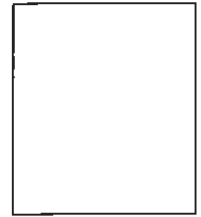




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 19th January 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003.

Lavang 478 Fulwood Road Sheffield S10 3QD

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

Background Papers: Attached documents

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No 04/17

Lavang 478 Fulwood Road Sheffield S10 3QD

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is. Lavang Limited

2.2 The application, which was received on 28th November 2016, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following and are attached at Appendix B:-

- No 4 – Public.

3.2 Responsible Authorities have agreed condition and the applicant has submitted amended parts of the application. This information and conditions are attached at appendix 'C'.

3.3 The applicant and objectors 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 POLICIES TO CONSIDER

4.1 Sheffield City Council Licensing Policy

5.0 FINANCIAL IMPLICATIONS

5.1 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.

6.0 THE LEGAL POSITION

6.1 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.

Section 6 Cont'd

6.2 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.

7.0 HEARINGS REGULATIONS

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

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

7.3 Attached at Appendix 'D' 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.

8.0 APPEALS

8.1 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.

9.0 RECOMMENDATIONS

9.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnia
Chief Licensing Officer
Head of Licensing

Appendix A

Application

Application for a premises licence to be granted under the Licensing Act 2003



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

You may wish to keep a copy of the completed form for your records.

I/We ~~NOSHAD PARSEZ~~ LAVANG
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
478 Fulwood Road Sheffield Lavang			
Post town	Sheffield	Postcode	S10 3QD
Telephone number at premises (if any)	0114 263 0106		
Non-domestic rateable value of premises	£ 4119		

Part 2 - Applicant Details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

A2

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

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

A3

Name	LAVANG
Address	478 FULWOOD Road Sheffield S10 3QD
Registered number (where applicable)	0114 267 0106
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	
E-mail address (optional)	

AA

When do you want the premises licence to start?

DD	MM	YYYY
01	01	2017

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

DD	MM	YYYY
1	1	1

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

The premises we have we intend to open a licensed Indian restaurant.
~~The hours will be between 5pm-11~~ This business will be located
 in fullwood shipton.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

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

In all cases complete boxes K, L and M

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (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	17:00	22:30			
Tue	17:00	22:30			
Wed	17:00	22:30	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	17:00	22:30			
Fri	17:00	23:00	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)		
Sat	17:00	23:00			
Sun	17:00	22:30	the performance if made will be between the hours of business which I have shown.		

AS

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (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	17:00	22:30			
Tue	17:00	22:30			
Wed	17:00	22:30	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	17:00	22:30			
Fri	17:00	23:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	17:00	23:00			
Sun	17:00	22:30			

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

AG

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption - please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>This will be the same all year round as we are pre-licensing.</i>		
Mon	17:00	17:30 23:30			
Tue	17:00	17:30 22:30			
Wed	17:00	17:30 22:30	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)		
Thur	17:00	17:30 22:30			
Fri	17:00	23:00			
Sat	17:00	23:00			
Sun	17:00	22:30			

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

A7

Name	Noshad Parbez
Address	230 Broomhall Street Sheffield
Postcode	S3 7SQ
Personal licence number (if known)	SY06376PER
Issuing licensing authority (if known)	Sheffield City Council

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	17:00	22:30	We believe the opening hour will remain the same all year round as we do not intend to open for any other reasons apart for business.
		23:00	
Tue	17:00	22:30	
		23:00	
Wed	17:00	22:30	
		23:00	
Thur	17:00	22:30	
		23:00	
Fri	17:00	23:00	
		23:00	
Sat	17:00	23:00	
		23:00	
Sun	17:00	22:30	
		23:00	

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

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

AS

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

~~The prevention of crime and disorder~~
~~Public Safety~~
~~The prevention of public nuisance~~
~~The protection of children from harm~~

We will NOT be selling Alcohol to anyone underage, no drunk and disorderly in the premises, no violence and anti social behaviour, No any harm to children, CCTV system installed to make sure everyone is safe.

b) The prevention of crime and disorder

CCTV system installed to monitor exits and other parts of the premises in order to address the prevention of crime objective

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Not sell any drinks to DRUNK or intoxicated individual. Staff will be trained in asking customers to use premises in a orderly and respectful manner and prevent drinking alcohol to the rota unit (ex comed or bottled beer).

c) Public safety

Internal and external lighting fixed to promote public safety objectives

Well trained staff adherence to environmental health requirements

Training and implementation of underage ID checks.

A log book of recording system shall be kept on the premises

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the need of nearby residents to leave the the premises and the area quiet.

