



Licensing Act 2003 Sub-Committee

Agenda and Reports

For consideration on

Monday, 14th January 2013

In the Council Chamber, Town Hall, Chorley

At 10.00 am

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03 January 2013

Dear Councillor

LICENSING ACT 2003 SUB-COMMITTEE - MONDAY, 14TH JANUARY 2013

You are invited to attend a meeting of the Licensing Act 2003 Sub-Committee to be held in the Council Chamber, Town Hall, Chorley on Monday, 14th January 2013 commencing at 10.00 am.

AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**
3. **Procedure (Pages 1 - 4)**
A general procedure guidance note is enclosed for information.
4. **Application for a premises licence under Section 17 of Licensing Act 2003 - Panshi, 24 Town Road, Croston PR26 9RB (Pages 5 - 44)**
Report of Director of People and Places (enclosed)
5. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Gary Hall
Chief Executive

Dianne Scambler
Democratic and Member Services Officer
E-mail: dianne.scambler@chorley.gov.uk
Tel: (01257) 5151034
Fax: (01257) 515150

Distribution

1. Agenda and reports to all Members of the Licensing Act 2003 Sub-Committee (Councillor Marion Lowe (Chair) and Councillors Keith Iddon and Pauline Phipps for attendance.
2. Agenda and reports to Alex Jackson (Senior Lawyer), Matthew Swift (Public Protection Officer) and Dianne Scambler (Democratic and Member Service sOfficer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823 کیجئے:

CHORLEY BOROUGH COUNCIL**LICENSING ACT 2003****SUB-COMMITTEE****GENERAL PROCEDURE POINTS FOR HEARINGS****INTRODUCTION**

The Licensing Act 2003 Sub-Committee will conduct hearings in accordance with the following general principles:

- All parties have a right to a fair hearing.
- Decision-making will be conducted in an open, transparent and accountable way.
- Each application will be determined on its own merits and the decision will be based upon:
 - the merits of the application
 - the promotion of the four licensing objectives
 - the Council's Statement of Licensing Policy
 - the Guidance issued by the Secretary of State for Culture, Media and Sport under Section 182 of the Licensing Act 2003
- the Licensing Authority will only permit licensing decisions to be taken by Sub-Committee consisting of three members. In the event of one member being unable to attend, the Licensing authority will use its best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant Statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The

Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.

- the Sub-Committee recognises that Regulation 14 requires all hearings should take place in public unless the Licensing Authority “considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public” in which the applicant, those assisting the applicant or other interested parties can be excluded. In the absence of any criteria in the Licensing Act 2003, the guidance issued under section 182 of the Act or the licensing Regulations, the Licensing Authority has adopted the existing criteria in Schedule 12A of the Local Government Act 1972 for excluding the press and public. The public and press will be excluded when the Sub-Committee is considering an application for a personal licence, where Lancashire Police have lodged an objection notice due to an existing relevant offence(s). Generally, the public and the applicant will be excluded when the Sub-Committee is determining a decision. Once a decision has been made all parties will be readmitted and the Chair will announce the decision and give reasons.
- all parties will be notified of the decision in accordance with any periods set down by the Licensing Act 2003 or where none are prescribed within 5 working days.
- the Sub-Committee has the right to exclude any parties behaving in a disruptive manner at the hearing at its own discretion.

HEARING PROCEDURE

PREMISES/CLUB PREMISES LICENCE APPLICATIONS

1. CHAIR OF SUB-COMMITTEE:

- opens meeting
- introduces Members and Officers
- confirms details of all parties in attendance
- outlines procedure to be followed

2. PUBLIC PROTECTION OFFICER OUTLINES THE APPLICATION AND RELEVANT REPRESENTATIONS

3. QUESTIONS TO PUBLIC PROTECTION OFFICER FOR CLARIFICATION FROM:

- Sub-Committee
- The Applicant and/or Legal Representative

4. THE APPLICANT AND/OR LEGAL REPRESENTATIVE MAKES REPRESENTATIONS REGARDING HIS/HER APPLICATION

5. QUESTIONS TO THE APPLICANT AND/OR LEGAL REPRESENTATIVE FROM:

- Sub-Committee
- Interested Parties Representative

6. INTERESTED PARTIES REPRESENTATIONS

7. QUESTIONS TO INTERESTED PARTIES FROM:

- Sub-Committee
- The Applicant/ Legal representative

8. INTERESTED PARTIES INVITED TO BRIEFLY SUMMARISE

9. THE APPLICANT/ LEGAL REPRESENTATIVE INVITED TO SUM UP (IF THEY WISH)

10. DECISION MAKING

All parties retire whilst Sub-Committee makes decision.

11. NOTICE OF DECISION

Parties re-admitted and Chair announces decision and reasons.

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Report of	Meeting	Date
Director of People and Places	Licensing Act 2003 Sub-Committee	14 January 2013

APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003. PANSHI, 24 TOWN ROAD, CROSTON, PR26 9RB.

PURPOSE OF REPORT

1. To enable Members to determine an application for a new premises licence for Panshi, 24 Town Road, Croston, PR26 9RB.

RECOMMENDATION(S)

2. Members are requested to consider the application and any representations received, after considering those representations determine the outcome for the application for the Premises Licence.

