### **Public Document Pack**

Gareth Owens LL.B Barrister/Bargyfreithiwr

Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



Contact Officer: Maureen Potter (01325 702322) maureen.potter@flintshire.gov.uk

To: Cllr Rosetta Dolphin (Chair)

Councillors: Glyn Banks and Richard Lloyd

24 June 2022

Dear Sir/Madam

NOTICE OF REMOTE MEETING
LICENSING SUB-COMMITTEE
THURSDAY, 30TH JUNE, 2022 at 10.00 AM

Yours faithfully

Steven Goodrum

Democratic Services Manager

Please note: Public speakers have been asked if they would like to address the Committee in English or Welsh.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <a href="https://flintshire.public-i.tv/core/portal/home">https://flintshire.public-i.tv/core/portal/home</a>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

### AGENDA

### 1 APOLOGIES

**Purpose:** To receive any apologies.

### 2 <u>DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)</u>

Purpose: To receive any Declarations and advise Members accordingly.

### 3 **APPLICATION FOR A PREMISES LICENCE** (Pages 5 - 42)

Purpose: For Members to consider and determine an application for a

Premises Licence

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

### Procedural Note on the conduct of meetings

The Chair will open the meeting and introduce themselves.

The meeting will be attended by a number of Councillors. Officers will also be in attendance to present reports, with Democratic Services officers acting as hosts of the meeting. The Council's Solicitor will also be present.

All attendees are asked to ensure their mobile phones are switched off and that any background noise is kept to a minimum.

All microphones are to be kept muted during the meeting and should only be unmuted when invited to speak by the Chair. When invitees have finished speaking they should go back on mute.

The Chair will call the speakers, with elected Members addressed as 'Councillor' and officers addressed by their job title e.g. Chief Executive' or name. From time to time, the officer advising the Chair will explain procedural points or suggest alternative wording for proposals, to assist the Committee.

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <a href="https://flintshire.public-i.tv/core/portal/home">https://flintshire.public-i.tv/core/portal/home</a>





### **LICENSING SUB-COMMITTEE**

Date of Meeting	Thursday, 30 <sup>th</sup> June, 2022	
Report Subject	Application for a Premises Licence	
Report Author Chief Officer, Planning, Environment and Economy		

### **EXECUTIVE SUMMARY**

For Members to consider and determine an application for a Premises Licence by TH UK & Ireland Limited, Fortune House, Crabtree Office Village, Eversley Way, Egham, Surrey, TW20 8RY

RECO	MMENDATIONS
1	That Members consider and determine the application for a Premises Licence by TH UK & Ireland Limited.

### **REPORT DETAILS**

1.00	EXPLAINING THE APPLICATION
1.01	The premises concerned is Tim Hortons, Broughton Retail Park, Broughton, Flintshire, CH4 0DP. Its location can be seen in Appendix A
1.02	The applicant is TH UK & Ireland Limited.
1.03	The application is for a new Premises Licence (non- alcohol).
1.04	The applicant has applied for late night refreshment indoors and outdoors, and the playing of recorded, unamplified music indoors only. The application form and plans can be seen in Appendix B.

1.05	The hours applied for late night refreshment indoors and outdoors are Monday to Sunday 00.00 hours to 00.00 hours.		
	The hours applied for recorded, unamplified music indoors are Monday to Sunday 00.00 hours to 00.00 hours.		
1.06	The Licensing Act 2003 defines the provision of late night refreshment as the supply of hot food and hot drink between the hours of 11pm and 5am. Provision made before 11pm or after 5am does not require a licence.		
1.07	Flintshire County Council, Social Services Safeguarding Unit have confirmed they have no safeguarding concerns.		
1.08	North Wales Police advised no representations to the application.		
1.09	Representations were received from Interested Parties and these can be seen in Appendix C.		
1.10	It has been clarified in writing with some of the interested parties where appropriate, that the application does not include the sale or supply of alcohol.		
1.11	North Wales Police were asked to comment on the points made in the letters of representation concerning anti-social behaviour and public order. They confirmed that since 2022 there has been one incident relating to Tim Hortons and that was a concern for safety and not actually related to the premises itself. The only other event in the area related to an incident at 11pm on McDonald's Car Park involving 2 cars and when security was called, but they could not see any cars and did not know of any. North Wales Police also confirmed that there are no reports from the Vickers Way postcode (CH4 0FX) for the whole of 2022, and clarified that figures quoted on their public website are for the whole ward of Broughton North East which does include Tim Hortons premises but also a much wider area.		
1.12	The steps that the applicant intends to take to promote the four licensing objectives are set out in Appendix D.		
1.13	The application was advertised in the correct manner		

2.00	RESOURCE IMPLICATIONS
2.01	None in respect of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None required

4.00	DIO1/ 14		
4 00	RISKIN	IANAGFN	/I H N I

4.01	All risks are addressed in the steps taken to promote the four licensing objectives shown in the Operating Schedule.

