

Jw

Prem/02214/002



Entertainment Licensing Section
Leeds City Council

21th August 2016

Dear Sirs

RE Licensing act variation application – Apress Café Bar, 179 High Street Boston Spa, LS23 6AA

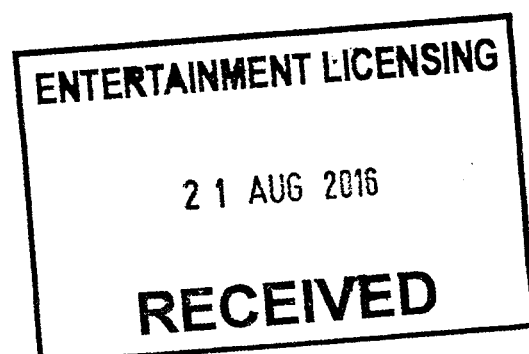
I am writing to register my opposition to the above application. The premises is within a residential area, a matter of 25 metres from my home. The premises has previously caused problems with noise, rowdy behaviour on closing and rubbish issues which residents have, over the years, tried to address directly with Mr Hanby.

To consider extending the hours would adversely affect our living environment. Neither the music times, or the licensing times would be acceptable. A recent addition to the bar scene in Boston Spa, a mere 2 doors away from this property, the Stew & Oyster closes at 10.30 on Sunday, 11pm on Monday to Thursday and 12.00 midnight on Friday and Saturday nights. This has caused noise disturbance to many residents, and there is certainly no justification in the new Sir Dukes opening an average of 2 hours later when it is actually more centrally placed in terms of residential properties and noise problems disturbing sleep and changing the quiet, village nature of Boston Spa. Additionally, as the Council knows, parking around this area is limited – residents on this street have only 1 parking place per household, and with the bar's extended opening times, people who don't live locally are likely to drive into Boston Spa and park in the surrounding streets. This too, would be unacceptable.

I hope you will take the objections of residents into account when considering this excessive proposal.

Yours faithfully,

A black rectangular redaction box covering the signature area.



Nelson, Matthew

JW

Prem 102214/002

(12)

From: [REDACTED]
Sent: 25 August 2016 19:22
To: Entertainment Licensing
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

For the attention Of Miss Jane Wood(Licensing Officer)

Dear Miss Wood,

I Still consider my objections relevant as even the newly requested licensing hours are inappropriate for a residential village and will result in noise and unreasonoable disturbance to residents.

Yours etc

[REDACTED]

Wood, Jane

Jw

Prem/02214/002

(12)

From: [REDACTED]
Sent: 18 August 2016 11:16
To: Entertainment Licensing
Subject: application ref PREM 2214/002

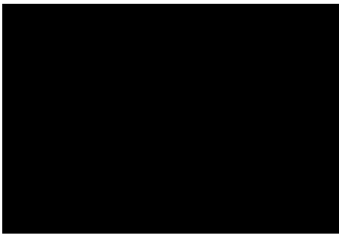
Dear Sirs,

We are writing to lodge our objection to the above mentioned application for proposed alterations to the existing license.

We directly overlook the municipal car park from whence we already suffer late night disturbance and noise and we are also in line with the entrance and large side window on Bridge Road of Apres Cafe Bar where no doubt there would be further noise and disturbance of people gathering to smoke and converse outside and eventually exit for the car park with characteristic raised voices and car door slamming ,causing further unreasonable noise and disturbance for residents until the early hours of the morning should the application be granted.

We hope that you will consider our objections sympathetically as in common with other residents that a granting of these alterations would result in further erosion of the peaceful atmosphere and character of this part of the village.

Yours etc.,



Deighton, Charlotte

JW

Prem/02214/002

11

From: [REDACTED]
Sent: 29 August 2016 16:13
To: Entertainment Licensing
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

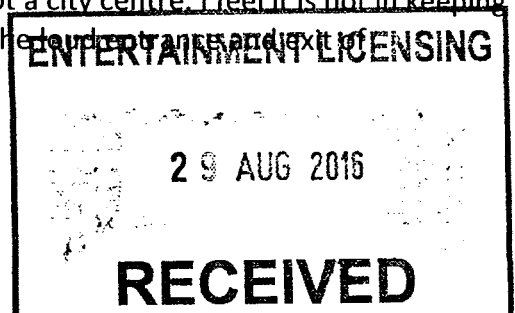
Dear Miss Wood,

I would like it known that I continue to object to the application for licensing hours at the above premises.