Confidential report Please bold as appropriate	Yes	No
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BACKGROUND

3. The Licensing Authority has received an application under Section 17 of the Licensing Act 2003 to apply for a Premises Licence from Alawar Rahman for the premises Panshi, 24 Town Road, Croston. The application is attached as appendix 1.
4. The premises currently operates as a 56 cover restaurant operating on a “Bring your own bottle” basis to allow the consumption of alcohol with table meals. The applicant wishes to extend the provisions of the business to offer the sale of alcohol, no further licensable activities have been applied for.
5. Should the application be granted as applied for there will be no difference in the current operating hours of the premises, the grant of a licence would in reality allow the authority to place conditions on any licence granted to ensure that proper controls are in place. The current “Bring your own bottle” system does not allow adequate management control over the consumption of alcohol by patrons.
6. The application could have an impact on several of the Council’s Corporate Priorities. It should be borne in mind however, that the application must be determined in accordance with the Licensing Act 2003, the Council’s Statement of Licensing Policy (relevant sections of which have been reproduced at Appendix 2) and the statutory guidance issued under Section 182 of the Licensing Act 2003.
7. The application seeks to grant a new premises licence with the following licensable provisions;

Licensable Activity	Days	Proposed times
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Supply by retail of alcohol	Sunday – Thursday	12:00 – 21:30
	Friday & Saturday	12:00 – 22:30

Representations from the Responsible Authorities.

8. No representations have been received from any responsible authorities in relation to the granting of this licence.
9. Whilst no representations have been received from any responsible authorities, Lancashire Constabulary have agreed a set of proposed conditions (Appendix 3) with the applicant to be attached to the licence.

Representations from Other People.

10. Representations (Appendix 4) have been received from the owners of the above premises and concern (Appendix 5) was raised by the current tenant, this concern has been noted although the letter does not actually object to the granting of the licence, as such Members should not consider it when deliberating over the application.
11. Public Protection Officers visited those who wished to object to the granting of the licence, in order to further understand what the key issues were and whether any mediation may be possible to resolve these concerns.
12. The representations focus around the licensing objective of Prevention of public nuisance, mainly associated with noise and odours emanating from the business, other management issues were also discussed relating to waste management and public health. A number of other issues are contained within the representations, which are not considered to be relevant under the Licensing Act 2003 and may be better raised with other authorities under other enacted legislation.
13. The representations make reference to the previously held premises licence for the premises being revoked, this information is not considered to be relevant when determining the new application, due to changes in management.
14. Whilst the existence of a previous licence shall not affect the outcome of this application, Members should be informed that the previous licence did not permit the sale of alcohol for the same period. The terminal hour for alcohol on each day was half an hour less than each day applied for in this application. It is thought that the reason for these timings was to coincide with the permitted use of the building under planning constraints, which condition that the building can only be used until 21:30 Sunday to Thursday and 22:30 Friday and Saturday, reducing the licence half an hour would afford patrons adequate drinking up time, the current application does not allow for such time within the permitted hours of the building. Whilst planning conditions are attached to the permitted use of the building, they are of no relevance when determining this application and should not be considered by members.
15. All parties to this application have been invited to attend the hearing under the Licensing Act 2003 (Hearing) Regulations 2005, to make representation.
16. Members are asked to determine the application, having had considered the representations received and having regard to the Authorities Statement of Licensing Policy and to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
17. The relevant issue from a licensing perspective is how the application impacts on the four licensing objectives and whether the granting of the application would

compromise those objectives. The Committee is aware that they have the power to grant the application, grant the application with less hours than those requested, refuse the application or impose conditions which are reasonable and proportionate and relate to the licensing objectives.

WIDER IMPLICATIONS

18. In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below. A risk assessment has also been carried out. The table shows the implications in respect of each of these.

LEGAL	<p>The Council is the Licensing Authority under the Licensing Act 2003 and must determine licence applications.</p> <p>The applicant or any person who made relevant representations has the right of appeal to the magistrates' court within 21 days of notification of the decision.</p>
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Jamie Carson
DIRECTOR OF PEOPLE & PLACES

- Appendix 1 – Application to grant a premises licence.
- Appendix 2 – Relevant Sections of Statement of licensing policy.
- Appendix 3 - Lancashire Constabulary agreed conditions
- Appendix 4 – Representations
- Appendix 5 – Letter of concern

Report Author	Ext	Date	Doc ID
Matthew Swift	5726	10/09/12	

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Chorley Council
Official Receipt

Date 29/10/2012 Time 04:01:52PM
Term 01 Cashier 025

Premises Licence

Reference : 4120/60203
Fund : Misc Income
Audit Num : CHCA01023185
Amount : £ 100.00
Paytype : Cash

>>> THANK YOU FOR YOUR PAYMENT <<<

Please check this receipt and keep it in a
safe place. This is your proof of payment

Chorley Council
Customer Services
PO Box 352
Chorley
PR7 1WX
www.chorley.gov.uk

** COPY RECEIPT ONLY **

LICENSING ACT 2003 - Section 17**Application for a premises licence to be granted under the Licensing Act 2003****Chorley Council**Licensing Section,
Civic Offices,
Union Street,
Chorley,
Lancashire,
PR7 1AL**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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.