Delays of goods necessary for the operations of the business will be carried out at such a time or in such manner as to:

e) The protection of children from harm

Challenge 25 system

Log book will be kept upon the premises, all the time

Nothing below existing health & safety requirements

Please tick to indicate agreement


A9

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	28/11/2016
Capacity	Owner.

For joint applications, signature of 2nd applicant 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	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

A10

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 the 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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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 or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR



111

I: [full name of prospective premises supervisor] NOSHAD PARBEZ

Of: [home address of prospective premises supervisor] 230 BROOMHAM STREET SHEFFIELD, S3 7SQ

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

[type of application]
LAVANG

made by: [name of applicant]
NOSHAD PARBEZ

relating to premises licence number: [number of existing licence, if any] SY06376 PER

for: [name and address of premises to which application relates] 478 FULWOOD ROAD, SHEFFIELD S10 3QD

and any premises licence to be granted or varied in respect of this application made by: [name of applicant]
LAVANG

concerning the supply of alcohol at: [name and address of premises to which application relates]
478 FULWOOD ROAD
SHEFFIELD S10 3QD

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below:

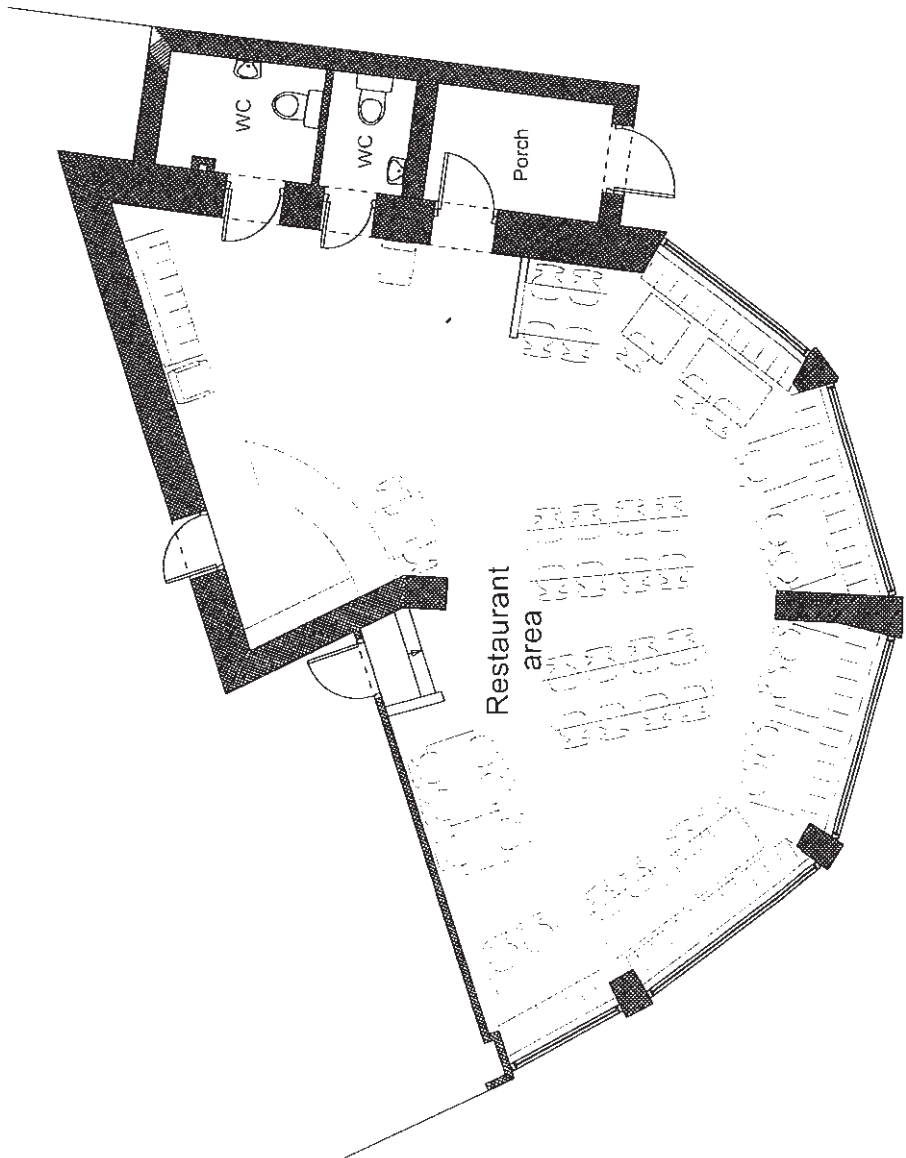
Personal licence number: [insert personal licence number, if any] SY06376 PER
Personal licence issuing authority: [insert name and address and telephone number of personal licence issuing authority, if any] SHEFFIELD CITY COUNCIL

