

Radford, Victoria

03539/001

VR

From: Mann, Gary
Sent: 05 December 2014 14:20
To: Dawn Howard; Radford, Victoria
Cc: Sarah Lawson
Subject: RE: Prem License application, Candle House, Granary Wharfe, Leeds
Attachments: Ossett Brewery.doc

Please see attachment

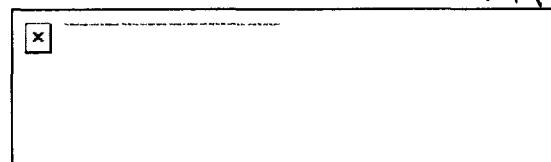
Regards

Gary Mann
Environmental Health Officer
Environmental Protection
Millshaw Park Way
Leeds
LS11 0LS
Tel: (0113) 395 1265 Fax: 247 6282



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VR



Ossett Brewery Taverns Company Ltd
The Hop
19 Bank Street
Wakefield
WF1 1EH

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



Contact:
Tel:
Fax:

Our reference: PREM/03539/001
5 December 2014

Dear Sir / Madam

Licensing Act 2003

Name and Address of Premises: Ground Floor Commercial Unit, Candle House, 1 Wharf Approach, Holbeck, Leeds, LS1 4GJ,

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with the premises and the area .

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

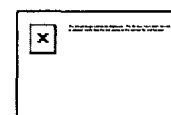
If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours faithfully

Gary Mann
Environmental Health Officer



PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises: Ground Floor Commercial Unit, Candle House, 1 Wharf Approach, Holbeck, Leeds, LS1 4GJ,

The application area is currently empty and forms part of the ground floor unit with numerous flats above containing approximately 300 residents.. Directly above the unit will be offices as I believe to be used by the current landlord of the proposed bar/restaurant. A short walk away lie other commercial outlets and a hotel, over the other side of the river there is a mixture of commercial and residential properties.

The application includes recorded/live music to be played in the premises, There is potential for transmission of music through the structure of the building and breakout from open doors/windows and affecting nearby residents. Low bass tones in the music may be a significant problem owing to the ability of long wavelengths to pass through relatively thick structures.

There is also the potential for disturbance from people in external areas. This may increase in the summer when residents will expect to open windows for ventilation.

The applied hours of operation are 8am- 0030 Monday to Thursday and 8am - 1am Friday Noise from patrons waiting for vehicles/taxis and noise from beeping horns/radios may cause disturbance to residents. This is notoriously difficult to control therefore the following hours are proposed:

Monday to Thursday and Sunday – 8am to 2300
Friday and Saturday – 8am to 0000

Section 15 of the guidance document for the 2003 licensing Act sets out circumstances in which activities are not licensable. Recorded/live music is exempt if incidental to the main activities (i.e. serving Alcohol) and can be described as 'background music'. We may reconsider our position should recorded music be taken from the license.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
2. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises.
3. There shall be no external loudspeakers

4. Bottles will not be placed in any external receptacle between 11 pm and 7 am the following day to minimise noise disturbance to neighbouring properties.
5. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
6. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 10 pm .
7. The activities of persons using the external areas shall be monitored and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.
8. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.

Litter

9. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

Transport / Pedestrian Movement

10. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.
11. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
12. SIA registered door staff will be employed and used where queues are likely to form to manage the queues and ensure that queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.
13. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

Signed:

Dated:

PART 2

To be completed by the responsible authority

Leeds City Council's Environmental Action Service

Proposed Controlled Measures under the Licensing Act 2003

**Name and Address of Premises: Ground Floor Commercial Unit, Candle House, 1
Wharf Approach, Holbeck, Leeds, LS1 4GJ,**

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*)
for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's
Environmental Action Service, and we provide our consent for the licensing authority to
incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

PART 3

**Name and Address of Premises: Ground Floor Commercial Unit, Candle House, 1
Wharf Approach, Holbeck, Leeds, LS1 4GJ,**

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*)
for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as
suggested by Leeds City Council's Environmental Action Service.

In this instance we understand that Leeds City Council's environmental action service will
maintain their representation to my /our application, which will now proceed to a hearing
before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

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