CHORLEY COUNCIL
CORPORATE SUPPORT SERVICES
UNION STREET OFFICES

REC'D 29 OCT 2012

I/we (name(s)) <u>ALAWAR RAHMAN</u>		FILE	
wish to apply for a premises licence under section 17 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.		ACKD	
Part 1 - Premises details		ATTEN 05 COPIES TO	
Name of Premises <u>PANSHI</u>			
Postal address of premises, if any, or if none, ordnance survey map reference or description <u>24 TOWN ROAD</u> <u>CROSTON</u>			
Post Town <u>LEYLAND</u>		Postcode <u>PR26 9RB</u>	
Daytime telephone number (if any) <u>01772 601927</u>			
None-domestic rateable value of club premises £ <u>7700</u>			
Part 2 - Applicant details			
Please state whether you are applying for a premises licence as:-			
		Please tick <input checked="" type="checkbox"/> yes	
a) an individual or individuals*		<input checked="" type="checkbox"/> 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)	

07/11/2012 telephoned and left message. There are no opening times or anything other than sale of alcohol.

If advert in paper (21/11/12) last day for reps will be 12/12/2012

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		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:- Please tick <input checked="" type="checkbox"/> yes		
<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> - a statutory function; or - a function discharged by virtue of Her Majesty's prerogative 		
(A) INDIVIDUAL APPLICANTS		
(Delete as applicable) Mr Mrs Miss Ms		
Other title (for example, Rev)		
Surname RAHMAN		
First name(s) ALAWAR		
Please tick <input checked="" type="checkbox"/> yes		
Day Month Year		
I am 18 years old or over	<input checked="" type="checkbox"/>	Date of birth 1 6 0 7 1 9 6 5
Current postal address, if different from premises address		
Post town		Post code
Daytime contact telephone number 07528649126		
Email address (optional) anikz@live.co.uk		

SECOND INDIVIDUAL APPLICANT						
(Delete as applicable)		Mr	Mrs	Miss	Ms	
Other title (for example, Rev)						
Surname						
First names						
Please tick <input checked="" type="checkbox"/> yes			Day	Month	Year	
I am 18 years old or over	<input type="checkbox"/>	Date of birth	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Current postal address, if different from premises address						
Post town				Post code		
Daytime contact telephone number						
Email address (optional)						
(B) OTHER APPLICANTS						
Please provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give name and address of each party concerned.						
Name			Name			
Address			Address			
Registered number (where applicable)						
Description of applicant (for example partnership, company, unincorporated association etc.)						
Telephone number (if any)						
Email address (optional)						

Part 3 – Operating Schedule			
	Day	Month	Year
When do you want the premises licences to start?	01	12	2012
	Day	Month	Year
If you wish the licence to be valid only for a limited period, when do you want it to end?			
Please give a general description of the premises (please read guidance note 1)			
<p>56 cover Restaurant</p> <p>Currently offering customers a (BYOB) Bring your own beer service. This is where customers are allowed to bring their own alcoholic drinks to have with their meal. I am aware that a premises license was granted in 2008/2009 to to the applicant named Neil Rasburn. The restaurant floor is open plan, the existing bar, counter area and the dining area are not separated and there is no intention of separating them. There shouldn't be a problem with regards to nuisance, etc drunk and disorder, as we have allowed customers to bring their own drinks and never had any nuisance issues.</p>			
If 5,000 or more people are expected to attend the premises at any one time, please state 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 Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓ yes

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 entertainments (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)	
The supply of late night refreshment (if ticking yes, fill in box L)	
The supply 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 ✓ (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 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 from 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 ✓ (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 exhibition of films (please read guidance note 4)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of a films at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Wed			
Thur			
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from 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 ✓ (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			
			State any seasonal variations for performance of live music (please read guidance note 4)
Tue			
			Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

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 ✓ (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			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)
Tue			
			Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

G

Performance 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 ✓ (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			State any seasonal variations for performing of dance (please read guidance note 4)
Wed			
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from 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 that the club will be providing
Day	Start	Finish	Will the entertainment 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"/>
Mon			
Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri			
Sat			
Sun			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 from those listed in the column on the left, please list (please read guidance note 5)

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
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			
			Please give further details here (please read guidance note 3)
Tue			
Wed			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)
Thur			
Fri			
			Non-standard timings. Where you intend to use the premises for provision of facilities for making music at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

J

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

K

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

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 ✓ (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			State any seasonal variations for provision of late night refreshment (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the for provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

M

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 (please read guidance note 4)	
Mon	12.00	21.30		
Tue	12.00	21.30		
Wed	12.00	21.30		
Thur	12.00	21.30		Non-standard timings. Where you intend to use the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	12.00	22.30		
Sat	12.00	22.30		
Sun	12.00	21.30		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	PANNA DHAR
Address	3 COLYTON CLOSE CHORLEY.
	Post Code PR6 0TD
Personal Licence number (if known)	
Issuing licence authority (if known) CHORLEY	

N

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

O

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			
Tue			
Wed			
Thur			
Fri			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)
Sat			
Sun			