5.00	APPENDICES
5.01	Appendix A: Location plans Appendix B: Application Appendix C: Representations from Interested parties. Appendix D: Steps the applicant will take to promote the licensing objectives.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	The Licensing Act 2003 https://www.legislation.gov.uk/ukpga/2003/17/contents
	Section 182 Guidance for Licensing Authorities https://www.gov.uk/government/publications/explanatory-memorandumrevised-guidance-issued-under-s-182-of-licensing-act-2003
	Flintshire County Council's Statement of Licensing Policy
	Contact Officer: Rachael Hughes, Licensing Officer Telephone: 01352 702328 E-mail: Rachael.hughes@flintshire.gov.uk

7.00	GLOSSARY OF TERMS		
7.01	Licensing Act 2003 – referred to as the Act.		
	<b>Premises Licence</b> – means a licence granted under the Act, in respect of any premises, which authorises the premises to be used for one or more licensable activities.		
	<b>Time limited –</b> its duration is limited to a set date(s) and time(s).		
	<b>Licensable activities</b> – these are the sale by retail of alcohol, the supply of alcohol by or on behalf of a club to, or o the order of, a member of the club, the provision of regulated entertainment, and the provision of late night refreshment.		
	<b>Regulated entertainment</b> - is defined as a performance of a play, an exhibition of a film, an indoor sporting event, a boxing or wrestling entertainment (both indoors and outdoors), a performance of live music, any playing of recorded music, or a performance of dance.		

Late night refreshment – a person provides late night refreshment if at any time between the hours of 11.00pm and 5.00am., he supplies hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises.

**Supply of alcohol** – means the sale by retail of alcohol, or the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

**Licensing Objectives** - the Act sets out four licensing objectives. These are the prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm.

### **APPENDIX A** (② Tim Horton's, Broughton Retail Park, Broughton, CH4 0DP 50 m Scale = 1:2075 22 **Broughton Shopping Park** J 0 0 Pirtshire County Council County Hall Raikes Lane Mold Flintshire CH7 6NF 16-June-2022



### **APPENDIX B**



Flintshire
Application for a premises licence
Licensing Act 2003

For help contact licensing@flintshire.gov.uk

Telephone: 01352 703030

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. This is the unique reference for this System reference Not Currently In Use application generated by the system. You can put what you want here to help you Your reference Tim Hortons Broughton track applications if you make lots of them. It is passed to the authority. Put "no" if you are applying on your own Are you an agent acting on behalf of the applicant? behalf or on behalf of a business you own or C Yes No work for. **Applicant Details** First name Gurprit \* Family name Dhaliwal \* E-mail maintenance@timhortons.co.uk Main telephone number Include country code. 01784601220 Other telephone number Indicate here if you would prefer not to be contacted by telephone Are you: Applying as a business or organisation, including as a sole trader. A sole trader is a business owned by one person without any special legal structure. C Applying as an individual Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby. Applicant Business Is your business registered in Yes C No Note: completing the Applicant Business the UK with Companies section is optional in this form. House? Registration number 10303138 If your business is registered, use its TH UK & Ireland Limited **Business** name registered name. Put "none" if you are not registered for VAT. VAT number GB 250927210 Legal status Private Limited Company

Continued from previous page		
Your position in the business	Director	
Home country	United Kingdom	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
Building number or name	Fortune House, Crabtree Office Village	
Street	Eversley Way	
District		
City or town	Egham	
County or administrative area	Surrey	]
Postcode	TW20 8RY	
Country	United Kingdom	
Section 2 of 21		
PREMISES DETAILS		
	of the Licensing Act 2003.  al address, OS map reference or description of  p reference O Description	the premises?
Postal Address Of Premises		
Building number or name	Tim Hortons	
Street	Broughton, Retail Park (CPW)	
District		
City or town	Broughton	
County or administrative area		
Postcode	CH4 0DP	
Country	United Kingdom	
Further Details		
Telephone number		
Non-domestic rateable value of premises (£)	118,000	
117 - 71,449 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613 - 11,613		

Sacti	on 3 of 21				
1	ICATION DETAILS				
	at 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				
Conf	irm The Following				
	l 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				
	l am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative				
Secti	on 4 of 21				
NON	NDIVIDUAL APPLICANTS				
Provi partr	de name and registered address of applicant in full. Where appropriate give any registered number. In the case of a ership or other joint venture (other than a body corporate), give the name and address of each party concerned.				
Non	ndividual Applicant's Name				
Nam	Gurprit Dhaliwal				
Deta	ils				
	tered number (where				
Desc	iption of applicant (for example partnership, company, unincorporated association etc)				

