

Licensing Sub-Committee

Tuesday 21 August 2012 at 10.00 am

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillors John Robson (Chair), George Lindars-Hammond, Nikki Sharpe and Neale Gibson (Reserve)

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email harry.clarke@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
21 AUGUST 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Little Hanoi, 216/218 London Road, Sheffield S2 4LW**
Report of the Chief Licensing Officer

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

The existing Standards regime will be abolished from 1st July, 2012 by the Localism Act 2011. From this date, the way that your interests need to be registered and declared will change. Prejudicial and personal interests will no longer exist and they have been replaced by Disclosable Pecuniary Interests (DPIs).

The Act also requires that provision is made for interests which are not Disclosable Pecuniary Interests and requires the Council to introduce a new local Code of Conduct for Members. It is intended that provision will be made in the new Code for dealing with "personal" interests.

The Regulations in relation to Disclosable Pecuniary Interests have only recently been published by the Government and guidance is being developed for circulation to you prior to 1st July.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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SHEFFIELD CITY COUNCIL Committee Report

5

Report of: Chief Licensing Officer, Head of Licensing

Date: 21 August 2012

Subject: Licensing Act 2003

Author of Report: Andy Ruston

Summary: To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

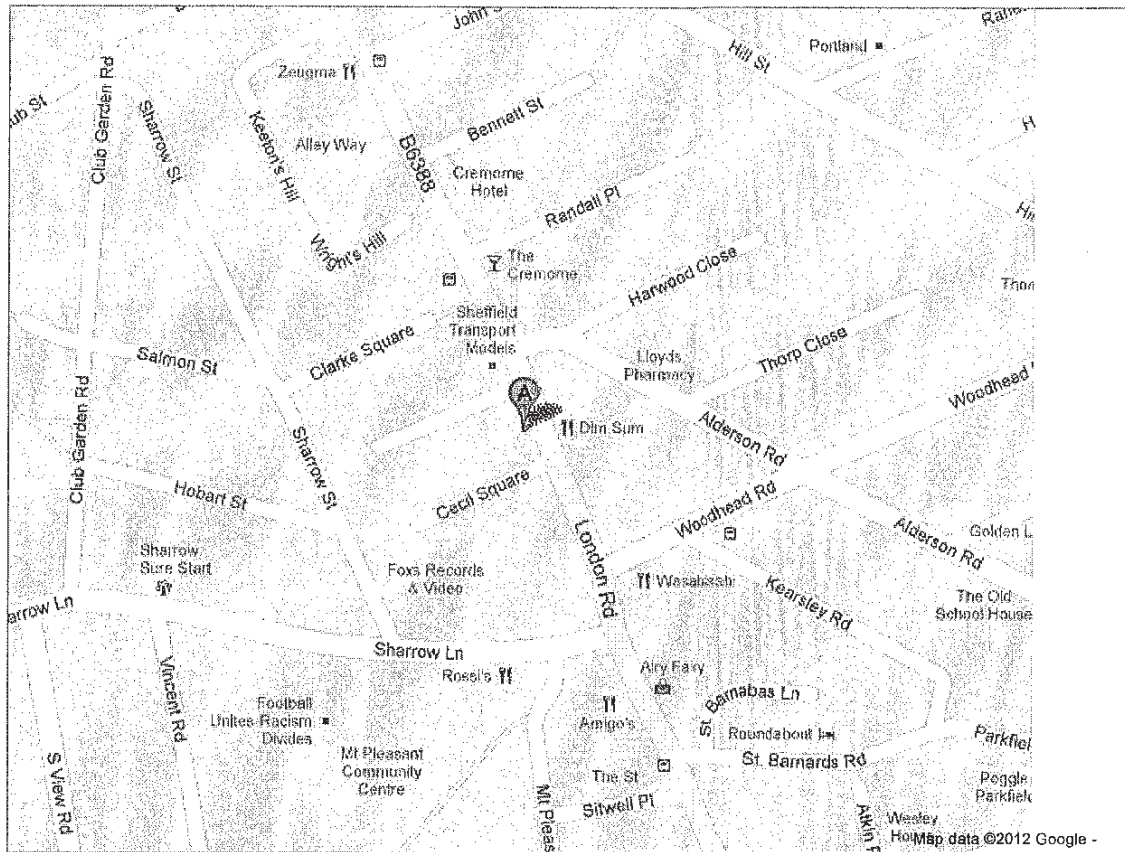
Recommendations: That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN



To see all the details that are visible on the screen, use the Print link next to the map.