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


a) General – all four licensing objectives (b, c, d, e) (Please read guidance note 9)
<p>The Subject premises have previously had a similar Premise license with alcohol.</p> <ul style="list-style-type: none"> - Premises will operate on a 'Think 21' policy similar to Supermarkets and pubs to prevent underage drinking. - Any persons appear to be drunk/aggressive will not be permitted on the premises. - A suitable evacuation plan will be in place in case of emergency. - Notices to be placed in prominent places/positions to ask customers
b) The prevention of crime and disorder to leave the premises quietly.
<ul style="list-style-type: none"> - Any persons appear to be drunk/aggressive will not be permitted on the premises. - No bottles or glasses to be taken off the premises. - operate a 'think 21' policy to ensure alcohol is only sold to persons of lawful age. - premises All front of house staff undergo training to ensure they understand the licensing law and comply to it.
c) Public safety
<p>A member of the management team will be on the premises at all times while the restaurant is open to manage and look after the safety of the public.</p> <ul style="list-style-type: none"> - Prompt clearing of empty bottles and glasses throughout operating time - the premises will comply with current legal requirements for fire safety and health and safety including periodic risk assessments
d) The prevention of public nuisance
<ul style="list-style-type: none"> - All customers will be reminded of consideration to the public and noise levels write when entering and leaving the premises. - No bottles or glasses will be taken off the premises. - Front door (entrance) shall be kept closed at all times. - Notices will be displayed asking customers to leave the premises quietly.
e) The protection of children from harm
<p>Training to staff to ensure compliance with the law in relation to consumption of alcohol by persons under 18 years of age, including prevention of adults buying alcohol for children.</p> <ul style="list-style-type: none"> - Premises will operate a 'think 21' policy to ensure alcohol is only sold to persons over the age of 18 years. - Proof of age will be asked if someone appears underage. - No bottles or glasses to be taken off the premises.

CHECKLIST:	please tick ✓
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 plan to the responsible authorities and others where applicable	✓
I have completed and enclosed the consent form completed by the individual I wish to be 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 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 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorized agent. (Please read guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature  Date 8/10/12

Capacity Manager/supervisor

For joint applications signature of 2nd applicant, 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.

Contact name (where not previously given) and postal address for correspondence associated with this application. (Please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Appendix 1
Consent of individual to being specified as premises supervisor

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]

I [full name of prospective premises supervisor] **PANNA DHAR**
 Mrs / Ms / Miss / Other please state

of [home address of prospective premises supervisor]
**3 COLYTON CLOSE
CHORLEY
PR6 0TD**

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

[type of application] **PREMISES LICENSE WITH ALCOHOL**

by

[name of applicant] **ALAWAR RAHMAN**

relating to a premises licence

[number of existing licence, if any] and expiry date

for

[name and address of premises to which the application relates]
Date **24 TOWN ROAD
CROSTON
LEYLAND
PR26 9RB**

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

[name of applicant] **ALAWAR RAHMAN**

concerning the supply of alcohol at

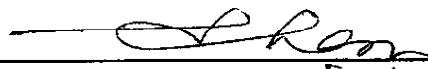
[name and address of premises to which application relates]
**24 TOWN ROAD
CROSTON
LEYLAND
PR26 9RB**

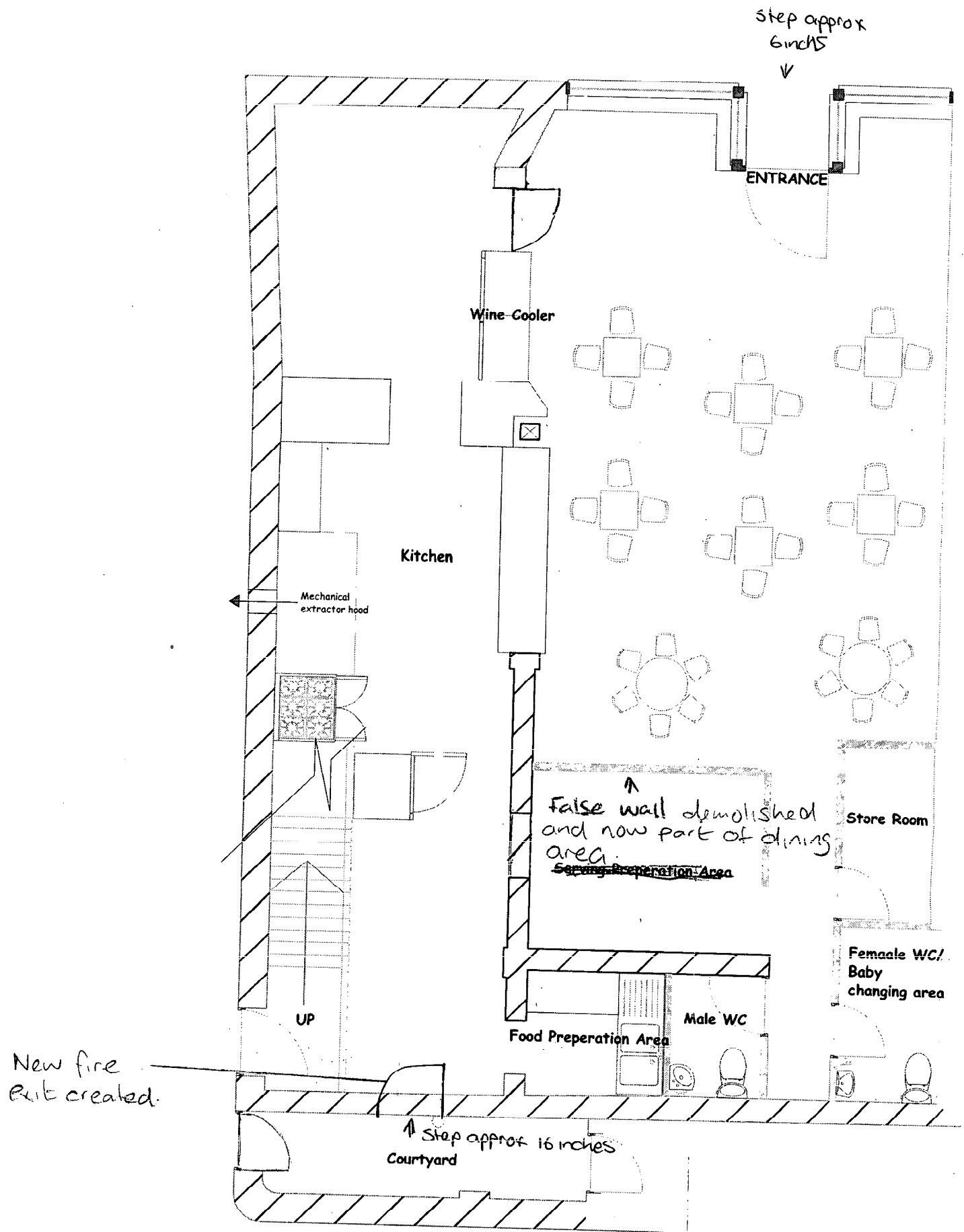
I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number
[insert personal licence number, if any]