Continued from previous page				
Director				
Address				
Building number or name	Fortune House, Crabtree Office Village			
Street	Eversley Way			
District				
City or town	Egham			
County or administrative area	Surrey			
Postcode	TW20 8RY			
Country	United Kingdom			
Contact Details				
E-mail	maintenance@timhortons.co.uk			
Telephone number	01784601220			
Other telephone number				
* Date of birth	26 / 12 / 1982 dd mm yyyy			
# Ninatanalta.	Documents that demonstrate entitlement to			
* Nationality	work in the UK			
	Add another applicant			
Section 5 of 21				
OPERATING SCHEDULE				
When do you want the premises licence to start?	24 / 06 / 2022 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				
licensing objectives. Where vo	ises, its general situation and layout and any other information which could be relevant to the our application includes off-supplies of alcohol and you intend to provide a place for plies you must include a description of where the place will be and its proximity to the			
Coffee Shop supplying food ar	nd drink			

Continued from previous page	•
If 5,000 or more people are	
expected to attend the premises at any one time,	
state the number expected to	, <del>L</del>
attend	
Section 6 of 21	
PROVISION OF PLAYS	
See guidance on regulated er	itertainment
Will you be providing plays?	
C Yes	No     No
Section 7 of 21	
PROVISION OF FILMS	
See guidance on regulated er	itertainment
Will you be providing films?	
C Yes	No     No
Section 8 of 21	
PROVISION OF INDOOR SPO	RTING EVENTS
See guidance on regulated er	itertainment
Will you be providing indoor:	sporting events?
∩ Yes	No
Section 9 of 21	
PROVISION OF BOXING OR V	VRESTLING ENTERTAINMENTS
See guidance on regulated er	itertainment
Will you be providing boxing	or wrestling entertainments?
C Yes	No     No
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated er	itertainment
Will you be providing live mu	sic?
C Yes	No     No
Section 11 of 21	
PROVISION OF RECORDED M	IUSIC
See guidance on regulated er	tertainment
Will you be providing recorde	d music?
<b>⊙</b> Yes	C No
Standard Days And Timings	

Continued from previous	page			
MONDAY				Give timings in 24 hour clock.
	Start 00:00	End	00:00	(e.g., 16:00) and only give details for the days
	Start 00:00	End	00:00	of the week when you intend the premises to be used for the activity.
TUESDAY				
TOESDAT	Start 00:00	End	00:00	
			00:00	
	Start 00:00	Lila	00.00	
WEDNESDAY	a [aa aa	er i	00.00	
	Start 00:00		00:00	
	Start 00:00	End	00:00	
THURSDAY				
	Start 00:00	End	00:00	
	Start 00:00	End	00:00	
FRIDAY				
	Start 00:00	End	00:00	
	Start 00:00	End	00:00	
SATURDAY				
	Start 00:00	End	00:00	
	Start 00:00	End	00:00	
SUNDAY				
<b>2</b> 2 1 1 2 1 1 1	Start 00:00	End	00:00	
	Start 00:00	End	00:00	
Will the playing of reco	orded music take place in			Where taking place in a building or other
• Indoors	© Outdoors	Both		structure tick as appropriate. Indoors may include a tent.
	***			urther details, for example (but not
exclusively) whether or	r not music will be ampli	ified or unamplified	l.	
Unamplified				
State any seasonal vari	iations for playing record	ded music		
For example (but not e	exclusively) where the ac	tivity will occur on	additional da	ys during the summer months.
N/A				

Continued from previous	nage				
	pagon				
in the column on the le	ft, list below			rded music at different times from those on a particular day e.g. Christmas Eve.	: listed
			Jo of fonger	ori a particular day e.g. Christinas eve.	
Music will be played all	the time				
Section 12 of 21					RIE P
PROVISION OF PERFO	RMANCES OF DANCE				-
See guidance on regula	ated entertainment				
Will you be providing p	erformances of dance?	•			
○ Yes	No				
Section 13 of 21					T WILE
PROVISION OF ANYTH DANCE	ING OF A SIMILAR DE	SCRIPTION TO LIVI	E MUSIC, RE	CORDED MUSIC OR PERFORMANCES C	)F
See guidance on regula					
Will you be providing a performances of dance		music, recorded mu	sic or		
C Yes	No				
Section 14 of 21					N= 12
LATE NIGHT REFRESH	MENT	_	_		
Will you be providing la	ate night refreshment?				
<b>●</b> Yes	C No				
Standard Days And Ti	mings				
MONDAY				Give timings in 24 hour clock.	
	Start 00:00	End	00:00	(e.g., 16:00) and only give details for th	
	Start 00:00	End	00:00	of the week when you intend the prem to be used for the activity.	iises
TUESDAY				to be abea to the activity.	
	Start 00:00	End	00:00		
	Start 00:00	End	00:00		
WEDNESDAY				•	
	Start 00:00	End	00:00		
	Start 00:00	End	00:00		
THURSDAY					
	Start 00:00	End	00:00		
	Start 00:00	Page 1	90:00		

