



John Gaunt & Partners  
Omega Court  
372 Cemetery Road  
Sheffield  
S11 8FT

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

Contact: Mr. Mudhar  
Tel: 0113 3786591

Our reference: PREM/00217/005  
Date: 23 August 2016

Dear Ms. Hazelwood

**Licensing Act 2003**

**Name and Address of Premises: Mews 16 Bank Street, Wetherby, Leeds, LS22 6NQ**

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

operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours sincerely



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: 16 Bank Street, Wetherby, Leeds, LS22 6NQ**

The application premises comprises an end of terrace 2 storey commercial property which is located at the junction of Bank street and Church Street in Wetherby Town Centre. It is joined to a similar licensed venue (Mango Vegetarian Restaurant). Diagonally opposite the application premises is another licensed restaurant known as Yum Yum. There are residential properties situated on Church Street which are approximately 6 meters away from the external seating and drinking area of the premises. The bedrooms of these residential properties have openable windows facing the external seating area. A map which identifies the location of these premises is attached at **Appendix 1**.

The proposal consists of allowing the premises to open at 9:00 hours and allowing the external eating and drinking area to be used until midnight as currently it is restricted till 23:00 hours. It has also been proposed to extend the terminal hours on Sundays in line with rest of the week.

The Environmental Protection Team is concerned that by permitting the outside seating area to be used till midnight will give rise to noise nuisance complaints (by way of raised voices) as the residential properties are situated very close and they will have their bedroom windows open for ventilation purposes especially during the summer months. Unlike other sources of noise such as amplified music which can be controlled by the fabric of the building or by electronic means, the applicant will be unable to control the patron's raised voices in the external areas other than by displaying some signage which will only have minimal effect.

Having considered the application, we consider that the following measures are relevant and reasonable in order to meet the Prevention of public nuisance objective of the Licensing Act 2003.

1. The existing condition No: 33 shall remain and read as follows:

“Patrons shall not be allowed to use the beer garden, or any external area after 23:00 hours”.

2. The existing condition No: 34 shall be amended and read as follows:

"Clear and visible notices should be displayed at all exits and the external seating area requesting the patrons to respect the needs of local residents and leave the premises and area quietly".

3. The existing condition No: 35 shall be amended and read as follows:

"Telephone numbers for local taxi firms shall be displayed in a prominent location. To prevent disturbance a waiting area within the premises shall be provided".

4. The following new condition shall be attached:

"The PLH/DPS will ensure patrons use beer gardens / external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity.

5. The following new condition shall be attached:

"The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises".

In conclusion subject to above mentioned amendments to the condition Nos: 33, 34 and 35 together with the addition of two new conditions, all the other conditions which are attached to the current premises licence PREM/00217/004 should remain.

Signed:



Gurdip Mudhar

Dated: 23<sup>rd</sup> August 2016.