 7777

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WITNESS STATEMENT

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

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Statement of: DAVEEN WENDY BROWN
 Age if under 18: OVER 18 (if over 18 insert 'over 18') Occupation: Licensing Enforcement Officer

This statement (consisting of 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: D W Brown  Date: 14th October 2021

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

1. I am the Police Licensing Enforcement Officer for Newark, Sherwood, Ashfield and Broxtowe areas 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 August 2013.
2. I make this statement in respect of an application by Mei Mei HUANG and her partner Juan Hua CHEN for a new Premise Licence at the Queens Head, Main Street, Kimberley, Nottingham NG16 2LL. 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.
3. On 8th October 2021 at 08:54hrs Juan Hua CHEN requested a meeting with my colleague Paul HORTON to discuss his new Licence application, as this had been suggested to him by Broxtowe Borough Council.
4. On 11th October 2021 at approximately 09:00hrs Juan Hua CHEN confirmed an appointment at his premise for Paul HORTON Senior Licensing Officer to meet and discuss his application.
5. On 11th October 2021 at 11:00hrs Mr Paul Horton Senior Licensing Officer and myself attended the Queens Head, and met with Juan Hua CHEN and his partner Mei Mei HUANG. To discuss the application and to address their concerns.

Signature: D W Brown  Signature witnessed by: _____

6. I 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, in which he was requesting an extension to his terminal hour by two hours from his previous licence. 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 Chen replied, "No, but could do".
7. My colleague Paul HORTON Senior Licensing Officer asked Mr Juan Hua Chen and Mei Mei Huang if they had undertaken any new training in the last year. Juan Hua CHEN replied, "No, he had his licence". Paul HORTON Senior Licensing Officer, then asked Juan Hua CHEN would he be employing any staff, that would need training, Juan Hua CHEN replied, "No".
8. 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, "No, no". I also asked Juan Hua CHEN how he intended to control the two entrances to the venue, after the problems previously reported, where intoxicated customers were getting in through the rear garden gate. Juan Hua CHEN stated they would not be allowed in the rear door, that only the front door would be used, which he would monitor. He added that he would keep people in the venue until 4am to stop problems on street. Juan Hua CHEN struggled to explain to me how he planned to monitor both front and rear entrances himself. I asked if he had considered making the gate higher, but Mei Mei HUANG went to the next room to return and show me a letter regarding the issued they had had with the front gate, explaining that they had had Planning issues, so would not be making the rear gate higher.
9. I explained to Juan Hua CHEN that Nottinghamshire Police could not support his application for a 4am licence when his previous licence had been revoked which terminated at 2am, when he was not offering to make any changes to the premise or management.
10. Juan Hua CHEN explained he wanted to obtain a new licence for the premise to enable him to lease the premise out for someone else to manage. He confirmed that his partner Mei Mei HUANG would remain as the Premise Licence Holder and live in the residential part of the building with her two children. Juan Hua CHEN stated he would not be involved in the premise and would probably be living and working in the area of London. Paul HORTON Senior Licensing Officer informed Juan Hua CHEN that the application submitted was for him to be the Designated Premise supervisor, Juan Hua CHEN tried to explain that this would change. I asked Juan Hua CHEN who he planned

Signature: D W Brown

Signature witnessed by: _____

to lease the premise to, he said he had two people interested but he would not disclose any further details to me.

- 11. Due to the language barrier the meeting became quite lengthy and Juan Hua CHEN and Mei Mei Huang explained that they had ceased working with their legal representative who had submitted the new application, producing a number of invoices. They also stated that they did not have any representative for the hearing. I explained to Juan Hua CHEN and Mei Mei HUANG that I understood that legal representation was expensive but they needed to seriously consider arranging representation to support them in the hearing. Paul HORTON also tried to encourage both Juan Hua CHEN and Mei Mei HUANG to attend the hearing, even if they decided not to have a solicitor.
- 12. Juan Hua CHEN informed Paul HORTON and I, he was having a meeting with John MILEY at 14:00hrs today to discuss his application. Paul HORTON Senior Licensing Officer informed Juan Hua CHEN that Mr John MILEY would be able to offer assistance with his application and be able to advise him with regards to the hearing.
- 13. Myself and Paul HORTON then left the premises.
- 14. I would like to add that during the meeting their were times language barriers was quite difficult, but 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.