Continued from previous page						
FRIDAY						
Start	00:00	End 00:00				
Start	00:00	End 00:00				
SATURDAY						
Start	00:00	End 00:00				
	00:00	End 00:00				
	00.00	2.10	1			
SUNDAY	00.00	F	1			
	00:00	End 00:00	) 1			
Start	00:00	End 00:00	J			
Will the provision of late night both?	refreshment take place indoo	ors or outdoors or	Ç			
C 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 aut exclusively) whether or not mu			further details, for example (but not			
Unamplified						
State any seasonal variations						
	ely) where the activity will occ	ur on additional d	ays during the summer months.			
For example (but not exclusively) where the activity will occur on additional days during the summer months.  Music will be played at all times						
<u> </u>						
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 exclusive	ely), where you wish the activi	ity to go on longer	on a particular day e.g. Christmas Eve.			
Standard timings						
J. Carron C. Car						
Section 15 of 21						
SUPPLY OF ALCOHOL						
Will you be selling or supplying alcohol?						
C Yes Page 18						

Continued from previous p					
PROPOSED DESIGNATE	ED PRE	MISES SUPERV	ISOR CONSENT		
How will the consent fo be supplied to the author		he proposed des	signated premises	supervisor	
<ul><li>Efectronically, by t</li></ul>	he pro	posed designate	ed premises supervi	isor	
C As an attachment	to this	application			
Reference number for co form (if known)	onsent	t T			If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.
Section 16 of 21	- 4				
ADULT ENTERTAINMEN					
premises that may give Give information about	rise to anythi	concern in respe ing intended to a	ect of children occur at the premise	es or ancillary	t or matters ancillary to the use of the
(but not exclusively) nuc	at or cn dity or	semi-nudity, film	is of whether you in his for restricted age	itend childrei e aroups etc a	n to have access to the premises, for example
N/A					
Section 17 of 21	X SES				
HOURS PREMISES ARE	OPEN	TO THE PUBLIC			
Standard Days And Tir	nings		-		
MONDAY					
	Start	00:00	End	00:00	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
	Start	00:00	End	00:00	to be used for the activity.
TUESDAY					
	Start	00:00	End	00:00	
	Start	00:00	End	00:00	
WEDNESDAY					
	Start	00:00	End	00:00	
	Start	00:00	End	00:00	
THURSDAY					
	Start	00:00	End	00:00	
	Start	00:00	End	00:00	
FRIDAY					
	Start	00:00	End	00:00	
	Start	00:00	End	00:00	

Continued from previous page.		· · · · · · · · · · · · · · · · · · ·
SATURDAY		
Star	t 00:00	End 00:00
Star	t 00:00	End 00:00
SUNDAY		
Star	t 00:00	End 00:00
Star	t 00:00	End 00:00
State any seasonal variations		
-		ity will occur on additional days during the summer months.
N/A		
N/FX		
<u></u>		
Non standard timings. Where	e you intend to use the	ne premises to be open to the members and guests at different times from
those listed in the column or		and the state of t
	vely), where you wish	n the activity to go on longer on a particular day e.g. Christmas Eve.
N/A		
Section 18 of 21		
Describe the steps you inter	nd to take to promote	e the four licensing objectives:
a) General – all four licensing		
		censing objectives together.
- CCTV and monitored alarm	<del></del>	
- Risk Assessment and CCTV		
- Alarm monitored by police - CCTV, Alarm system conne	: ected to emergency se	ervices
CCTV, Marin System Comme		
b) The prevention of crime a	and disorder	
CCTV and Alarms		
c) Public safety		
Risk Assessment and CCTV		
		Daga 20
		Page 20

Continued from previous page	
d) The prevention of public nuisance	
Alarm monitored by police	
e) The protection of children from harm	
CCTV, Alarm system connected to emergency services	
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.

- 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.

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 <a href="https://www.gov.uk/prove-right-to-work">https://www.gov.uk/prove-right-to-work</a>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

### Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

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.
  - 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.
  - 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.
  - 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.

- 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. Please visit the Valuation Office website to confirm the rateable value then use the scale below to determine the necessary fee.

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 £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £12500 £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 30000-39000	£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