I think it should be noted that Boston Spa is a rural village and not a city centre. I feel it is not in keeping with the location to be allowing for external noise of music and the loudness of the music and the exit of customers into the neighbourhood at the hours proposed.

Yours sincerely

[REDACTED]



Entertainment Licensing Section
Leeds City Council
Civic Hall
LEEDS LS1 1UR

[REDACTED]
date: 18.08.2016

Dear Sirs,
**Licensing act 2003 (Premises Licenses and Club Premises
Certificates) Regulations 2005**
**Variation application –Après Café Bar, 179 High Street, Boston Spa,
Wetherby, LS23 6AA**

I am writing with regard to the above and wish to formally note my objections in respect of the proposed variation to the existing premises licence.

The Café Bar premises are within a residential area, in the centre of the village and to extend the hours to those suggested will undoubtedly cause a nuisance in the form of disturbed sleep patterns, brought about by the associated noise late into the night/ early morning. I do not consider it acceptable that we could have the noise of live music up until 11.30pm during the week and 1.30am on a Saturday, together with the potential noise brought about by the sale of alcohol until 1.30am.

There will be additional noise of people arriving and leaving the premises throughout the evenings and the parking of cars in the neighbouring car park and surrounding streets.

I sincerely hope that you will take my strong objection to this variation proposal into account when making your decision.

Yours faithfully
[REDACTED]

(10)

JW Prem/02214/002

Nelson, Matthew

From: [REDACTED]
 Sent: 25 August 2016 21:14
 To: Entertainment Licensing
 Cc: [REDACTED]
 Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Sir /Madam,

Thank you for your email below of 23rd August.

I note that this was issued the day after the close of the period for the public to make representation in respect of the Application associated with the above. This is an important point and will be referred later to in this correspondence.

Your email refers to the '1st floor and basement area'. Are you correct in this?

Our understanding was that the Application was in respect of the Apres Café Bar which as far as we know is located on the ground floor of 179 High Street.

This is an important distinction because if the 1st Floor is going to be used for the activities specified within your email, then this would (presumably?) mean that access would be gained from the entrance located on Bridge Road, thus bringing the possibility of disturbance to the residents closer to their homes. Can you please clarify?

During my conversation yesterday afternoon with a member of staff in the Entertainment Licensing section, I was given to understand that the amended hours now specified within your email were 'finally agreed' with Environmental Protection on Monday 22nd August.....the last date that the public could make representation in respect of the notice advertised at the premises. I was also told that as the period for objection had expired and (it was suggested) the amendment to the application actually reduced the hours indicated on the original notice then I could not raise further representation.

I am unable to accept that this is correct or indeed equitable, particularly insofar as people who have not perhaps raised a representation to the original Application, and I would invite you to compare the details of the hours on the advertised notice with those now set out in your email of 23rd August.

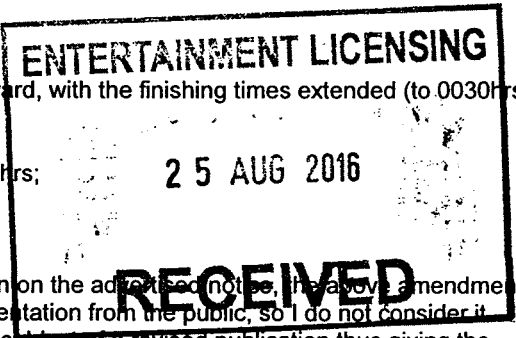
I will not repeat all the different categories and hours here, but would draw your attention to the fact that:-

Performance of Dance was not mentioned at all on the advertised notice;

Provision of Live Music – the start times have been substantially brought forward, with the finishing times extended (to 0030hrs) on an additional 5 nights;

Recorded Music – the finishing time on a Sunday has been extended to 0030hrs;

Non Standard Hours – this was not indicated on the advertised notice.