**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING, TO THE LICENSING COMMITTEE**

Ref No: 64/12

LICENSING ACT 2003

Little Hanoi, 216/218 London Road, Sheffield, S2 4LW

1.0 PURPOSE OF REPORT

1.1 To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Hanoi Restaurants Ltd.

2.2 The application, which was received on 29 June 2012 is attached to this report labelled Appendix 'A'.

2.3 Page 2 of the application form details briefly the proposed variation.

2.4 The current premises licence is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application for variation have been received from the following :-

- Environmental Protection Services Attached at Appendix 'C'

3.2 As the representations have not been resolved, the matter is referred to the Licensing Committee.

3.3 The applicant and representatives from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'D'.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific financial implications arising from this application. However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

5.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

②

5.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

6.0 HEARINGS REGULATIONS

6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'E'.

6.3 Attached at Appendix 'E' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

7.0 APPEALS

7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations against decisions of the Licensing Authority, to the Magistrates' Court.

8.0 RECOMMENDATIONS

8.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with modified conditions.

9.3 To reject the whole or part of the application.

Stephen Lonnia
Chief Licensing Officer, Head of Licensing
**Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road,
Sheffield, S9 3HD.**

3

Appendix 'A'

4

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Rec 17470

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

We, Hanoi Restaurants Limited, being the premises licence holder, apply to vary a Premises Licence under Section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

SY 0627 PR

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description	
Little Hanoi 216 - 218 London Road	
Post town Sheffield	Post code S2 4LW

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address

Post Town Postcode

LICENSING GENERAL

29 JUN 2012

SECTION

5

Part 3 – Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please describe briefly the nature of the proposed variation (please read guidance note 1)

The variation seeks to: -

1. Amend the layout of the premises in accordance with licensing drawing number 2011/03/02/A.
2. Amend the terminal hour for the retail sale of alcohol on Saturday, Sunday, Monday and Tuesday to 01:30hrs and to amend the commencement hour on a Sunday to 11:00hrs.
3. Amend the hours for all existing regulated entertainment, entertainment facilities and late night refreshment, the hours of which are to be the same as those for the retail sale of alcohol.
4. Add the licensable activities of films, live music, making music and entertainment of a similar description to that falling within (i) or (j). The hours of which are to be the same as those for the retail sale of alcohol.
5. Add a non standard timing to extend all licensing hours to 02:00hrs on the Chinese New Year.
6. Amend the opening hours of the premises on Saturday, Sunday, Monday and Tuesday to 02:00hrs and 02:30hrs on Chinese New Year.
7. Amendment to Condition 1 at Annex 2 – Conditions consistent with the Operating Schedule by the insertion of "On the Ground Floor" prior to intoxicating liquor at Condition 1.

It is not anticipated that the four licensing objectives will be adversely affected. The Operating Statement has been completed on this basis.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	11:00	01:30	Please give further details here (please read guidance note 3)	Both	
Tue	11:00	01:30			
Wed	11:00	00:30	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	11:00	00:30			
Fri	11:00	00:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	01:30			
Sun	11:00	01:30		When the hours for the sale of alcohol are extended hereunder these hours are also extended (see Box M below).	

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			State any seasonal variations for indoor sporting events (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur					
Fri					Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	01:30	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	01:30			
Wed	11:00	00:30		State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	11:00	00:30			
Fri	11:00	00:30		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the sale of alcohol are extended hereunder these hours are also extended (see Box M below).	
Sat	11:00	01:30			
Sun	11:00	01:30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	As existing	01:30	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	As existing	01:30			
Wed	As existing	As existing	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	As existing	As existing			
Fri	As existing	As existing	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the sale of alcohol are extended hereunder these hours are also extended (see Box M below).		
Sat	As existing	01:30			
Sun	11:00	01:30			

G

10

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Mon				Please give further details here (please read guidance note 3)	Outdoors
Tue			Both		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

I

11

Provision of facilities for making music. Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 2).		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11:00	01:30			
Tue	11:00	01:30			
Wed	11:00	00:30			
Thur	11:00	00:30			
Fri	11:00	00:30			
Sat	11:00	01:30			
Sun	11:00	01:30			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
			When the hours for the sale of alcohol are extended hereunder these hours are also extended (see Box M below).		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick {Y} (see guidance note 2).		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoor <input checked="" type="checkbox"/>
				Outdoor
Mon	11:00	01:30		Both
Tue	11:00	01:30		Please give further details here (please read guidance note 3)
Wed	11:00	00:30		
Thur	11:00	00:30		
Fri	11:00	00:30	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)	
Sat	11:00	01:30		
Sun	11:00	01:30		
			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
			When the hours for the sale of alcohol are extended hereunder these hours are also extended (see Box M below).	