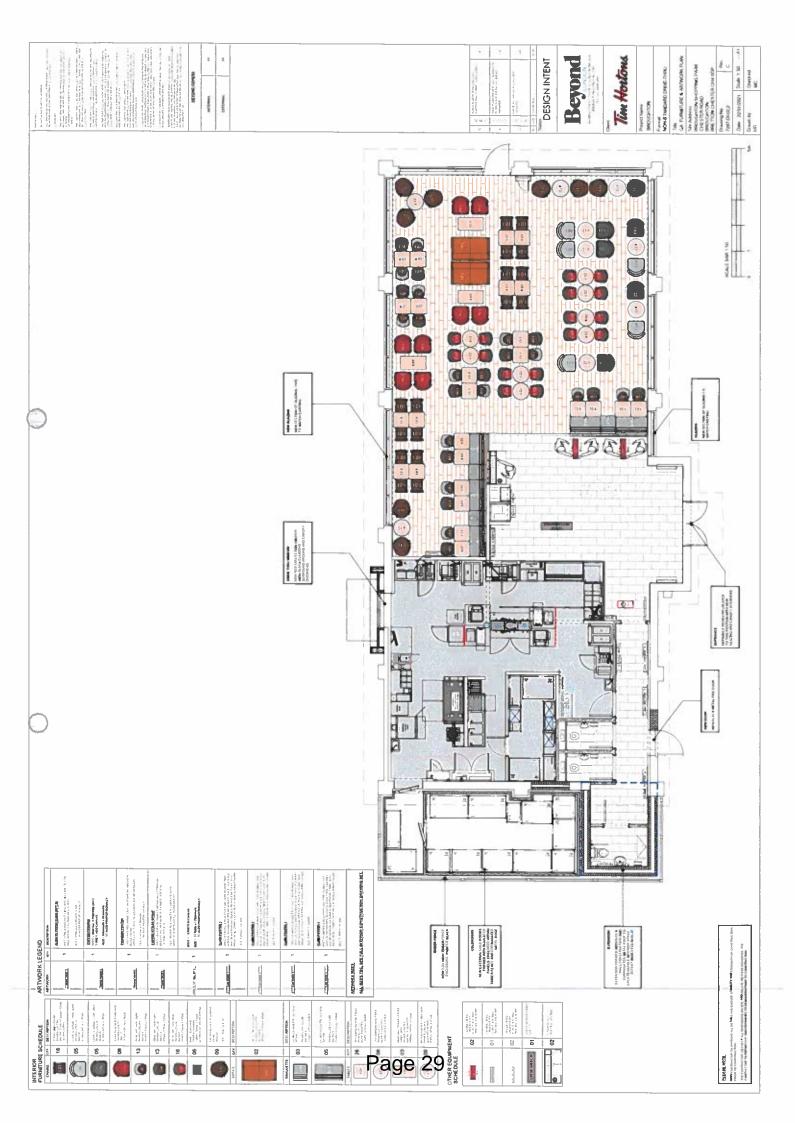
Page 26

Continued from previous page		
Capacity 80000-89999	£56,000.00	
Capacity 90000 and over	£64,000.00	
* Fee amount (£)	450.00	
DECLARATION		
		n to a fine up to level 5 on the standard scale, under section 158 of the connection with this application.
☐ Ticking this box indi	cates you have read and	inderstood the above declaration
This section should be combehalf of the applicant?"	pleted by the applicant, u	nless you answered "Yes" to the question "Are you an agent acting on
* Full name	Gurprit Dhaliwal	
*Capacity		
Date	24 / 02 / 2	022
	dd mm y	<b>yy</b>
	Add anot	ner signatory
Once you're finished you ne	eed to do the following:	
1. Save this form to your co	mputer by clicking file/sa	
2. Go back to <a href="https://www.">https://www.</a>	gov.uk/apply-for-a-licenc	e/premises-licence/flintshire/apply-1 to upload this file and continue
with your application.  Don't forget to make sure y	ou havo all vour cumporti	a documentation to hand
- DOLL'E TOTUEL LO MAKE SUFE V	ou nave all vour subborni	ia aocumentation t <b>o nan</b> a

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, SYLUM 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

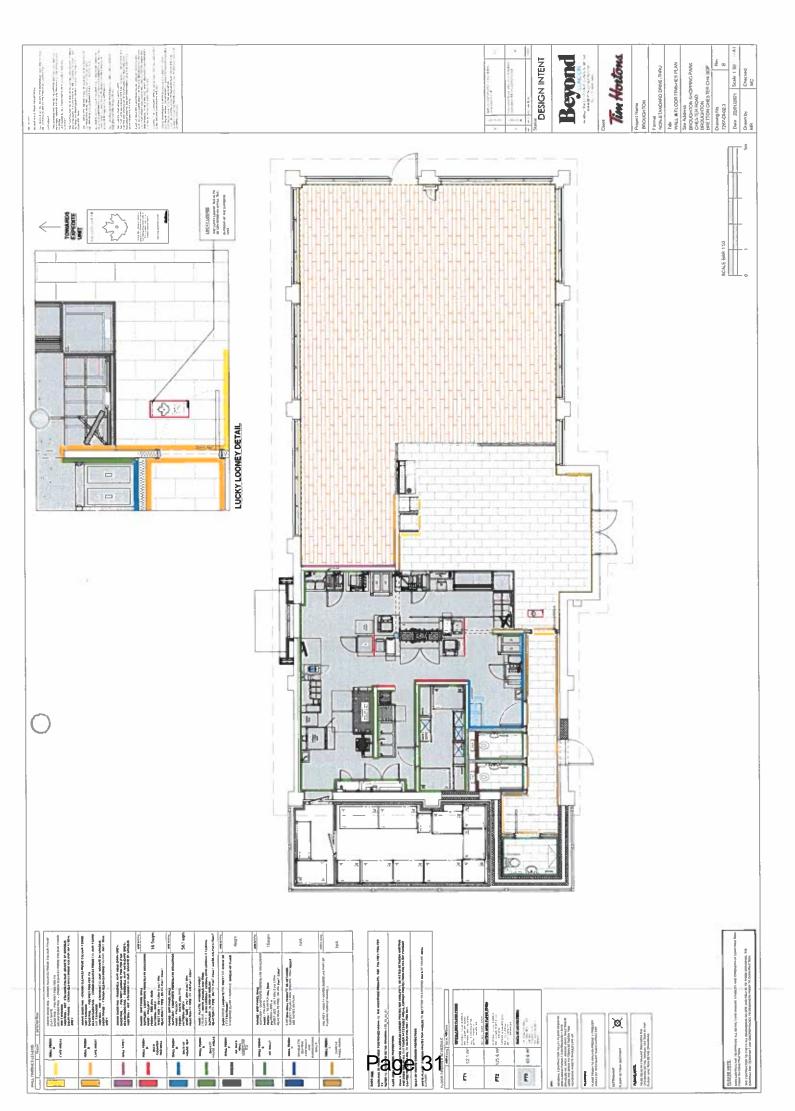
OFFICE USE ONLY	
Applicant reference number	Tim Hortons Broughton
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	
1 2 3 4	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next>