Whilst there has been some concession in terms of the some activities shown on the advertised notice, the above amendments are to the detriment of those that were originally capable of objection / representation from the public, so I do not consider it acceptable that these amendments, issued after the closing date, are not the subject of a revised publication thus giving the opportunity for representation.

Can you please set out the reasons for not publishing a revised notice, and preventing representations in what would be a 28 day following period?

I see that there is reference to the Applicant's agreement to 'certain conditions' under the 'prevention of Crime and Disorder'. Can you please clarify precisely what this means and what are the 'conditions'? Our knowledge of this could alleviate some of the concerns regarding the impact on the local community.

I further note the reference now to the Opening Hours of the Premises, being to 30 minutes past midnight every night. I understand that the Apres Café Bar closed at 11.00pm, and the other (current) two similar premises in the village close at varying times but at the latest at 12 midnight on just 3 nights in the week.

Bearing in mind the situation with one of the other premises in the village (which I accept is not the subject of this correspondence) can you please indicate if there is any proposal by the Applicant to use the outside space adjacent to the Café Bar for licensed activities?

Notwithstanding the fact that I believe that a revised notice should be published and the public be given the opportunity to follow the due process, I confirm that the principles associated with my objection set out within my letter of 16th August still apply.

Thank you and I look forward to hearing from you shortly in respect of the above and particularly regarding the specific questions.



JW



10

Prem/02214602

16th August 2016

Entertainment Licensing Section
Leeds City Council
Civic Hall
LEEDS
LS1 1UR

By Post and Email

Dear Sirs,

**Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations
2005
Variation Application – Après Café Bar, 179 High Street, Boston Spa, Wetherby, LS23
6AA**

We are writing with regard to the above and we wish to formally note our representations and objections in respect of the proposed variation to the existing premises licence.

The Café Bar premises are within a residential area, in the centre of the village and to extend the hours to those suggested will undoubtedly cause nuisance in the form of disturbed sleep patterns, brought about by the associated noise late into the night / early morning.

There will be the noise of people leaving the premises together with the additional traffic in the middle of the night, with cars etc leaving the car park adjacent to the library, and the surrounding roads.

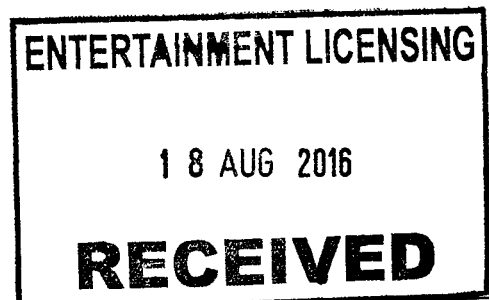
We do not consider it acceptable that we could have the noise of live music up until 11.30 pm during the week and 1.30 am at weekends, together with the potential additional noise brought about by extended hours to 1.30 am for the sale of alcohol.

We already suffer with anti social behaviour / noise in the area of the car park adjacent to the library and extending the hours as suggested will only exacerbate an already difficult situation in the area.

We sincerely hope that you will take our strong objection to this variation proposal into account when making the decision.

Thank you.

Yours faithfully,



Also by email to entertainment.licensing@leeds.gov.uk

Deighton, Charlotte

JW

Prem/02214/002

(9)

From: [REDACTED]
Sent: 29 August 2016 13:51
To: Entertainment Licensing
Cc: [REDACTED]
Subject: RE: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Sir /Madam,

On returning from holiday we note there have been amendments to the licensing application.

I refer to your email below of 23rd August. I also refer to my neighbour [REDACTED] email of the 25 Aug which I would support.

On the specifics of the licensing hours we feel that extending opening hours to 12:30 on every night of the week would change the nature of our residential area. These changes are likely to result in a noise nuisance in the car park and surrounding area on any day of the week until 01:30. The proposal seems aimed at changing a cafe/bar into a nightclub/disco development.