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	
Day	Start	Finish		Indoors <input checked="" type="checkbox"/>
				Outdoors
Mon	As existing	01:30		Both
Tue	As existing	01:30		Please give further details here (please read guidance note 3)
Wed	As existing	As existing		
Thur	As existing	As existing		
Fri	As existing	As existing	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Sat	As existing	01:30		
Sun	As existing	01:30		
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
			When the hours for the sale of alcohol are extended hereunder these hours are also extended (see Box M below).	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	As existing	01:30	Both		✓
Tue	As existing	01:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Wed	As existing	00:30			
Thur	As existing	00:30			
Fri	As existing	00:30			
Sat	As existing	01:30			
Sun	11:00	01:30			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
			As per the existing Premises Licence without amendments.		
			On Chinese New Year the terminal hour shall be extended to 02:00hrs.		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None.

Hours premises are open to the public Standard days and timings (please read guidance note 6)		
Day	Start	Finish
Mon	As existing	02:00
Tue	As existing	02:00
Wed	As existing	As existing
Thur	As existing	As existing
Fri	As existing	As existing
Sat	As existing	02:00
Sun	11:00	02:00

State any seasonal variation (please read guidance note 4)

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

As per the existing Premises Licence without amendments.

On Chinese New Year the terminal hour shall be extended to 02:30hrs.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick ✓ yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

The applicant has a proprietary interest in the premises, having signed a Lease on the 18th January 2012.

They have sought consent of the Premises Licence Holder to transfer, but have been unable to locate the existing Premises Licence Holder.

The existing holder having disappeared without trace.

An existing application to transfer the Premises Licence and vary the DPS has been lodged with the Sheffield City Council.

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

No new steps have been identified in relation to the four licensing objectives, save as below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

The restrictions as set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

I have made or enclosed payment of the fee

- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners..... *John Gaunt & Partners*

Date: 28 June 2012

Capacity: Solicitors

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) 0114 266 8664	
If you would prefer us to correspond with you by email your email address (optional) jhylton@john-gaunt.co.uk	

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Due to the size of the plan provided with the application, a copy will be available at the hearing.

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Appendix 'B'

3. Sale by retail of alcohol:

(a) for consumption on the premises

Sunday	12:00 to 23:30 hours
Monday	11:00 to 24:00 hours
Tuesday	11:00 to 24:00 hours
Wednesday	11:00 to 24:00 hours
Thursday	11:00 to 24:00 hours
Friday	11:00 to 24:00 hours
Saturday	11:00 to 24:00 hours
Christmas Day (25.12)	12:00 to 23:30 hours
New Years Eve (31.12)	11:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:00 hours

N.B. See Annex 2 for further restrictions on hours including Good Friday and where New Years Eve falls on a Sunday.

The opening hours of the premises are:

Sunday	12:00 to 24:00 hours
Monday	11:00 to 00:30 hours the following day
Tuesday	11:00 to 00:30 hours the following day
Wednesday	11:00 to 00:30 hours the following day
Thursday	11:00 to 00:30 hours the following day
Friday	11:00 to 00:30 hours the following day
Saturday	11:00 to 00:30 hours the following day
Christmas Day (25.12)	12:00 to 24:00 hours
New Years Eve (31.12)	11:00 to 24:00 hours
New Years Day (01.01)	00:00 to 23:30 hours

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you MUST ONLY operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

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

Sale by retail of alcohol for consumption on the premises.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

S Lounge Limited
216-218 London Road
Sheffield S2 4LW

Telephone Number: 0114 2582651

Registered number of holder, for example company number, charity number (where applicable):

7523296

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

Tabeth Munetsi
77 Goodwin Crescent
Swinton
Mexborough S64 8QP

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

Personal Licence Number: RM1606
Issuing Authority: Rotherham MBC

State whether access to the premises by children is restricted or prohibited:

Restricted.

This Premises Licence shall be in force from the Second Appointed Day.

Issued on: 1st November, 2005

.....
Acting Head of Licensing
On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only		
Variation of Premises Licence		
Variation of DPS	2	Granted 24 th April 2011
Transfer of Premises Licence	2	Granted 21 st April 2011

Annex 1A – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:

- (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
- (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.

2. In this section -

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Conditions effective from 6th April 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Annex 1C - Mandatory Conditions effective from 1st October 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) Customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

Any embedded permissions and restrictions attached to the justices restaurant licence including those specified at Appendix 1.

Specific conditions converted from the Justices Licence

1. Intoxicating liquor shall not be sold or supplied under the authority of the licence otherwise than
 - a. To persons taking "table meals" on the premises and for consumption by such a person as an ancillary to his or her meal.
2. Suitable beverages, including drinking water, other than intoxicating liquor shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

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

Annex 4 – Plans

Plan Reference: 0546/01
Date: 27th July 2005

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Appendix 1

Appendix 'C'



From: Singh Bob
Sent: 23 July 2012 15:05
To: 'JHyldon@john-gaunt.co.uk'
Cc: 'info@sqedge.co.uk'; Licensing(General)
Subject: Premises licence application comments: Little Hanoi. 216-218 London Road, Sheffield, S2 4LR

This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.