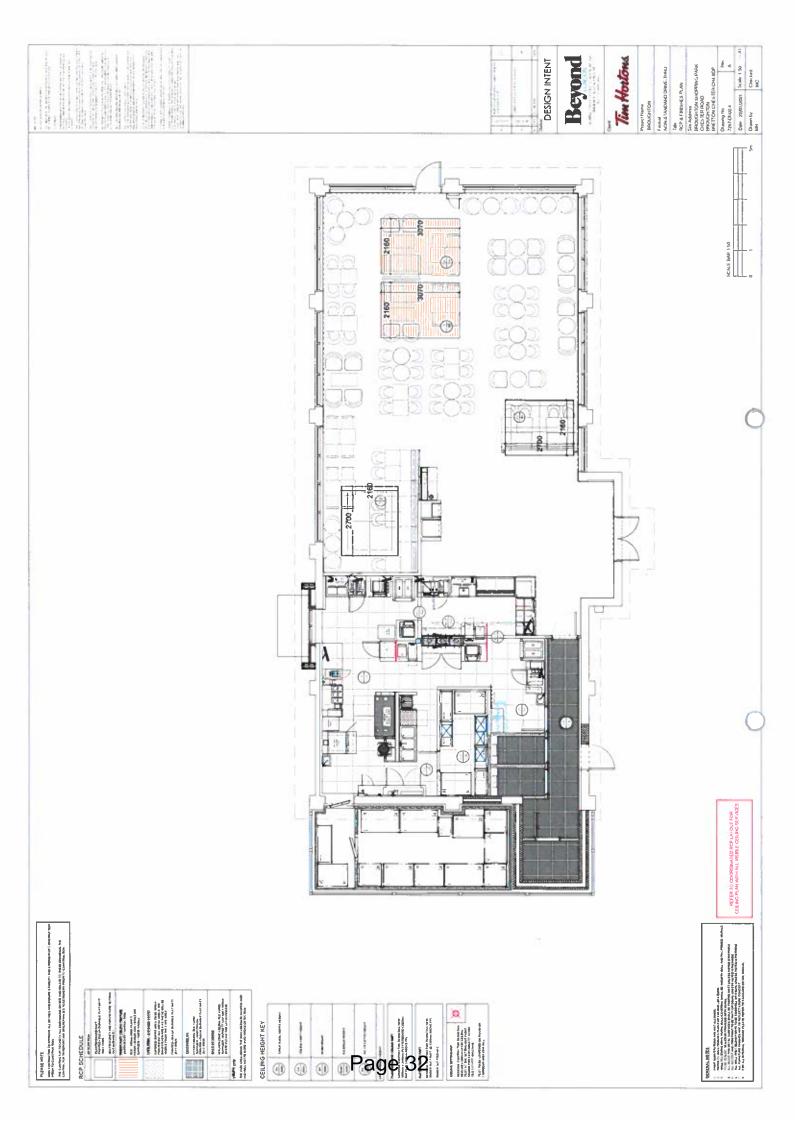


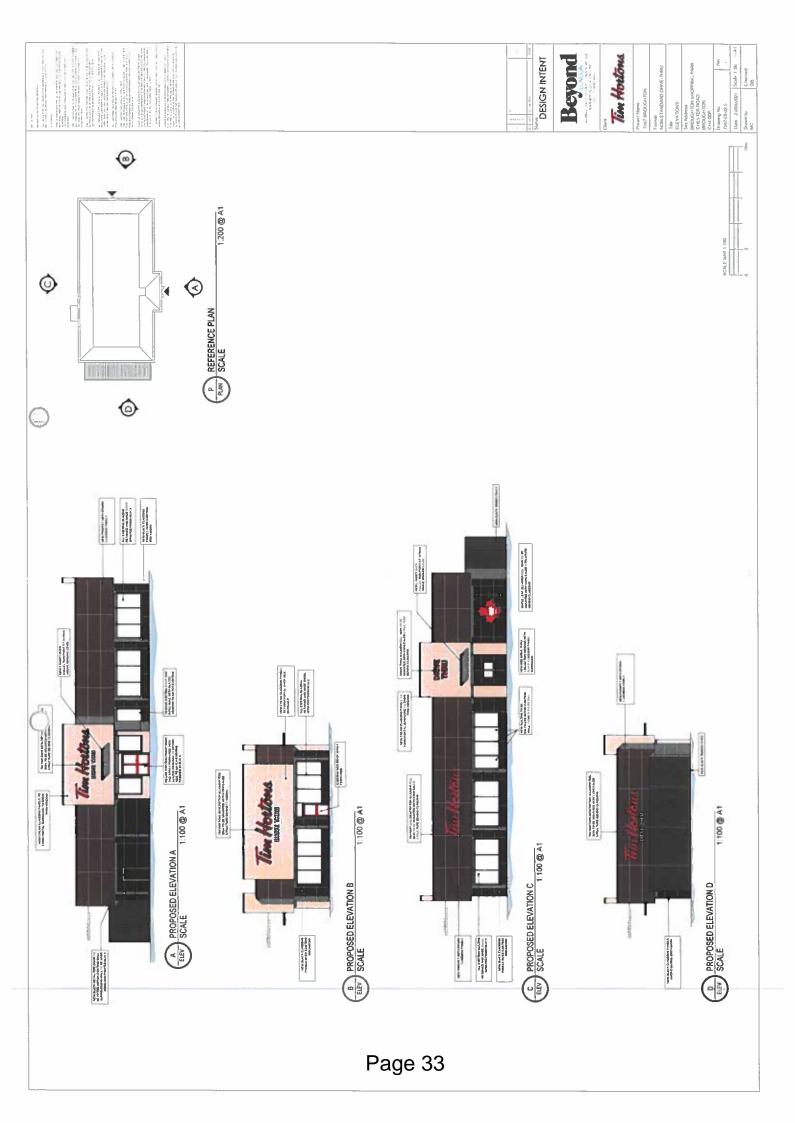
ratification (1.14)	· · · · · · · · · · · · · · · · · · ·
	INTEN
	SIGN SIGN SIGN SIGN SIGN SIGN SIGN SIGN
	Manual Indiana Paragraph Annual Indiana Paragr

## Tim Hortons.

# BROUGHTON DESIGN INTENT DRAWING PACK REV B - (23/03/2021)







APPENDIX C

WISHIRE COUNTY COU

MR PATRICK HUGHES 14 VICKERS WAY BROUGHTON CH4 OFX

2 MAY 2022

REFERENCE: APPLICATION FOR PREMISES LICENSE FOR TIM MORTONS, BROUGHTON RETAIL PARK, BROUGHTON, FLINTSHIRE CM4 ODP.

DEAR SIR MADAM,

I AM WRITING TO REJECT THE ABOVE PREMISES LICENSE FOR TIM HORTONS

PLEASE BE RESPECTFUL OF THE RESIDENTAL AREA DIRECTLY OPPOSITE TIM HORTONS THIS IS IN CLOSE PROXIMITY TO THE ESTATE (APPRIOXIMATELY 30 METRES FROM MY HOUSE)

THE MILLHOUSE PUBLIC HOUSE NEARBY IS ADBOLUTE FOR THE NEEDS OF THE LOCAL POPULATION. I WOULD NOT LIKE TO SEE POTENTIAL LATE NIGHT DRINKING AND ANTI-SOCIAL BEHAVIOUR ADDO NOISE.

I ALSO WOULD LIKE TO POINT OUT THAT THE PREMISES HAVE AN OPEN, STERILE OUTDOOK AREA THAT WOULD ALLOW NOISE TO CARRY TO THE HOUSES ON VICKERS WAY. PLEASE BE AWARE THAT THERE ARE ALREADY LITTERINE ISSUES FROM TIM HORTONS DUE TO THE OPEN OUTDOOR SPACE.

PLEASE PLEASE PLEASE LISTEN TO THE LOCAL RESIDENTS AND RESECT THE APPLICATION.
Page 35

Pr

Yours FATTHFILLY
P.m.
PATRICK MUENES
THE TOTAL PROPERTY
Page 36

Dear Chief officer,

Please accept this letter as my objection to the application for a premises licence for the (late night refreshment (indoors & outdoors) Monday to Sunday from 23:00 hours to 05:00hours.