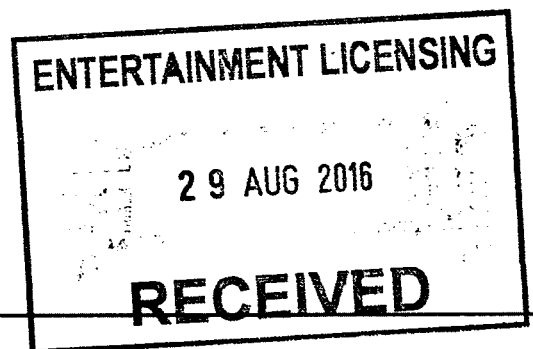
To maintain the nature of the area we would suggest that the closing hours should be in keeping with similar premises in the village which close at varying times but at the latest at 12 midnight on just 3 nights in the week.

We would object to a 03:00 standard extension on Christmas eve and New Years eve. Exceptional extended opening hours should be applied for as and when required. This would allow acceptable hours to be reviewed dependent on the nuisance experienced.

This email does not replace our earlier objection but simply responds to the changes in the proposed licence.

Yours sincerely

[REDACTED]



Date: Thu, 25 Aug 2016 21:14:13 +0100
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA
From: [REDACTED]
To: Entertainment.Licen@leeds.gov.uk
CC: [REDACTED]

Dear Sir /Madam,

Thank you for your email below of 23rd August.

I note that this was issued the day after the close of the period for the public to make representation in respect of the Application associated with the above. This is an important point and will be referred later to in this correspondence.

Your email refers to the '1st floor and basement area'.

Are you correct in this?

Our understanding was that the Application was in respect of the Apres Café Bar which as far as we know is located on the ground floor of 179 High Street.

This is an important distinction because if the 1st Floor is going to be used for the activities specified within your email, then this would (presumably?) mean that access would be gained from the entrance located on Bridge Road, thus bringing the possibility of disturbance to the residents closer to their homes. Can you please clarify?

During my conversation yesterday afternoon with a member of staff in the Entertainment Licensing section, I was given to understand that the amended hours now specified within your email were 'finally agreed' with Environmental Protection on Monday 22nd August.....the last date that the public could make representation in respect of the notice advertised at the premises.

I was also told that as the period for objection had expired and (it was suggested) the amendment to the application actually reduced the hours indicated on the original notice then I could not raise further representation.

I am unable to accept that this is correct or indeed equitable, particularly insofar as people who have not perhaps raised a representation to the original Application, and I would invite you to compare the details of the hours on the advertised notice with those now set out in your email of 23rd August.

I will not repeat all the different categories and hours here, but would draw your attention to the fact that:-

Performance of Dance was not mentioned at all on the advertised notice;

Provision of Live Music – the start times have been substantially brought forward, with the finishing times extended (to 0030hrs) on an additional 5 nights;

Recorded Music – the finishing time on a Sunday has been extended to 0030hrs;

Non Standard Hours – this was not indicated on the advertised notice.

Whilst there has been some concession in terms of the some activities shown on the advertised notice, the above amendments are to the detriment of those that were originally capable of objection / representation from the public, so I do not consider it acceptable that these amendments, issued after the closing date, are not the subject of a revised publication thus giving the opportunity for representation. Can you please set out the reasons for not publishing a revised notice, and preventing representations in what would be a 28 day following period?

I see that there is reference to the Applicant's agreement to 'certain conditions' under the 'prevention of Crime and Disorder'.

Can you please clarify precisely what this means and what are the 'conditions'? Our knowledge of this could alleviate some of the concerns regarding the impact on the local community.

I further note the reference now to the Opening Hours of the Premises, being to 30 minutes past midnight every night.

I understand that the Apres Café Bar closed at 11.00pm, and the other (current) two similar premises in the village close at varying times but at the latest at 12 midnight on just 3 nights in the week.

Bearing in mind the situation with one of the other premises in the village (which I accept is not the subject of this correspondence) can you please indicate if there is any proposal by the Applicant to use the outside space adjacent to the Café Bar for licensed activities?

Notwithstanding the fact that I believe that a revised notice should be published and the public be given the opportunity to follow the due process, I confirm that the principles associated with my objection set out within my letter of 16th August still apply.

Thank you and I look forward to hearing from you shortly in respect of the above and particularly regarding the specific questions.

