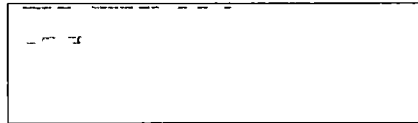
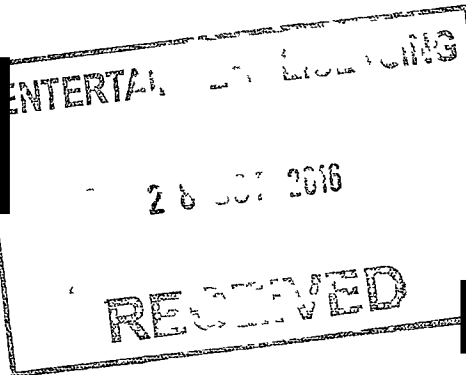


# Appendix C

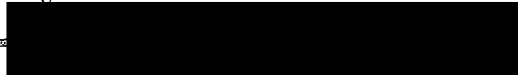


Mr Gurnek Singh



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

Contact Gary Mann



Our reference PREM/03863/001  
28 October 2016

Dear Mr Singh

## Licensing Act 2003

**Name and Address of Premises** Papa Johns, 2 the Becketts, 605 Meanwood Road, Meanwood, Leeds, LS6 4AY,

We refer to your licensing application for the above premises. We believe that your application does not give enough information about how you intend to meet an important objective of the licence, which is to prevent public nuisance. We therefore confirm that we are submitting a formal objection to your application.

We base our objection on the following matters:

- The potential for noise disturbance associated with licensable activities passing through the fabric of the building to cause noise and vibration in adjoining residential/business premises
- The potential for noise disturbance associated with licensable activities to break out of the premises or pass through the fabric of the building to cause noise disturbance to nearby residential/business premises
- The potential for noise disturbance from the use of outside areas whilst smoking/drinking in the area/s provided/whilst arriving/leaving, including that from vehicles
- The potential for the alleged sources of nuisance described in items 1 to 3 above to continue into hours where such disturbance may adversely affect sleep and other loss of the use and enjoyment of a property
- That the hours of operation applied for would set a precedent in an area already served by late opening venues. If the precedent was set and other businesses granted such hours then there would be a significant added impact of noise disturbance deeper into the early morning hours to the surrounding residential premises. The existing impact includes noise from loud music and from sources outside such as from customers.

- The potential for disturbance from patrons coming and going from the premises and congregating in the streets. Noise associated with arrival and departure of cars, the slamming of car doors, revving of engines, sounding horns, loud use of car stereos, it is anticipated that the customers visiting the application premises would park their vehicles outside residential properties late at night. There is also potential disturbance from comings and goings of delivery drivers. There are no enforcement powers to deal with any noise associated with patrons and their associated vehicles causing noise disturbance in the residential streets immediately surrounding the premises in this application.
- The Department is also concerned about the likelihood of noise disturbance from the commercial kitchen's extract ventilation system as the tonal noise from this equipment will be more dominant / noticeable when the background noise levels will reduce as the night progresses. The possible noise problems from the above-mentioned sources of noise will be exacerbated especially during the summertime as the nearby residents will have their windows open for ventilation purposes.
- There is potential odour from cooking extraction equipment causing disturbance late into the night.

Having read the matters we describe below if you feel we should consider anything else please do not hesitate to contact us

### **Description of the surrounding area**

Papa Johns is located in between a restaurant (Zucco) and a bar (East of Arcadia). There are numerous residential flats above these premises whose address is 78 Monk Bridge Road. The whole unit is collectively known as "the Beckets". Zucco close at 00:00 Monday to Saturday, 22:30 on Sunday, East of Arcadia close each day at 00:00. There are a number of shops opposite with residential flats above and potential for parking outside. There is potential for parking down Gordon View.

Please refer to Appendix 1 Maps of Surrounding Area

### **Description of the applicant venue and the application**

The premises have been operating since May 2014. The takeaway service occupies the ground floor.

The application proposes the sale of late night refreshment i.e. providing hot food and beverages and extending hours of operation until 01:00 Sunday to Thursday and 03:00 Fridays and Saturdays. Current operational hours are 11:00 to 23:00 every day.

The application premises have been granted planning permission to open from 8:00 hours Monday to 23:00 Sundays and bank holidays. It is my understanding that an application to extend these hours has not been forthcoming. The initial planning application included a noise assessment of plant equipment, noise from customers, noise propagation into flats above and deliveries. The assessment would have been based on the current operating hours.

The onus is on the applicant to demonstrate such matters (Items 8.33 to 8.41 of the amended guidance issued under Section 182 of the Licensing Act 2003 – June 2014).

### **Conclusions reached**

Late night opening has the potential to cause disturbance to residents from the issues outlined in this response. The licensing conditions to prevent public nuisance as suggested

by the applicant in their operating schedule would in practice have only limited effect in addressing these problems. In view of the above concerns this Department objects to this application for the proposed extension of the operating hours as it will generate noise nuisance for nearby residents and therefore would undermine the prevention of public nuisance objective of the Licensing Act 2003.

We recommend that the Sub-Committee refuse the application.

We do not believe that further conditions will resolve the application as it stands.

Yours sincerely

Gary Mann  
Environmental Health Officer

## Appendix 1 Maps of Surrounding Area

Photograph of area The Beckets



Photograph of Papa Johns with residential units above



Photograph of applicant site with residential properties and potential parking opposite