Personal licence issuing authority
Chorley Borough Council

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

Signed 
Name Please Print Panna Dhar
Date 8/10/12



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Statement of Licensing Policy

Sections relevant to application

2. LICENSING OBJECTIVES

2.1 The Act requires the Council to carry out its licensing function so as to promote the four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

2.2 Accordingly, the Council has prepared its statement of licensing policy in accordance with these objectives.

2.3 Each of the licensing objectives is of equal importance for the purposes of this policy.

2.4 This policy statement is designed to deal with matters within the control of the licensee. It focuses on the premises in which each business is carried on and the effect that has on members of the public living, working or engaged in normal activity in the vicinity.

2.5 Licensing law is not envisaged by the Licensing Authority as a mechanism to control antisocial behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. Therefore any terms and conditions imposed will be focused on matters within the control of individual Licensees and others granted relevant permissions.

These matters will centre on the premises and places used for licensable activities and in the vicinity of the places.

2.6 The Licensing Authority considers that every holder of a licence, certificate or permission and designated premises supervisor is responsible for minimising the impact of their activities and anti-social behaviour by their customers within the vicinity of their premises.

7. LICENSING HOURS

7.1 The policy recognises that longer (more flexible) licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks, private hire offices, fast food outlets etc.

7.2 Individual applications will be considered on their merits and in general terms a flexible approach will be adopted. Fixed predetermined closing times for particular areas will not form part of the policy and restrictions on trading hours will be considered only where necessary to meet the licensing objectives. The four licensing objectives will be paramount considerations at all times.

7.3 The Licensing Authority, however, considers that the risk to disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning as

the ambient noise levels will be lower. The Licensing Authority may impose stricter conditions with regard to noise control in areas which have denser residential accommodation but each premises will be considered on its individual merits.

7.4 The Licensing Authority recognises that in principle shops, stores off licences and supermarkets selling alcohol should generally be permitted to match the hours during which they sell alcohol with their normal trading hours except where relevant representations have identified a particular outlet as a focus for disorder and disturbance. In such circumstances, the Licensing Authority may consider it necessary and /or appropriate to impose limitations on opening hours as one mechanism of combating such problems.

7.5 The Licensing Authority also recognises the principle of 24 hour opening of all licensed premises. However, it considers that longer opening hours may be more acceptable in commercial areas with high levels of public transport. The grant of a licence, will in all cases be dependent on the impact of an activity in relation to the licensing objectives.

7.6 Where relevant representations are received, the Licensing Authority may have regard to the following where relevant (though this is a non-exhaustive list);

- the nature of the area where the premises are located (e.g. commercial, residential)
- arrangements to ensure adequate availability of taxis and private hire vehicles, public transport.
- whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents.
- whether the licensable activities are likely to cause adverse impact especially on local residents and whether appropriate measures will be put in place to prevent any adverse impact
- in relation to the grant of a new premises licence whether the premises will give rise to a negative cumulative impact on one or more of the licensing objectives In assessing the impact of the activity proposed the Licensing Authority may consider a number of factors inter alia,
 - the type and scale of activity, the number and nature of clientele likely to attend.
 - the levels of noise from the premises, which may be acceptable later in the evening.
 - the proposed hours of operation
 - the levels of public transport accessibility for customers and the likely means of public or private transport that will be used, access to private hire/taxi's
 - the means of access to the premises e.g. whether on principal pedestrian routes.
 - the level of car parking demand on surrounding residential streets and its effect on local residents, and movement of traffic.
 - the cumulative impact of licensed premises in an area and scope for mitigation.
 - frequency of the activity.

Operating Schedules (see section 28) will be required and will set out the measures to be taken to ensure that the licensing objectives are addressed. Applicants are also referred paragraph 6.6.

13. PREVENTION OF PUBLIC NUISANCE

13.1 Licensed premises have significant potential to adversely impact on communities through public nuisances arising from their operation.