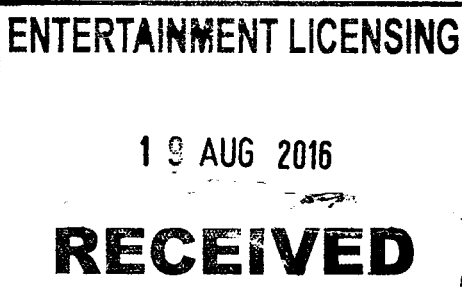


JW

Prem/02214/002

9

Entertainment Licensing Section
Leeds City Council
Civic Hall
LEEDS
LS1 1UR



17th August 2016

By Post and Email

Dear Sirs,

Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005

Variation Application – Après Café Bar, 179 High Street, Boston Spa, Wetherby, LS23 6AA

We are writing with regard to the above and that you note our objections in respect of the proposed variation to the existing premises licence.

Our home backs directly on to the car park and we are already disturbed at night by noise from loud talking and car engines and doors slamming. The Après Bar premises are within a residential area and ourselves and neighbours especially those with young children will find an extension of noise into the early hours difficult. To extend the hours to those suggested will undoubtedly increase the nuisance in the form of disturbed sleep patterns, brought about by the associated noise late into the night / early morning.

The variation of the license to allow live music up until 11.30 pm during the week and 1.30 am at weekends, together with the extended hours for the sale of alcohol will only exacerbate an already busy social night time use of this area. On current experience disturbing noise continues approximately an hour after premises close. Disturbance extending to around 02:30 in the morning may therefore be expected and this is distressing to residents living in the area. To allow extended opening hours as a regular occurrence would be unfair to the balanced use of this part of the village.

We are also concerned that this variation will set a precedent for future decisions in the local area.

We sincerely hope that you will take our objection to this variation proposal into account when making the decision.

Thank you.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

A black rectangular redaction box covering the address area.

Also by email to entertainment.licensing@leeds.gov.uk

White, Emma

Jw

Prem/02214/002

⑧

From: [REDACTED]
Sent: 24 August 2016 17:23
To: Entertainment Licensing
Cc: [REDACTED]
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Jane,

Many thanks for getting back to us. Unfortunately we still do not consider these amended opening times to be acceptable, so we therefore still wish to object to the application. We simply do not want a venue with such late opening hours directly next to our home. The closing times we suggested (11:30pm Sunday-Thursdays and 1:00am Friday-Saturday) are the very latest that we would accept.

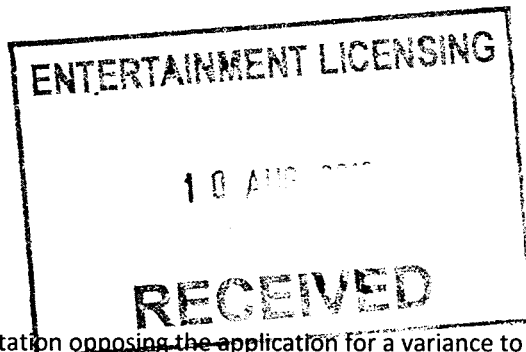
Kind regards,

[REDACTED]

Jw Prem/02214/002

(8)

Entertainment Licensing Section
Leeds City Council
Civic Hall
Leeds
LS1 1UR



3rd August 2016

To whom it may concern,

We wish to make a written representation opposing the application for a variance to the Premises License applied for by Après Café Bar, Boston Spa, LS23 6AA.

We believe that the proposed changes to the licensing would be a public nuisance. We are residents of the Shires Court Development situated directly opposite to Après Bar, and we are very concerned that the lateness of the Licensing hours applied for would unacceptably affect us and others nearby. There are several properties within our building with bedrooms that directly overlook the bar, and we are certain that the late licensing times would grossly affect us if approved.

It must be recognised that, whilst Après bar is located at what is considered the focal point of the high street, it is still within a residential area. There are already occasional late-night disturbances caused by the Stew and Oyster bar and Après bar (before closure for refurbishment); however we believe that as these premises close at latest by midnight they are better suited for a residential area. I do not feel that in this application the residents have been considered; it certainly seems more like the hours for a venue in the middle of a town rather than one in the centre of a village. I would therefore urge you to restrict the license applied for by considering the impact such a late opening venue would have on the people living nearby.

