

Prem/03871/001

JA
Appendix E

White, Emma

From Richard Tyler [REDACTED]
Sent 14 October 2016 14:53
To Entertainment Licensing
Subject PREM/03871/001

I write as a near neighbour to **object** to application PREM/03871/001 by JD Wetherspoon Plc for a Premises Licence for the sale by retail of alcohol at the former Elinor Lupton Centre, Headingley Lane, Headingley, Leeds LS6 1B. My home is on [REDACTED] some hundred yards below the site in question. I object on a number of counts:

First of all, the premises are located in the heart of Cumulative Impact Policy (CIP) Area 2, Headingley & Hyde Park, as described in the Council's current Statement of Licensing Policy. The Statement says, "The Headingley cumulative impact policy was put in place in 2005 and has worked well in ensuring that the adverse effect of an accumulation of licensed premises in Headingley has not increased (7.27). It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for the following premises: Alcohol led premises such as bars, pubs and nightclubs [which includes the present application] (7.31). It is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the area (7.32)."

Since the present application consists of a pub accommodating some 1,000 customers (as estimated in the applicant's planning application), this adds significantly to the accumulation of licensed premises in Headingley, and therefore to an increase in their adverse effects. As this is an alcohol-led premises (albeit one also providing food), it should be council policy to refuse the application. In their planning application, the applicant attempted to demonstrate that their pub would not add to the cumulative impact of licensed premises in the area, that is, to rebut the presumption against granting a licence in a CIP area. However, the Council's Statement says clearly what does and does not count as satisfactory counter-measures. It states that "Examples of factors the licensing authority will not consider as meeting the standard of rebuttal include: • That the premises will be well managed and run as all licensed premises should meet this standard, • That the premises will be constructed to a high standard, and • That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint (7.53)". None of the applicant's proposals (in their planning application) went beyond these basic requirements - which alone do not meet 'the standard of rebuttal'.

Secondly, even if it was not within CIP Area 2, the proposal would be detrimental to public safety. It is well-known that Headingley Lane is the route of the so-called 'Otley Run', which is simply a pub-crawl from Far Headingley into the city centre. The proposed premises would occupy a gap in the sequence of pubs along the Run, and would therefore become a popular staging point. However, precisely because of this Run, at the beginning of the present academic year, West Yorkshire Police issued a warning to drivers along the A660 (Headingley Lane) to be aware of the danger of drunken students (as reported in Yorkshire Evening Post). The addition of the proposed pub to the Otley Run would therefore further undermine public safety.

Thirdly, again even if it was not within CIP Area 2, the new premises would add to public nuisance. The Otley Run is a danger to participants. It is also a nuisance (to put it mildly) to residents. Except at the beginning of the Run (and these premises are in the middle), participants are drunk, to varying degrees, so they make excessive noise, they dominate the footway, and often they vomit, collectively, they are intimidating. This nuisance affects Headingley Lane.

In addition, public nuisance would impact on the Buckingham's. Some of the pub's customers would arrive along Headingley Lane. But the majority would make their way from the student heartlands to the south, beyond Victoria Road. They would arrive by way of the Buckingham's, as their only route - but more importantly, they would depart that way. So the residents of the Buckingham's, who are mostly families, would have to put up with the noise and disturbance of customers leaving the pub late at night, every night, returning home.

Furthermore, the proposed pub expects a proportion of its customers to arrive by car. The pub offers minimal parking, so customers would need to find opportunities nearby - in the Buckingham's. But these streets are already occupied by residents' parking. And in addition, customers who do park in the area would disturb residents with loud voices, car doors slamming and engines starting late every evening. Public nuisance would become endemic.

Finally, once again even if it was not within CIP Area 2, I am concerned at the potential harm to children from the proposed pub. There are many children living in the Buckingham's. In addition, children attend Rose Court nursery and pre-prep school at the top of Buckingham Road, only a few yards from the premises. Children departing for school (or arriving at Rose Court) in the morning will pass a functioning pub, since it is applying to open at 8am. And in the evening, local children will find patrons of the pub passing their homes, many in various states of inebriation. This would be a harmful environment to raise children.

For many reasons therefore I object as a near resident to the application for a premises licence at the former Elnor Lupton Centre, and I request the licensing authority to **refuse** application PREM/03871/001.

Dr Richard Tyler [REDACTED]