13.2 The Licensing Authority is aware of the importance of the licensed trade to the local economy as well as in cultural and social terms. The Licensing Authority is also concerned to protect the amenity of residents and businesses in the vicinity of licensed premises.

'Vicinity' is not defined in the Act or Guidance issued by the Secretary of State. Whether or not incidents can be regarded as 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case.

13.3 The Licensing Authority will interpret 'public nuisance' in its widest sense and include such matters as **noise emanating from the premises**, light, litter, **odour** and anti-social behaviour where these matters impact on those living or working in an area.

13.4 Activities that involve public entertainment, drinking or eating, have the potential to impact adversely on their surrounding areas due to noise, litter, and odours. There is also the potential for disturbance caused by those attending licensable activities. Late at night the impact of licensed activities is likely to be more objectionable to residents living close to a licensed activity, as the ambient noise levels are often lower so noise disturbance becomes more noticeable.

13.5 The policy allows for later opening hours except where there will be an adverse impact on the licensing objectives. In general the Licensing Authority will expect more comprehensive measures to be proposed at late night venues and/or where there has been a history of public nuisance.

13.6 On receipt of relevant representations, the Licensing Authority will assess the likelihood of it causing an adverse impact, by generally considering the following factors where relevant:

- the location of the premises (in particular proximity to residential and other noise sensitive premises, e.g. hospitals, nursing homes, hospices and places of worship).
- the type of activities, the number and nature of clientele likely to attend at the time of the application
- the proposed hours of operation
- levels of public transport accessibility for customers either arriving or leaving the premises (including taxis and private hire)
- means of access to premises (whether on principal pedestrian routes)
- the level of car parking demand on any surrounding residential streets and its effect on local residents
- the cumulative impact on licensed premises in an area
- the scope for mitigating an impact i.e. CCTV, door supervisors
- the frequency of an activity
- the design and layout of the premises
- measures taken or proposed to be taken to prevent noise or vibration escaping from the premises e.g. sound proofing, air conditioning and sound limitation devices.
- measures taken to prevent unreasonable disturbance by customers/staff arriving and leaving the premises, goods deliveries etc.
- measures taken to lessen the impact of parking in the vicinity.

- control of operating hours for all or parts of the premises (e.g. gardens, last admission times and 'wind down' periods).
- measures to be taken to prevent drunkenness on the premises
- measures to ensure collection and disposal of litter and waste outside their premises.

13.7 The Licensing Authority when considering an application will take into account previous substantiated nuisance complaints particularly when a statutory notice has been served. Applicants may wish to have regard to the Good Practice Guide on the Control of Noise from Pubs & Clubs produced by the Institute of Acoustics and the British Beer and Pub Association

13.8 On receipt of relevant representations, the Licensing Authority, where it considers it necessary and/or appropriate may attach conditions to a licence to prevent public nuisance including those drawn from the Model Pool of Conditions - see Appendix 3. In particular, it may attach a condition requiring the use of door supervisors licensed by the Security Industry Authority.

13.9 The Licensing Authority requires Operating Schedules, where relevant to satisfactorily address the issue of public nuisance.

13.10 The Licensing Authority would also recommend applicants highlight local public transport links and taxi and private hire services within their premises, (including agreeing arrangements with nominated taxi and private hire firms for dropping off and collecting customers).

13.11 The Licensing Authority, will in accordance with the Guidance, focus on matters within the control of the individual Licence holder. The Licensing Authority accepts that the difficulty that a licence holders has in preventing anti-social behaviour by individuals once they are beyond the direct control of the Licence holder. However, the licensing objection of preventing public nuisance will not be achieved if customers from a premises regularly conduct themselves in an anti-social manner to the detriment of local residents or businesses. In addition, the Council has a duty to do all it can to prevent crime and disorder in the Borough under the Crime & Disorder Act 1998.

13.12 The Licensing Authority's aim is to achieve a balanced approach to these difficult issues.

15. PLANNING CONTROL

15.1 Care will be taken to ensure that there is a separation of the planning and licensing regimes and that licensing applications should not be a re-run of the planning application.

15.2 Planning permission is usually required for the establishment of new premises and the change of use of premises.

15.3 In some cases where an application is made for a licence the planning use will already be authorised by a previous planning permission or because the premises has a long-standing lawful use. Therefore a new application is often not required. However, the following points must be made:

- Planning, building control and licensing regimes will be properly separated to avoid duplication and inefficiency. Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the planning authority.

- The planning and licensing regimes involve consideration of different (albeit related) matters. For instance, licensing considers public nuisance whereas planning considers amenity. As such licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the local authority planning committee or following appeals against decisions taken by that committee. Licensing committees are not bound by decisions made by a planning committee, and vice versa.
- The granting by a licensing committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control where appropriate.
- There are also circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

15.4 In general, the Licensing Authority acknowledges that applicants may seek a provisional statement without having first obtained planning permission. The Licensing Authority will issue Provisional statements in accordance with the Act.

15.5 The Licensing Authority will ensure that reports are sent from the Licensing Act 2003 Committee to the Development Control Committee and Head of Planning services advising them of the situation regarding licensed premises in the Borough, including the general impact of alcohol related crime and disorder to assist them in their decision making.