I therefore request that the various licenses applied for; the Sale by Retail of Alcohol, Films, Live Music and Recorded Music all be restricted to no later than 11.30pm Sunday-Thursday and 1:00am Friday-Saturday. We believe this to be an acceptable compromise; as the bar may operate largely as that applied for during the weekend, but the residents would be less affected during the working week.

Please understand that, as a whole, we are strongly in favour of the regeneration of Boston Spa. The opening of shops and cafes is obviously welcome and is giving the village a new vibrancy. However we do feel that the opening of a venue which could operate well into the night during work nights is inappropriate considering the large number of people living nearby.

May we also request that, unless it is necessary, our anonymity regarding this matter be kept, and all of the following in this letter be omitted if given to the applicant. As this is a small village we are acquainted with the one of the people who applied for this license. We would not wish to create an uncomfortable situation unless further action regarding this representation is required.

Please feel free to contact us regarding this matter on [REDACTED]

Yours faithfully,

[REDACTED]

White, Emma

JW

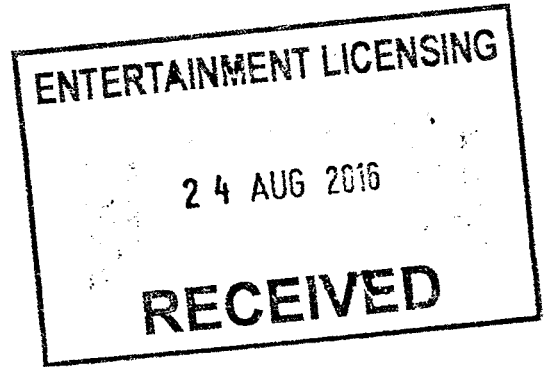
Prem/02214/002 (6)

From: [REDACTED]
Sent: 24 August 2016 17:24
To: Entertainment Licensing
Subject: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Miss Wood,

I confirm my continued objection to the above application.

Regards



Wood, Jane

From: planning.comments@leeds.gov.uk
Sent: 05 August 2016 12:51
To: Wood, Jane
Subject: Comments for Licensing Application PREM/02214/002

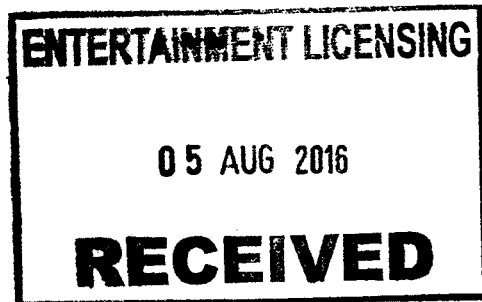
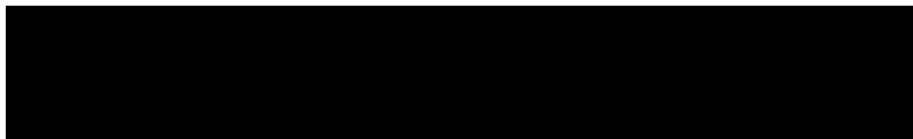
Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:54 PM on 05 Aug 2016 from [REDACTED]

Application Summary

Address: 179 High Street Boston Spa Wetherby LS23 6AA
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood
[Click for further information](#)

Customer Details



Comments Details

Commenter Type: Neighbour response
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 12:54 PM on 05 Aug 2016 I occupy a flat virtually overlooking the Apres bar. Since the opening of Stew & Oyster bar in Boston Spa the amount of street noise both verbal and vehicle has grown considerably and this bar has a licence to midnight. Given that the Apres want a 1.30am licence this will only increase alcohol intake producing unacceptable levels of noise and no doubt disruption in the early hours of the morning and is therefore likely to have an adverse effect on the following objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance

I therefore object to this application on these grounds.

Prem/02214/002

(S) JAW

Wood, Jane

From: [REDACTED]
Sent: 03 August 2016 09:38
To: Entertainment Licensing
Subject: APRES CAFE BAR , 179 HIGH STREET, BOSTON SPA

Dear Sir, Madam

I have just noticed that a licence application has been made for the property named above.