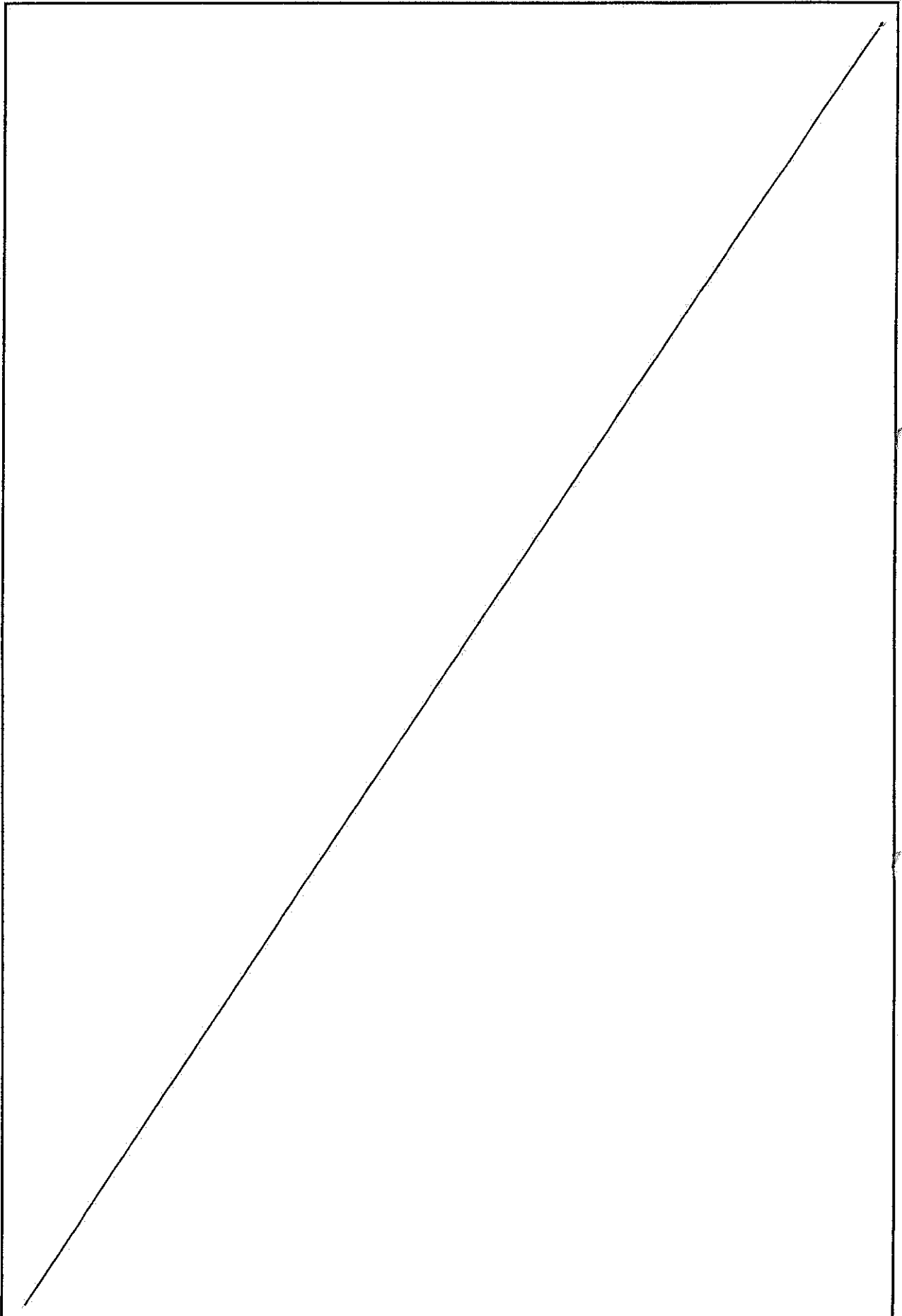
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