Dear Mr Hyldon

Further to a recent site meeting on 19/7/12 with the applicant, Mr Sharziz, I have the following representation to make with regards to the new premises licence variation application for the above premises.

The Little Hanoi is located in a mixed commercial and residential area of the city with relatively low background noise levels throughout the late evening. As such there is an enhanced potential for licensed activity at the premises to give rise to complaints relating to public nuisance. In particular I am concerned that residents in close proximity will potentially be affected by excessive noise disturbance by noise breakout from regulated entertainment, patrons using the proposed function rooms and patrons outside the premise.

The proposed functions rooms at first floor level do not have planning permission to operate as a karaoke bar. The Environmental Protection Service and Planning department have advised the applicant that a change of use is required under the planning legislation to operate the upper floors as a karaoke bar. The applicant must demonstrate the likely impact on the amenity of the residents in close proximity from such operations. No such evidence has been submitted in support of the new premises licence application.

To assist in achieving the licensing objective relating to The Prevention of Public Nuisance, I recommend the following amendments are made to licensable activity and conditions are attached to the new premises licence.

Amendments

* All licensable activity is restricted to the ground floor only.

Conditions

* All doors and windows shall be closed, save for access and egress, when regulated entertainment is present in the premises

* The DPS or designated member of staff must take a pro active approach to noise control, checking outside the premise to ensure that noise is kept to a reasonable level from patrons using the external area and manage noise levels internally so as not to cause a nuisance to the nearest noise sensitive property.

* The premises licence holder shall prominently display A4 notices on all exits reminding patrons to leave the premises in a quite and orderly fashion to respect the local neighbours needs.

Please can you confirm if the above amendments and conditions are acceptable as soon as possible in order for me to respond to our Licensing department and negate the need to attend a formal hearing.

If you require any further information then please do not hesitate to contact me.

Regards Bob

Bob Singh
bob.singh@sheffield.gov.uk

Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel +44 (0)114 273 4658

Fax +44 (0) 114 273 6464

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<http://www.sheffield.gov.uk/environment/environmental-health>

Appendix 'D'



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence.**

John Gaunt and Partners
Omega Court
371-374 Cemetery Road
Sheffield
S11 8FT.

The Sheffield City Council being the licensing authority, on the **29 June 2012** received an application in respect of the premises known as **Hanoi Restaurant, 216/218 London Road, Sheffield, S2 4LW.**

During the consultation period, the Council received representations from the following:

- Environmental Protection Services

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **21 August 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD**, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated:

Signed: _____
The officer appointed for this purpose
Licensing Officer, Place Portfolio

Please address any communications to: Licensing Service, Sheffield City Council Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence.**

Bob Singh
Environmental Protection Services

The Sheffield City Council being the licensing authority, on the **29 June 2012** received an application in respect of the premises known as **Hanoi Restaurant, 216/218 London Road, Sheffield, S2 4LW.**

During the consultation period, the Council received representations from the following:

- Environmental Protection Services

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **21 August 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated:

Signed: _____
The officer appointed for this purpose
Licensing Officer, Development Services

Please address any communications to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.**

Appendix 'E'



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence.**

John Gaunt and Partners
Omega Court
371-374 Cemetery Road
Sheffield
S11 8FT.

The Sheffield City Council being the licensing authority, on the **29 June 2012** received an application in respect of the premises known as **Hanoi Restaurant, 216/218 London Road, Sheffield, S2 4LW.**

During the consultation period, the Council received representations from the following:

- Environmental Protection Services

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **21 August 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD**, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated:

Signed: _____
The officer appointed for this purpose
Licensing Officer, Place Portfolio

Please address any communications to: Licensing Service, Sheffield City Council Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.

NOTES

Right of attendance, assistance and representation

- 15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

- 16. At the hearing a party shall be entitled to –
 - (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

- 20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

- 21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
- 22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
- 23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
- 24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
- 25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
 - (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify, but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

LICENSING ACT 2003

Premises: Hanoi Restaurant
Type of App: LA03_Application to Vary a Premises Licence
Hearing Date: 21 August 2012

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

To **Licensing Service,**
 Sheffield City Council
 Block C Staniforth Road Depot
 Staniforth Road
 Sheffield
 S9 3HD

Of **John Gaunt and Partners**
 Omega Court
 371-374 Cemetery Road
 Sheffield
 S11 8FT.

hereby confirm that I have received the Notice of Hearing dated and notify you as follows
(please complete):

- I intend to attend the hearing
- I do not intend to attend the hearing

- I intend to be represented at the hearing by:
- I do not intend to be represented at the hearing by:.....

- I consider the hearing to be unnecessary because:
-

- I request thatshould appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: **Signed:**.....

Please see Regulation 8 overleaf

Please complete this form and return it to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
 - (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
 - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.