I have no objections to the principal of the licence, but I do object to the times that have been requested.

I object on the grounds of occupants causing a public nuisance standing outside to smoke and when leaving the property.

I live directly opposite the venue (on Shires Court) but also have a retail property opposite the venue on the High Street.

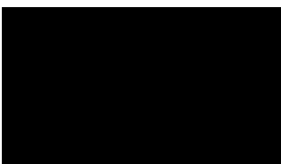
When the venue was open as 'APRES BAR' myself and my family were frequently disturbed by the noise from the bar in the early hours of the morning and therefore feel that any 'Extended Hours' would cause us unnecessary nuisance and indeed downgrade the area in which we live and run our business.

One shop opposite the venue has recently been damaged by drunken behaviour and I feel we need to prevent this occurring again both to the shops and indeed my property and my land.

I would therefore request the the licence is only granted in line with other venues on the high street with a 'stop selling' time of midnight, with drinking up time to follow.

I trust that this objection will be considered.

Many thanks



Sent from my iPhone

Sent from my iPhone



Prem/02214/002

(4) JWA

Wood, Jane

From: [REDACTED]
Sent: 03 August 2016 09:26
To: Entertainment Licensing
Cc: [REDACTED]
Subject: PREVENTION OF PUBLIC NUISANCE - LICENSING APPLICATION PREM/02214/002

On behalf of a local resident I wish to object to this application but if the terminal hour is reduced to midnight I would withdraw this objection.

There are numerous residential properties in very close proximity to these premises and the hours applied for would cause serious disturbance to local residents.

Regards.



JW

Prem/02214/002

3

Interested Party Representation (Form IPR1)



Section 1 - Licence application details

Please indicate as appropriate :

- I wish to object to the following application:
- I wish to support the following application:

Applicant name (if known): PREM/02214/002

Applicant premises name and address: 179 HIGH STREET BOSTON SPA LS23 6AA
APPES CAFE BAR

Section 2 - Your personal details

NB : If you are acting as a representative, please go to Section 3.

Title

Surname

First name(s)

Address (incl postcode):

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

Section 3 - Representative details

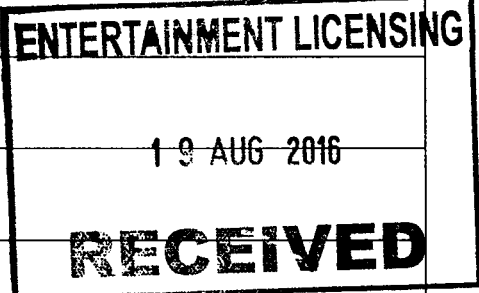
If you are representing someone else please complete details below

Name of Representative/
Organisation

Full postal address
(incl postcode)

Please indicate capacity :

- Representative of Residents Association
- Parish Council
- Trade Association
- Ward Councillor
- MP
- Other (please specify) _____



Section 4 – Representation grounds

The representation is relevant to one or more of the following licensing objectives:

Please tick relevant box(es)

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

Please select :

- I object to the application being granted at all
- I object to the application being granted in its current form*

*If you choose this option remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

PREVENTION OF PUBLIC NUISANCE -

THE SUGGESTED LATE OPENING HOURS WILL LEAD TO NOISE DISTURBANCE IN WHAT IS A 'RESIDENTIAL' AREA. LATE NIGHT OPENING IS NOT A 'VILLAGE' NECESSITY. NOISE CAN BE HEARD ALL THE WAY DOWN THE HIGH ST.

PUBLIC SAFETY -

PEOPLE AT NIGHT ON A BLIND CORNER (PEOPLE WILL HANG ABOUT OUTSIDE) - COULD CAUSE AN ACCIDENT.

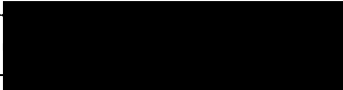
I AM DELIGHTED TO HAVE A RESTAURANT SERVING THE COMMUNITY BUT OBJECT TO THE 'LATE HOURS' ASPECT OF THEIR APPLICATION.

You need to complete this box as fully as possible. If you do not the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary - please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

Signed:



Date: 16/8/16