

Deighton, Charlotte

CD

03609/001

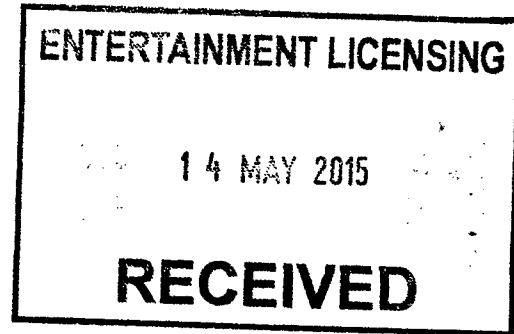
From: Mudhar, Gurdip
Sent: 14 May 2015 18:22
To: Deighton, Charlotte; Entertainment Licensing
Subject: Twisted Bars Ltd 91- 97 Otley Road Guiseley. (prem/03609/001)
Attachments: Qualified Objection letter Final.rtf

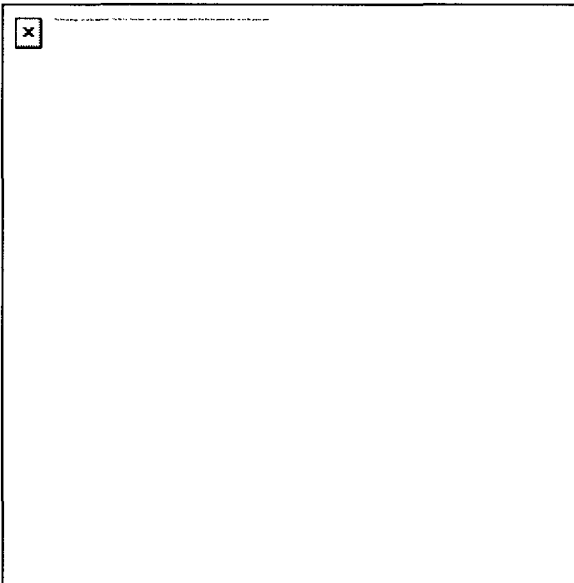
Appendix D

Please find the attached 'Qualified Objection' letter in respect of the above premises.

Regards.

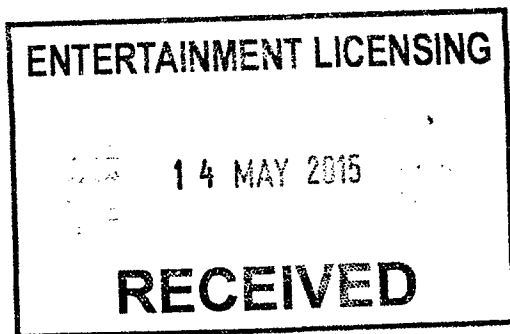
Gurdip Mudhar (Environmental Health Officer)
Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS
Telephone 0113 3951270





Ford And Warren Solicitors
Westgate Point
Westgate
Leeds
LS1 2AX

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



Contact: Gurdip Mudhar
Tel: 0113 3951270
Your reference: LHS/34771/2/JGC

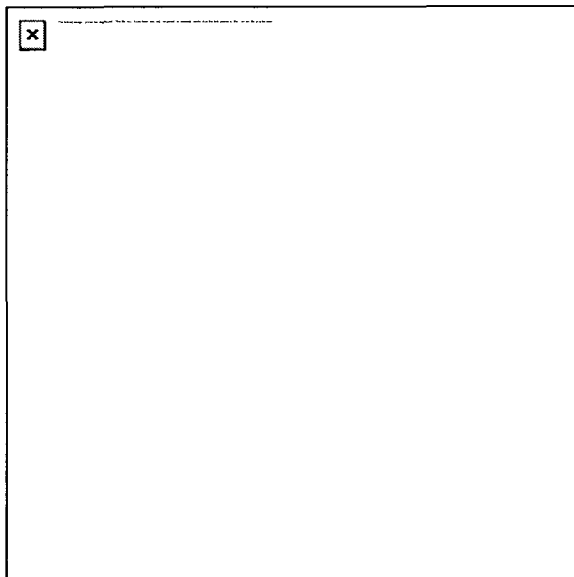
Our reference: PREM/03609/001
Date: 14 May 2015

Dear Sir / Madam

Licensing Act 2003

Name and Address of Premises: 91-97 Otley Road, Guiseley, Leeds, LS20 8PS,

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 .



www.leeds.gov.uk

general enquiries 0113 222
4444

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

Gurdip Mudhar
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: 91-97 Otley Road, Guiseley, Leeds, LS20 8PS.

The application premises relate to the two commercial units which are currently vacant and lie within the perimeter of Morrisons Supermarket in Guiseley Town Centre. One of two units had been licensed to use as a Café Bar (traded as Cellar V Café Bar and Bistro) until 2013. The remaining unit (unit 91) is now empty and had been occupied by the Clinton Cards. The proposal consists of merging the two units into a single licensed premise. The upper floor levels of the premises are occupied as offices by the Job Centre.

I understand an application has been submitted by the Morrisons (application number 15/02409/FU) which is currently being considered by the Planning Services for the change of use of unit 91 to use as a bar.

The application premise is located within a mixed commercial and residential area with the closest row of terraced residential properties (Hallamfields) being less than 30 meters from the premises. I understand further residential flats are situated above the retail units on the main road and beyond to the rear of the shops.

There is a history of noise nuisance complaints made by the local residents (3 complaints made between 2010 - 2012) by virtue of entertainment noise escaping from the premises. It is Department's concern that there is a further potential for public nuisance from entertainment noise and patrons as the activities on the premises are expected to intensify

due to increased capacity of the premises and longer times and increased days for late-night licensable activities.

Additionally it has also been proposed to extend the licensable activities for a further additional hour into the mornings every Friday, Saturday and Sunday preceding every bank holiday thus closing the premises at 2:30 am.

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 on the premises shall (excluding the live music / entertainment) shall be restricted to the following hours and days including Fridays, Saturday and Sunday preceding every bank holiday:

Monday – Sunday: 10:00 hours – 1:00 hours.

2. The regulated entertainment on the premises in the form live music shall take place between the following hours and days including Fridays, Saturday and Sunday preceding every bank holiday:

Monday – Sunday: 10:00 – 23:00 hours.

3. 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.
4. Regulated entertainment at the premises shall not cause noise nuisance at the nearest noise sensitive dwellings situated immediately adjacent to the premises (Hallamfields) and residential flats situated above the retail units on the Otley Road.
5. There shall be no external loudspeakers.
6. 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.
7. The PLH/DPS will ensure patrons use external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 11 pm.
8. The activities of persons using the external areas shall be monitored after 11 pm 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.
9. The PLH/DPS will adopt a “cooling down” period where music volume is reduced towards the closing time of the premises.
10. 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.

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.

Signed:
Gurdip Mudhar.

Dated: 14th May 2015

PART 2

To be completed by the applicant / applicant's representative.

Leeds City Council's Environmental Action Service

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises: 91-97 Otley Road, Guiseley, Leeds, LS20 8PS,

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:

Please return this document to:
Gurdip Mudhar.
Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

PART 3

Name and Address of Premises: 91-97 Otley Road, Guiseley, Leeds, LS20 8PS,

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:

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