### At TIM HORTONS BROUGHTON PARK

The reason for this objection is not only the safety of pedestrians as large trucks and lorry's park outside my house on the kerb to go in there in the evening, making it impossible to walk safely down the street and very unsafe to cross the 30MPH road that boy racers use as a racetrack, but also the noise this will cause myself and my family who live opposite this premises.

There is absolutely no reason for people to be sat in a garden area drinking coffee at 11:00PM-05:00am the voices of people and barking dogs will be intolerable for those living opposite, and not only the visible privacy factor of being watched in our home as the car park faces our bedroom window and front room.

The lights are so bright on the building all night we have had to have black out blinds fitted, we already feel so victimised by the type of people McDonald's attracts and get woken up by cars beeping and drag racing on Broughton Park with no support from security they are too scared to approach, and this causes unsafe situations for the residents which I know from experience, the police only log and do not attend!

Please accept this letter as a strong resilience to this application, I am strongly begging as a human who wants to enjoy their home that was there before that monstrosity not to approve this application!

Please contact on me if needed on:

\* Charles

Allisha Mcloughlin

4, Vickers way

**Broughton** 

CH4 OFX

Many Thanks



Sent: 03 May 2022 21:32

To: Licensing < Licensing@flintshire.gov.uk >

Subject: In regards to Th UK and Ireland limited Application for premies license act 2003 at Tim hortons, broughton

retail Park, broughton ch4 Odp.

Alessander boffey 12 vickers way Broughton Ch4 0fx 03/05/22

In regards to Th UK and Ireland limited
Application for premies license act 2003 at
Tim hortons, broughton retail Park, broughton ch4 0dp.

I would like to make a representation against this application in regards to prevention of public nuisance this as the properties of vickers way face right over the car park and outdoor areas of time hortons we have had trouble with boy racers and groups of youths late at night gathering in the vercinaty of tim hortons and macdonalds creating noise and nuisance. The outside area is in direct line of my property which is a distance of 114m bedroom and lounge window in which noise would imitate straight into the property. In terms if waste a lot of tim hortons cups and other waste seems to get blown across the road into mine and other properties we have not seen anyone from tim hortons out litter picking around there building or even come over to the estate like macdonalds do to clear the rubbish and now with this licensing application I feel we will see even more waste in other front gardens and driveways. As for the outdoor area tim hortons have I don't feel has sufficient outdoor lighting to be allowed to be used during the times being proposed and if they did put new lighting this would create light pollution causing atlas some of the light to be initiated into my properties bedroom and lounge windows affecting sleep. Also groups of youths gather on the green space behind macdonalds which is over looked by the houses on the estate creating noise and disturbance to use. Also looking at the local crime figures during the ladt 12 months there had been 65 reports of anti social behaviour within the vercinaty of macdonalds and tim hortons along with 31 cases of public order also feel these figures are going to increase if this license gets granted.

In terms of protection of child harm what has been witnessed at local coop what is there to this from happening outside are houses where a child with a 16 year old Id has brought alcohol for his group of mates stood outside out of sight what have tim hortons got in place to prevent this from happening as has been seen in the past groups of youths gather on the grass bank behind macdonalds which over looked by are houses this does not create a very safe place to live especially when it's so close.

PREMISES: TIM HORTONS Broughton Park, CH4 0DP

To chief officer,

My name is Samantha Renshaw I live at 1, Vickers way ch4 0fx

Please accept this letter as my objection of the late-night outdoor Monday- Sunday 23:00-05:00am application that has been submitted.

I would like to object to the outside permission, as a close resident to this business, this will have strong noise implications to my household.

Mrs Samantha Renshaw

1, Vickers way

Broughton

CH4 OFX

Many Thanks

Samantha Renshaw & household.





### APPENDIX D

SATURDAY           Start         00:00         End         00:00           SUNDAY         Start         00:00         End         00:00           Start         00:00         End         00:00   Start any seasonal variations					
Start 00:00 End 00:00  SUNDAY  Start 00:00 End 00:00					
SUNDAY  Start 00:00 End 00:00  Start 00:00 End 00:00					
Start         00:00         End         00:00           Start         00:00         End         00:00					
Start 00:00 End 00:00					
State any seasonal variations					
For example (but not exclusively) where the activity will occur on additional days during the summer months.					
N/A					
	ñ				
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	Fire				
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas	Eve.				
N/A 5.57					
Section 18 of 21					
LICENSING OBJECTIVES	SS - SN -				
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.					
- CCTV and monitored alarm system					
- Risk Assessment and CCTV - Alarm monitored by police					
- CCTV, Alarm system connected to emergency services					
b) The prevention of crime and disorder					
CCTV and Alarms					
c) Public safety					
Risk Assessment and CCTV					
Page 41					

Continued from previous page	
d) The prevention of public nuisance	
Alarm monitored by police	
e) The protection of children from harm	
CCTV, Alarm system connected to emergency services	
Section 19 of 21	
NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK	The second secon