40. RELEVANT, FRIVOLOUS VEXATIOUS REPRESENTATIONS

40.1 A representation is only 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. A representation that fails to do so is not 'relevant' for the purposes of the 2003 Act.

A relevant representation also has to be made by an interested party or responsible authority, see Appendix for glossary of terms.

40.2 It will be for the Licensing Authority to determine whether any representation by an interested party is frivolous or vexatious. The decision as to determining whether a representation is relevant, frivolous or vexatious has been delegated to an Officer of the Council in accordance with the Guidance.

40.3 The decision will be made on the basis of what might ordinarily be considered to be vexatious or frivolous. An interested party may challenge a decision to reject their representation on these grounds by way of judicial review.

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Lancashire Constabulary

Licensing Unit, Police Station, St Thomas's Road, Chorley, PR7 1DR

Tel: 01257 246215

Mob: 07946 177855

e-mail: southern-licensing@lancashire.pnn.police.uk

23rd November 2012

Licensing Officer
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL

Dear Sirs

RE: APPLICATION FOR PREMISES LICENCE

Premises: Panshi, 24 Town Road, Croston

Applicants: Alawar RAHMAN

I refer to the above and confirm that the Police have no representations with regard to this application. However we would want the following adding as conditions of the licence as discussed and agreed with the applicant:-

1. Signage to be displayed promoting Challenge 21
2. Alcohol to be stored in a secure place i.e. chilled wines should be stored in a lockable fridge in the restaurant area

Yours faithfully

Linda Robson
Licensing Officer
Licensing Unit, Chorley
01257 246215

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**2 Rosebank
Flash Lane
Rufford
Ormskirk
L40 1SN**

Chorley Council
Licencing Department
PO Box 613
Chorley
PR6 6LG

10 December 2012

12/01052/LAPLA ALAWAR RAHMAN.
PANSHI 24 TOWN ROAD, CROSTON, PR269RS.

Dear Sir, madam,

My name is Paul Evans and my wife's name is Emma Evans.

We are the owners of the property 24a Town Road, Croston, PR26 9RS.

We have been the legal owners of this property since 31 July 2007. Our property is located directly above the business premises now known as Panshi. When we purchased the property it was in desperate need of a full renovation and at the time we very carefully and with no expense spared completely stripped out and refitted the 3 bedroom apartment to a very high standard as our next family home. At the time the business below, (Café Rendezvous), had been operating as a village cafe serving the public and visitors to Croston with Coffee, teas, lunches and snacks. It had never been licenced to serve alcohol and we believe that any previous applications had been rejected. Cafe Rendezvous used to open at about 10am and usually close for business at 4.30 every day.

This was great for us as we were out working during the day and in with our young family in the evening when everything was quiet. Shortly after buying the property we were informed of a pending licence application made by the current owners Rasburn & Kenyon. Following several appeals a more restricted licence was granted which in reality prohibited from ever being able to move into our newly re-furnished home due the noise levels both inside and outside the premises during opening hours. When the premises were divided into business and residential premises inadequate care and investment consideration was given to the levels of insulation, soundproofing and prevention of odour passing into the 1st floor premises. I have endeavoured to correct this situation myself but as a retro fit it is impossible to access all of the ceiling/floor space areas between the two premises.

There is a void of about 1.5 meters in height between the whole ceiling/floor which is calculated to be an area of around 1200 square feet below our apartment. This obviously allows any sound to travel through the whole premises which can be heard thought the whole of the private dwelling above. Two of the three bedrooms are directly above this void area.

Although the premises had its licence revoked over two years ago this has still prevented us returning to our premises.

The property is however currently occupied by our tenant, Mrs Amber Marsh who has made the premises her home since May 2012. There have been several noise disturbance since her tenancy and as Mrs Marsh is a lovely yet rather sensitive and timid individual I have had to approach not only the current management and staff on several occasions regarding noise, odours, late night opening, litter and waste management issues, infestation of insects, flies and vermin and frequent drainage issues. All of these concerns have been reported to the relevant departments within Chorley Council at the time each issue arose.

I have also had to address all of the same issues with the previous manager Mr Khan and his staff, and the previous management, Mr Razburn & Mr Kenyon.

Our previous tenant Mrs Heyes also gave the regular disturbance of noise, including talking voices, shouting, occasional staff arguments, music and the underlying constant background noise of customers inside the restaurant, kitchen noise including the banging sound of saucepans and utensils, together with the odours both inside and outside the property as factors why notice had to be given to her 3 year tenancy with her three young children.

It is now not just our financial interest at the property that we are concerned about. If a licence was to be granted we, together with our tenant and her family would be the most directly affected by your decision. This would obviously have a huge detrimental effect on potential quality of life for all current and future occupants of this private dwelling. We know first-hand the affect that this would have on any future satisfactory occupancy of our premises above the restaurant. We are directly affected both in the short term with regards to how the quality of life would deteriorate for our tenant but how over the longer term this would also prohibit us as a family with a very personal attachment to our premises from ever being able to consider moving into our intended home in the future.

I would strongly suggest that before a potentially life changing decision can be made in relation to this application, that it would be essential to conduct a site visit during current opening hours to witness and experience the potential negative effects that licencing of this premises would cause.

These particular premises have never benefited from the required separating structures of sound insulation, vapour, fire and odour barriers necessary to isolate the noises associated with this type of business from affecting the separate dwelling directly above.