Signed

Name (please print) NOSHAD PARBEZ

Date 28/11/2016

A12



Ground Floor Plan

07807 243026
 www.ecclesall.design
 studio@ecclesall.design



**ECCLESALL
 DESIGN**

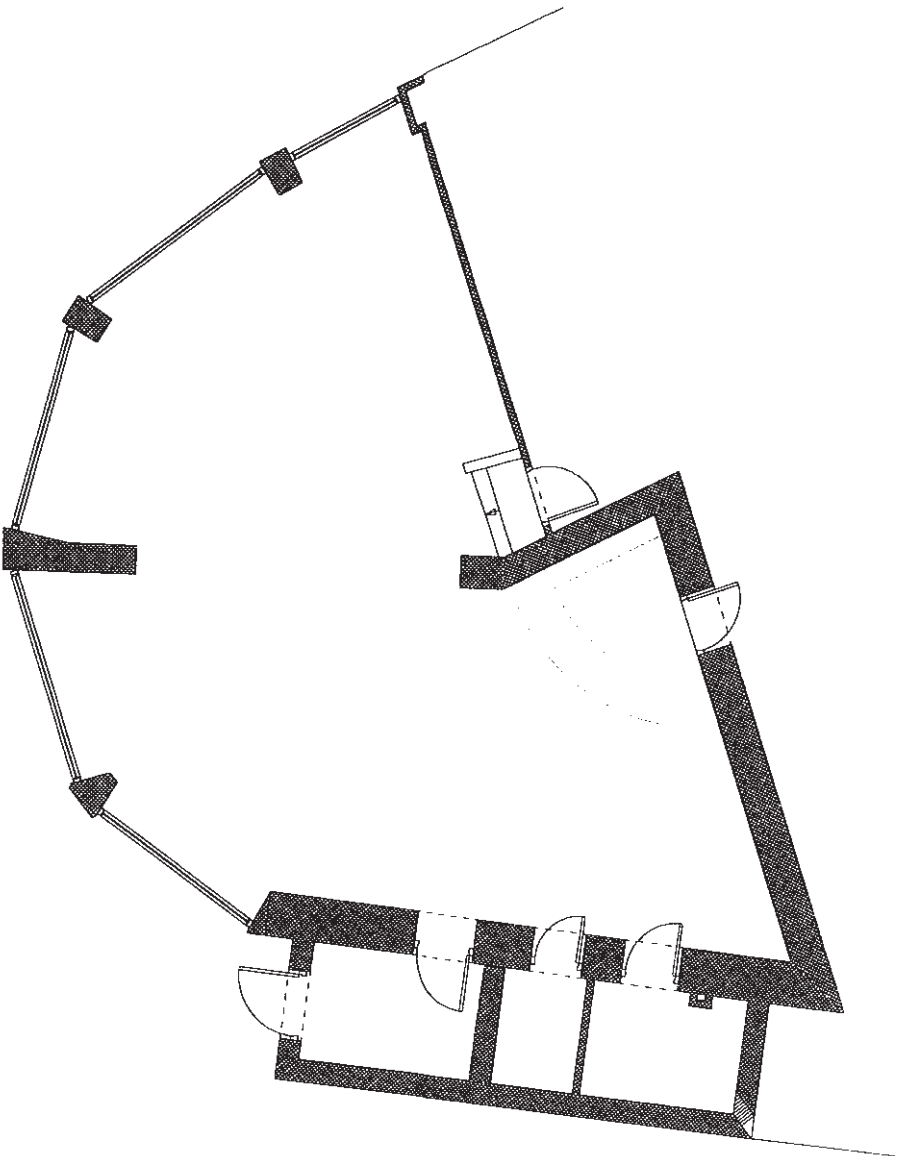
Ecclesall Design Ltd.
 The Portergate
 257 Ecclesall Road
 Sheffield
 S11 8NX

Client: Panchar Contemporary
 Project: 478 Fulwood Rd
 Sheffield
 S10 3QD
 Drawn by: D. Pitka
 Date: November 2016

Drawing Title: Ground Floor Plan
 Page Size: A4
 Scale: 1:100
 Drawing Number: 301-1
 Revision:

All dimensions are approximate and to be checked on site

A13



Ground Floor Plan

All dimensions are approximate and to be checked on site

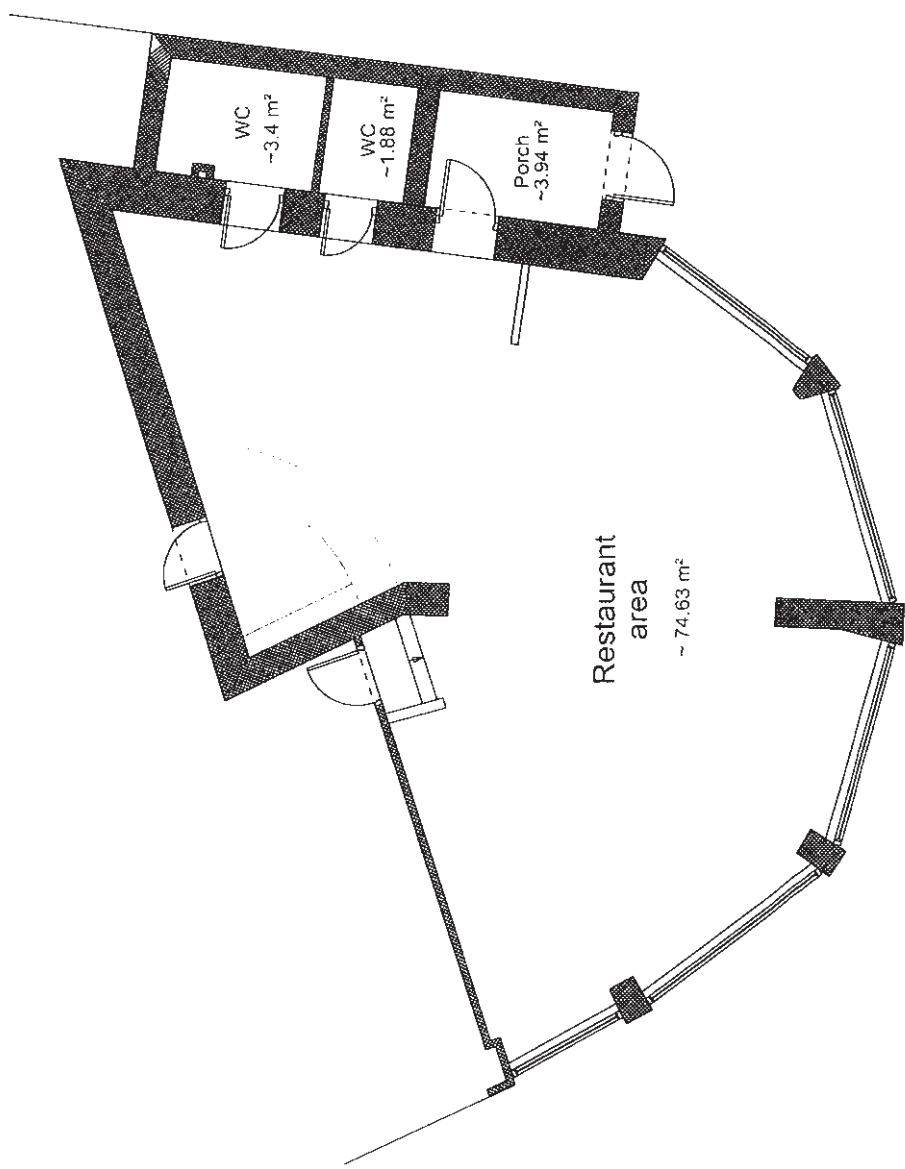


07907 243026
www.ecclesall.design
studio@ecclesall.design
Ecclesall Design Ltd.
The Portergate
257 Ecclesall Road
Sheffield
S11 8NX

Client: Panchar Contemporary
Project: 478 Fulwood Rd
Sheffield
S10 3QD
Drawn by: D. Pitka
Date: November 2016

Drawing Title: Ground Floor Plan
Page Size: A4
Scale 1:100
Drawing Number: 301.1
Revision:

A14



Ground Floor Plan

07807 243026
 www.ecclesall.design
 studio@ecclesall.design

ECCLESALL DESIGN

Ecclesall Design Ltd.
 The Portergate
 257 Ecclesall Road
 Sheffield
 S11 8NX

Client: Pandhar Contemporary
 Project: 478 Fulwood Rd
 Sheffield
 S10 3QD
 Drawn by: D. Pilko
 Date: November 2016

Drawing Title: Ground Floor Plan
 Page Size: A4
 Scale: 1:100
 Drawing Number: 301-
 Revision:

All dimensions are approximate and to be checked on site

A15

Drawing Title:
Ground Floor Plan
Page Size: A4
Scale 1:100
Drawing Number: 301.1
Revision:

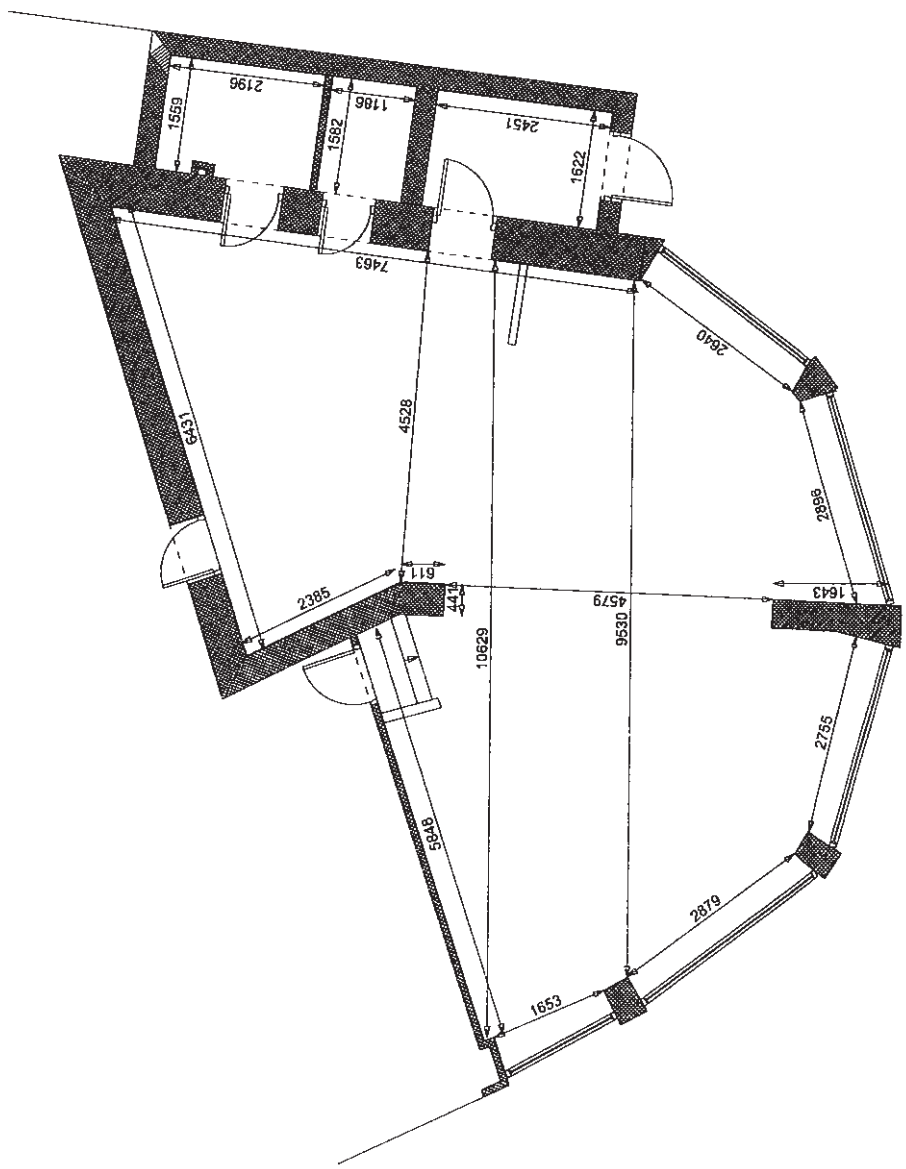
Client: Panchar Contemporary
Project: 478 Fulwood Rd
 Sheffield
 S10 3QD
Drawn by: D. Pika
Date: November 2016

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Ecclesall Design Ltd.
The Portergate
257 Ecclesall Road
Sheffield
S11 8NX



Ground Floor Plan

All dimensions are approximate and to be checked on site



Appendix B

Public Objection - No 4

170

31

■ Tom Lane
Sheffield
S10 ■

The Licensing Service
Block C
Staniforth Road Depot
Stainforth Road
Sheffield
S9 3HD

8 December 2016

To whom it may concern

It has been made aware to us that Lavang 478/480 Fulwood Road, S10 3QD has made an application for sale of alcohol and the provision of regulated entertainment from 17.00-23.00 Monday to Sunday. We are very concerned of the impact this would have on noise levels on Tom Lane. The previous establishment Panahar, which had no such licences, caused enough noise disturbance when people were leaving the restaurant in the evening. We therefore oppose these two licensing applications.

