



Mr Andrew Herrick  
 HALO Nightclub  
 Trinity St David's Church  
 177-179 Woodhouse Lane  
 Leeds  
 LS2 9JT

Environmental Protection Team  
 Leeds City Council  
 Millshaw Park Way  
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 LS11 0LS

Contact: Mr Jamie Friel  
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 Our reference: PREM/00867/006  
 Date: 19<sup>th</sup> September 2014

Dear Mr Herrick

**Licensing Act 2003**

**Name of Premises: Halo & The Joint**

**Address: 177 - 179 Woodhouse Lane, Woodhouse, Leeds, LS2 3JT**

We refer to your licensing variation application for the above premises. We believe that your application does not give enough information about how you intend to meet an important aim of the licence, which is to prevent public nuisance. We therefore confirm that we are submitting a formal objection to your application.

We base our objection on the following matters:

1. The potential for noise disturbance associated with licensable activities to break out of the premises or pass through the fabric of the building to cause noise disturbance to nearby residential/business premises.
2. The potential for noise disturbance from the addition of an outside bar / service area to be positioned within the existing beer garden and the use of outdoor speakers may have a significant impact on nearby residential / business premises.
3. The potential for noise disturbance from the use of outside areas whilst smoking/drinking in the area/s provided/whilst arriving/leaving, including that from vehicles during extended opening hours.
4. The potential for the alleged sources of nuisance described in items 1 to 3 above to continue into hours where such disturbance may adversely affect sleep and further loss of the use and enjoyment of home life.
5. That the hours of operation applied for would set a precedent in an area already served by late opening venues. If the precedent was set and other businesses granted such hours then there would be a significant added impact of noise disturbance deeper into the early morning hours to the surrounding residential premises. The existing impact includes noise from loud music and from sources outside such as from customers.



6. The premises are situated in a Cumulative Impact Policy Area, in this case *Area 3 – Woodhouse*, there is an expectation that the applicant offers additional measures tailored to the problems of that area. In the case of this application there is no information provided.

We base our objection on the present Statement of Licensing Policy 2014-2018 issued by Leeds City Council as the Licensing Authority, experience of the Environmental Protection Team including that specifically associated with the premises and the area, including data relating to complaints received from members of the public.

### **Description of the surrounding area**

(Please refer to Appendix 1 Map of Surrounding Area)

The application premises are located at the old Trinity St David's Church, 177 - 179 Woodhouse Lane and it is understood from the variation application that the proposed opening hours for this premises are to be extended until 06:00am seven days a week with the inclusion of licensable activities such as recorded music and sale of alcohol at the external beer garden.

There are several existing licensed premises located within close proximity of the application premises on Woodhouse Lane which in general open until 02:00am every day of the week.

While the numbers of existing noise sensitive premises within the immediate area are limited to Blenheim Terrace, further recent planning consent has been granted to develop 22 – 23 Blenheim Terrace into residential accommodation. These residential premises are on the opposite side of Woodhouse Lane from the application premises.

In addition planning consent has also been granted and construction works are well underway for the erection of a 5 storey library belonging to the University of Leeds. This library is immediately behind the applicant premises and when open will provide 24 hours access to library services.

Taking these premises into account it is identified that there is potential for a greater number of people to be affected by any noise from the application premises resulting in loss of sleep and noise nuisance disturbance.

### **Description of the applicant venue and the application:**

The application includes the provision of recorded music and sale of alcohol between the hours of 08:00am to 06:00am Sunday to Saturday within the existing external beer garden / smoking area adjacent to Hillary Place.

The variation includes the removal of the current licence condition 53 of annex 3 the prevention of public nuisance in that there will be no external speakers.

If operating into the early hours of the morning especially until 06:00am during weekdays, it is highly likely that noise from the premises, patrons accessing/leaving the premises and patrons using external areas will affect nearby sensitive premises as ambient noise levels in the area drop due to reduction of other environmental factors (i.e. reduced traffic).

It is also the Environmental Protection Team's experience that noise from music, especially dance type music and music with a heavy bass beat, has a tendency to transmit through the external environment and travel thus causing noise disturbance at a distance especially when ambient noise levels are low such as during the early hours of the morning.

During a site visit accompanied with the applicant, it was noted that the existing smoking area is located adjacent to Hillary Place and which is to the west / southwest side of the application premises. On the opposite side of Hillary Place is the school of physics building belonging to the University of Leeds. This is a large building with a flat facade which will have acoustically reflective properties.

This may result in noise from the premises or noise created by patrons reverberating and echoing in the surrounding area and persisting rather than fading away quickly, therefore affecting nearby sensitive premises and those which are located to the northeast, east and southeast side Woodhouse Lane of the application premises to a greater extent than compared to an open space.

The variation indicates that there will be retail sale of alcohol to customers for consumption within the external beer garden adjacent to Hillary Place. However satisfactory control of noise in external areas from patrons, especially following consumption of alcohol, can in practice be problematic and difficult to achieve.

The Environmental Protection Team often receives complaints regarding noise from licensed premises and patrons using external areas especially late at night.

#### **Complaint and other history specific to the applicant premises:**

The Environmental Protection Team has not received any recent complaints with regard to the application premises. This is believed to be in part to that fact that this is a standalone detached building located in a predominantly commercial / transient environment with all licensable activities taking place and being contained inside the premises itself.

#### **Conclusions reached:**

The application premises are situated within a Cumulative Impact Policy Area and the variation has the potential to create noise disturbance from music and patrons. In addition allowing the variation may increase the number of late night revelers in the area or remaining in the area at noise sensitive times of the day, giving a greater potential for public nuisance.

Unfortunately no controls for public nuisance measures are proposed in the application which would adequately control all the relevant issues and in fact to the contrary the requirements of the variation would actually introduce public nuisance problems to this area.

Other than for the applicant to remove from the variation application the "addition of a bar service area to the external beer garden adjacent to Hillary Place" and the request to remove condition 53 of the existing licence "no external speakers", there will be no satisfactory measure to prevent public nuisance. In addition the Environmental Protection Team does not believe that any further conditions will resolve the request to vary the existing licence as it stands.

Therefore Leeds City Council's Environmental Protection Team will be fully objecting to your application.

Yours sincerely



Mr Jamie Friel  
Senior Environmental Health Officer

## Appendix 1 Map of Surrounding Area:



### **Key:**

Red = Application Premises

Green = New University of Leeds Library

Blue = University of Leeds School of Physics

Purple = 22-23 Blenheim Terrace