Mr Rahman has always been positive about his current status as the only BYOB restaurant in the village as it makes them unique, affordable and appealing to the local client base.

There are currently seven different licenced public houses/restaurants and two off licence premises within a very short walking distance of Panshi and all within the village of Croston.

I know that all of the publican and restaurant owners have made their business choices to live within and above their chosen business premises. I am aware that it is sometimes not an ideal situation to live as a family especially with young children living with them, but it is their career choice and often a necessity to live there. It would obviously not be our choice to live directly above licenced premises with our family and children aged eight and eighteen months. This is the same situation currently for our tenant and her children who works full time and has both children in full time education.

Mr Rahamam took on the business at the premises knowing that it had had previous problems with licencing. That the previous licence had been revoked, that there were restrictions on licencing/opening hours, and that it was and still is directly and uniquely attached to a privately owned private dwelling We have discuss this situation with him and his staff personally on many occasions. Mr Rahman is fully aware of our feelings regarding this matter. Although it is nothing personal to Mr rahman, it is a very emotive and personal issue to us!

The situation has not changed since our first appeal in 2007. I trust that you will consider all of my comments very carefully together with the affects that this would have on all of the other nearby occupants of this small village centre conservation area. There are many private dwellings to either side, behind and directly opposite the Panshi Restaurant.

If you would like to arrange a site visit as suggested, my contact details are;-
Paul Evans.m. 07769 194048. h. 01704 821864.
e-mail, evanstours@live.co.uk

Please acknowledge this message to ensure that it has been received and delivered' to the correct department prior to the closing date of 12/12/12.

Yours faithfully.



Paul Evans

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**2 Rosebank
Flash Lane, Rufford
L40 1SN**

**Chorley Council
Licencing Department
PO Box 613
Chorley
PR6 6LG**

11 December 2012

**12/01052/LAPLA ALAWAR RAHMAN.
PANSHI 24 TOWN ROAD, CROSTON, PR269RS.**

Dear Sir, madam,

My Name is Emma Evans and I am the joint owner of the property directly above the Panshi Restaurant shown above.

The address of the property that we own, but are unable to live in as a family is;-
24a Town Road, Croston, PR26 9RB

We originally purchased this property in July 2007 with a view to moving into it as our next family home when the complete refurbishment renovation had been completed.

Due to unforeseen circumstances and the granting of a late night licence later that year we were unable to move into the property with our young child as planned.

We do still hope that one day we will be able to actually move into our beautiful home as intended but due to the many issues that we have experienced over the past five years regarding noise and odour pollution from the business below, we still do not feel that this would be a suitable home for a young family. Our children, Buzz is now 8 years old and our daughter Saffron is almost eighteen months.

We have therefore, in order to be able to maintain the mortgage and other costs associated with this property had to offer it as a rental property at a significantly reduced market rental rate for a 3 bedroom, 1200 square foot highly developed apartment in the centre of this very pretty conservation village.

We have had many issues over the past 5 years with all of the previous managers in relation to noise disturbances, odour pollution and a general lack of respect for the occupants livings directly above.

The noise issues were particularly noticeable during the period when the business premises were previously licenced when customer noise levels increased as it got later in the evening and the customers had drunk more alcohol.

There were also many occasions reported to us where drunken shouting could be heard both inside the premises, smoking outside the front door and while leaving at the end of service.

In my opinion the building is not suitable to be used as licenced premises as the insulation between the two premises is totally inadequate. In fact there is no insulation between the two premises other than a holed suspended ceiling, the original floorboard to our property and a large access space above the whole restaurant ceiling area.. We have discussed this on many occasions with Mr Rahman and his staff, suggesting that if adequate investment were to be made soundproofing and sealing the separation between the two properties to a satisfactory and approved standard then most of the recurring issues could be resolved.

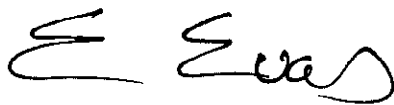
These conversations have also been had with the previous manager Mr Khan and before him Mr Razburn, the current ground floor landlord and leaseholder.

If the current landlord and Mr Rahman are not prepared to be responsible enough to respect the livelihood of the residents living above by investing in the structure of the business property, then again, I doubt that they will be responsible to conduct licensed premises in a respectful and appropriate manner.

I do not feel that any application for licensing at present should be considered until the premises have been professionally assessed and suitable alterations have been completed to prevent any further disturbance to the quality of living to any current and future residents of the private dwelling above the business.

I trust that you can empathise with our situation and try to put yourself in the frustrating and very difficult position that we currently have to endure.

Yours faithfully,



Mrs Emma Evans

Matthew Swift

From: Paul Carter
Sent: 11 December 2012 16:20
To: Matthew Swift
Subject: FW: Alcohol Licence Application

From: Amber Marsh [<mailto:ambrmars@hotmail.co.uk>]
Sent: 11 December 2012 14:52
To: Contact
Subject: Alcohol Licence Application

Please could you pass on these comments to the Licensing Committee.

Dear Sir/Madam

I am writing to register my concerns about the application for a premises licence at Panshi Indian Restaurant, Town Road, Croston.

The basis for this concern is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises. Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night, myself being one of them.

Yours faithfully,
Amber Marsh

Local Resident

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