Yours faithfully



Laura Johnson and Nicholas Wallis

McConaghy Julianne

B2

From: Delamore Lindsey on behalf of licensingservice
Sent: 06 December 2016 14:49
To: McConaghy Julianne
Cc: Rhodes Emma (CEX)
Subject: FW: Licensing application 478/480 Fulwood Road, S10 3QD

From: Ruth Beeley [REDACTED]
Sent: 06 December 2016 14:47
To: licensingservice
Cc: Alston Sue (LD CLLR); Sangar Andrew (LD CLLR); Woodcraft Cliff (LD-CLLR)
Subject: Licensing application 478/480 Fulwood Road, S10 3QD

Dear Sir,

We've been unable to find out any information as to what the above premises are going to be. There was a Takeaway Pizza which then became an Indian restaurant but the latter was not granted a licence to sell alcohol.

The premises are situated on the corner of a residential street. Regular entertainment and the availability of alcohol is likely to affect noise levels and be a public nuisance.

Parking in the area is highly problematic at present and any increase in parking will cause increased nuisance to residents. Parking could also raise safety concerns as there is often parking on the existing double yellow lines already. Parents and children from the school across the road park on Tom Lane and are frequently around in the early and sometimes later evening. When the change of use from takeaway to restaurant was agreed there was an increase in parking on Tom Lane. This situation has only got worse in recent years.

We strongly object to the granting of an entertainment and alcohol licence for these premises on the above grounds.

Yours faithfully,

Ruth and John Beeley

[REDACTED] Tom Lane
S10 [REDACTED]

Palmer Helena

B3

From: Delamore Lindsey on behalf of licensingservice
Sent: 15 December 2016 14:27
To: Palmer Helena
Cc: Proctor Matthew
Subject: FW: LAVANG 478/480 FULWOOD ROAD S10 3QD CLOSING DATE 27/12/16

From: Graham K Barker [REDACTED]
Sent: 15 December 2016 13:39
To: licensingservice
Subject: LAVANG 478/480 FULWOOD ROAD S10 3QD CLOSING DATE 27/12/16

Licensing Service,

Please can you send me details of the above application ASAP to enable me to object.

I don't yet have the application number but believe it is for the sale of alcohol and entertainment seven days a week from 17.00 to 23.00

I have previously objected to the Panahar Restaurant on the grounds that it is located in a residential area with no parking facilities. I was advised by planning that customers would use public transport so this would not be a problem. This was never the case causing cars to be parked on double yellow lines continually!

The entrance to 478/480 Fulwood Road is on Tom Lane. We presently encounter noise at night when people leave the restaurant which would be far worse if people are intoxicated. We have an excellent local pub (The Rising Sun) which provides food and entertainment within 100 yards of this address so there is no need for another establishment.

Tom Lane is a residential area with lots of families with young children and I believe this application should be refused due to the impact it would have on the community.

Regards

Keith Barker
Energy Officer
Estates & Facilities Management

University of Sheffield, Arts Tower - Floor 08, Western Bank, Sheffield S10 2TN
t: 0114 222 9034

e: [REDACTED]

w: <http://www.sheffield.ac.uk/efm>

Please note my working hours are 9am to 5pm Wednesday and Thursday only.

Voted number one for student experience. Times Higher Education Student Experience Survey 2014-2015

Please be aware that the information in this electronic mail may be subject to public disclosure under the Freedom of Information Act 2000.

From: Abdurahman El-Awa [REDACTED] B4
Sent: 27 December 2016 23:59
To: licensingservice
Cc: Alston Sue (LD CLLR); Sangar Andrew (LD CLLR); Woodcraft Cliff (LD-CLLR)
Subject: IMPORTANT & URGENT* Shop licence: LAVANG 478/480 Fulwood Rd S10 3QD

Dear Sirs

Re: LAVANG 478/480 Fulwood Rd S10 3QD

I have received a notice by post regarding an application made to the local council for facility intending to provide entertainment and the selling of alcohol till late hours 7 days a week.

I am really concerned about this and worried it will negatively affect the residents in the area for the following reasons:

1-Noise:

with the extended hours of work and function noted on the application 5-11 pm. this will mean the area will be crowded and noisy for longer than the duration of these hours which fairly late at night and also it encroaches on the school hours as the shop will prepare for the entertainment close to the time of school finishing times and this will affect the traffic in the area which is at its peak time in late afternoon.

night time noise and traffic: with the extended times into late night, the customers will be leaving late at night which increase the night traffic at the area and noise made by leaving and arriving customers, cars and escorts which transforms the area into an industrial high street rather than residential quiet family location.

the noise from emptying the drink containers the morning after along with the increased smell in the air along with air and noise pollution will mean increased noise and this will result in significant disturbance to all the local residents in the area.

there is already the rising sun in the area that provides such services and it is more than enough- there is no need to increase the local noise and disturb residents on his side of the road.

