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Devonshire House  
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Leeds  
LS1 2ED

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

Contact: Mr Gurdip Mudhar

Tel: [REDACTED]

Fax: [REDACTED]

Our reference: PREM/03634/001

Date: 14 July 2015

Dear Sir

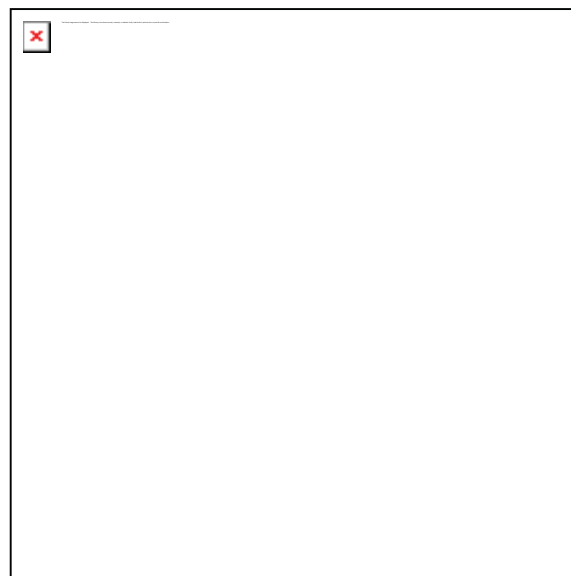
**Licensing Act 2003**

**Name and Address of Premises: Arches V And W Granary Wharf, Dark Neville Street, Leeds, LS1 4BR,**

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

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general enquiries 0113 222  
4444



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

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: Arches V And W Granary Wharf, Dark Neville Street, Leeds, LS1 4BR.**

#### **Premises Summary**

The application premises are situated within the green area of the City Centre Cumulative Impact Policy (CIP) area in a railway arch beneath Leeds City Station, in a row of similar commercial premises. The premises faces onto a mixed use, but predominately residential development of flats and a hotel.

The proposed application is for recorded music and sale of alcohol. It is proposed that recorded music will only take place inside the restaurant, however, the premises does not seem to include an effective lobby. This means there is the potential for music noise to escape towards residential properties every time the main door is opened for access; although the extent of any disturbance will depend on how loud the recorded music is played. There is no proposal for the performance of dance although the floor plans submitted with the application shows a DJ booth with a dance floor.

There is also an additional outside area, with a potential for noise from peoples voices when patrons are using the outside area, when smoking outside, or when leaving.

I understand that the application premises has operated for a number of years in this location and the application is due to a lapse of the previous Licence. There are a number of licensed

venues within this complex and Environmental Health has over the years received several noise nuisance complaints from the residents by way of loud music, comings and goings of patrons and raised voices when the patrons use the external areas for smoking. We on average receive 3 such complaints per year which are linked to the licensed venues situated within this complex.

Unlike amplified music noise which can be controlled by means of electronic sound limiting devices, it is difficult and challenging to mitigate the noise nuisance caused by comings and goings of patrons and when they are using the external areas for smoking purposes.

I understand that the application has attracted a number of representations / objections from the nearby occupiers of the residential apartments.

Unlike other similar licensed venues within this complex, the applicant has also proposed to open longer hours on Fridays and Saturdays (until 1:00 hours). This is not acceptable as it will not only exacerbate the noise related issues but will also encourage other premises licence holders in the area to follow suit.

The applicant has submitted details of the steps they intend to take to promote the prevention of public nuisance. Unfortunately, the measures proposed do not address all the relevant issues.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the measures detailed below are proportionate and necessary in order to promote the prevention of public nuisance objective of the Licensing Act.

### **Noise and Vibration**

1. The opening hours of the premises shall be 7:30 hours till 0.00 hours Monday to Sunday.
2. 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.
3. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises which are at the flats at Granary Wharf to the East and the Hotel to the West.
4. There shall be no external loudspeakers.
5. 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.
6. The premises licence holder, or their representative, will ensure patrons use external areas at the front of the premises (i.e. when using the outside seating area, smoking outside, or leaving the premises) in a manner which does not cause disturbance to nearby residents and business in the vicinity.
7. Patrons shall not be permitted to use the external area to the front of the premises between 23.00 and 09.00, except for smoking which will be permitted until 00.00.

8. Clear and legible notices will be displayed at exits 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.
9. 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: 14<sup>th</sup> July 2015

## **PART 2**

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

**Leeds City Council's Environmental Action Service  
Proposed Controlled Measures under the Licensing Act 2003  
Name and Address of Premises: Arches V And W Granary Wharf, Dark Neville Street,  
Leeds, LS1 4BR,**

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:

Gurdip Mudhar  
Environmental Protection Team  
Leeds City Council

Millshaw Park Way  
Leeds  
LS11 0LS

**PART 3**

**Name and Address of Premises: Arches V And W Granary Wharf, Dark Neville Street, Leeds, LS1 4BR,**

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