2- parking

the area is already very congested with parking from the local residents and as it is at the current time it is very frequent that local residents struggle with parking. i certainly live at 21 tom lane and i only have one car in our house hold and it is difficult very frequently to find a parking spot, and this is rather huge inconvenience whilst carrying shopping, during travel or if carrying large boxes which is weekly due to my work circumstances.

the traffic and parking spaces availability will only get worse in the area specially if there is alcohol served too as anyone drinking will have to leave his car behind and collect in in the following morning.

parked cars are a huge problem on school nights parents nights, or whenever there is an event in the local pub which is only 20 yards from the new LAVANG proposed to open.

there is also the local MP office workshop which holds regular events and open evening for its constituents and this certainly makes the local residents struggle for the parking.

3-The smell from cooking/alcohol:

having restaurant that works through into late hours this meaning cooking into late hours all week and the whole area will just stink of the smell of curry and cooking fumes and causes air pollution

4-emptying bins/waste:

this adds more inconvenience by noise of bins emptying containing high volumes of empty bottles-very noisy- and the waste disposal will add more obstacles onto the roads,pavements and risks more pollution and trashing the neighbourhood.

I appreciate that the licence permit to the previous restaurant Panahar was awarded many years ago, but today the local residents struggle with the above points as it is and please there is no need to increase this or make it worse for an area characterised by the family atmosphere for the local residents and make us struggle with our daily and weekly errands and routine life by adding more inconvenience to park near our homes or adding noise from late shop working hours and serving drink.

The fact that panahar has shut down is bad for its owners-i empathise with the loss of business- but in fact it might have given the local residents an opportunity to finally have some quiet nights and week evening by the absence of the flow to the area.

there is already a lot of restaurants (10 facilities near by) and take away facilities on fuelwood road and they are close enough. please there is no need to make the traffic and local congestion worse by adding more-

panahar-the previous restaurant was given the licence long ago when perhaps the population at the area was much less-this can be compared by results from the most recent census against the old ones and you can even ask the local residents, each house hold has one or two cars and we struggle to park.

Let alone the fact that the streets do not have residents only or allocated parking-so at least if you can not discontinue the licence for the restaurant please consider giving the local residents residents only or allocated parking spaces to facilitate a normal life and being able to park near our homes rather than struggle by parking far away.

at least before opening these facilities

I am happy to discuss this more. but please consider the welfare of the local residents as granting this is a huge inconvenience to us.

--

Kind Regards;

Abdurahman El-Awa

Appendix C

Agreed amendments and conditions

Agreed!

CI

Palmer Helena

From: Pitts Steven
Sent: 03 January 2017 09:02
To: Andrea Gillard; licensingservice
Cc: [REDACTED]
Subject: RE: Lavang Restaurant, Licensing Application
Categories: Matt Proctor

Dear Andrea,

Thank you for the plans as requested following my meeting with Noshad at the premises, I have no issues with the layout, please ensure the toilet facilities have mechanical ventilation in good working order.

Regards,

Steve Pitts

From: Andrea Gillard [REDACTED]
Sent: 21 December 2016 22:25
To: Pitts Steven; licensingservice
Cc: [REDACTED]
Subject: Lavang Restaurant, Licensing Application

Dear Steven,
Following on from our 'phone conversation yesterday please find attached:

- Original floorplan by Ecclesall Design, adapted by me to now show new stud walls in the bar area, to form a lobby to the toilets, and low-level stud walls to separate bar area from the restaurant.
- Drawing of kitchen layout, showing hob and sinks as requested.

The first drawing shows that the turning circle immediately in front of the disabled toilet is 1500 - it is actually 1625 to the toilet door, so well within regulations.

I have also been in contact with Mark Briggs at South Yorkshire Fire and Rescue to draw up a Fire Risk Assessment and Business Continuity Plan.

Please let me know if there's anything further you need.

Many thanks for your time.

Kind Regards,
Andrea Gillard

[REDACTED]
Andrea Gillard Design
Aritsan of Home Creation

AGreed.

C2

Palmer Helena

From: Pitts Steven
Sent: 20 December 2016 09:17
To: [REDACTED]
Cc: licensingservice; Palmer Helena; Lobo Rose
Subject: RE: New Licensing Application Lavang 478, Fulwood road Sheffield S10 3QD serial no 589831

Dear Noshad,

Thank you for confirming that you agree to the conditions that I have requested, I can now withdraw my representation in respect of the new application for a Premises Licence. Please provide the revised plan as soon as possible.

Regards,

Steve Pitts

From: noshad parbez [mailto:[REDACTED]]
Sent: 19 December 2016 12:04
To: Pitts Steven
Subject: Re: New Licensing Application Lavang 478, Fulwood road Sheffield S10 3QD

Hi Steve,

Thank you for this. We confirm these conditions are acceptable.

We also confirm that these conditions will be imposed and corrected as requested.

Please withdraw the representation upon receipt of this email. Please can you confirm this is satisfactory.

Regards
Nash

Sent from my iPhone

On 19 Dec 2016, at 09:37, Pitts Steven <Steven.Pitts@sheffield.gov.uk> wrote:

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 Noshad,

Licensing act 2003
Application for a new premises licence
Premises: Lavang, 478 – 480 Fulwood Road Sheffield S10 3QD

I refer to the application concerning the above premises and write to inform you that I am making a formal representation under the Licensing Act 2003, and will require the proposed conditions set out below to be imposed in the new premises licence for the promotion of Public Safety.

1. The premises shall operate as a restaurant with seated dining and the provision of alcohol shall be ancillary to dining with occasional provision without meals.
2. A satisfactory electrical report shall be provided for the premises.

This representation will be withdrawn upon receipt of written confirmation that these conditions are acceptable.

Issues that are not required to be conditions on the licence but require your attention:

1. Anti - slip mats are required in the main entrance.
2. Floor surfaces with respect to licensed premises

Suitable slip-resistance to floor surface finishes must be incorporated into the design of the premises. For bars and associated areas within the premises (public areas and thoroughfares), a minimum pendulum wet test (in accordance with the 'UK Slip Resistance Group' document, Issue 3, 2005) rating of 36 or above, will be required. Compliance with DIN measurement standard R11 minimum may achieve the appropriate slip resistance.

Further advice available from www.hse.gov.uk/slips/architects.htm

3. Provide a revised plan showing the lobby to the gents toilet facilities and the kitchen layout. The plan should indicate the number of covers (40) and the specification for the new floors.
The licensed area should be outlined in Red.

Disabled Access/Provision of facilities

The City Council encourages the provision of disabled access and facilities to licensed premises within Sheffield and when a new application is being made or when substantial alterations are taking place, reasonable provision must be made under the Equality Act 2010 (Which repealed the Disability Discrimination Act 1995) for people to access and use the building and its facilities.

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

Yours Faithfully,

Steve Pitts

Appendix D

Hearing notices and Regulations

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

DI

Lavang
478 Fulwood Road
Sheffield
S10 3QD

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 28th November 2016 received an application in respect of the premises known as;

La Vang Restaurant 478 Fulwood Road Sheffield S10 3QD

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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 **19th January 2017 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: 6th January 2017

Signed: Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

D2

Laura Johnson & Nicholas Wallis

Tom Lane

Sheffield

The Sheffield City Council being the licensing authority, on the 28th November 2016 received an application in respect of the premises known as;

La Vang Restaurant 478 Fulwood Road Sheffield S10 3QD

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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 **19th January 2017 at 10am**; following which the Council will issue a notice of determination of the application.

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Dated: 6th January 2017

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

D3

Graham K Barker

Tom Lane

Sheffield

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 28th November 2016 received an application in respect of the premises known as;

La Vang Restaurant 478 Fulwood Road Sheffield S10 3QD

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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 **19th January 2017 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: 6th January 2017

Signed: Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

D4

Abdurahman El-Awa

Tom Lane

Sheffield

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 28th November 2016 received an application in respect of the premises known as;

La Vang Restaurant 478 Fulwood Road Sheffield S10 3QD

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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 **19th January 2017 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: 6th January 2017

Signed: Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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



**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

D5

Ruth Beeley
Tom Lane
Sheffield
[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 28th November 2016 received an application in respect of the premises known as;

La Vang Restaurant 478 Fulwood Road Sheffield S10 3QD

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**

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 **19th January 2017 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: 6th January 2017

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

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

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.

D7

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**

I
hereby confirm that I have received the Notice of Hearing dated 6th January 2017 and notify you as follows **(please complete)**:

I intend to attend the hearing at Town Hall Sheffield on 19th January 2017 10.00am

I do not intend to attend the hearing

I 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.

licensing@sheffield.gov.uk

Regulation 8

D8

- (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.

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
3. The Chair will ask the applicants to formally introduce themselves.
4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
 - (d) Members may ask questions of those parties
 - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
 - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (h) The applicant will then be given the opportunity to sum up the application.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for members to take legal advice and consider the application.
6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.

NB: 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.

2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

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