

Appendix E

JA

Prem/03871/001

ENTERTAINMENT LICENSING

22 OCT 2016

RECEIVED

From Richard Norton [REDACTED]
Sent 22 October 2016 16:16
To Entertainment Licensing
Subject PREM/03871/001 - Objection

We write to object to application PREM/03871/001 by JD Wetherspoon Plc for a Premises Licence for a proposed pub at the former Elinor Lupton Centre, Headingley Lane, Headingley, Leeds LS6 1B. We live [REDACTED] and object on the grounds that the proposed licence would without doubt be contrary to all four licensing objectives and would flout the Cumulative Impact Policy (CIP) for the area. We say this on the basis of our direct experience of the public nuisance and disorder arising routinely from the current levels of drinking in Headingley and in particular the negative impacts of the Otley Run, including vomiting and urination on our property and abuse from perpetrators when challenged about this.

In terms of local policy, the key point is that the premises are located in the heart of Cumulative Impact Policy (CIP) Area 2, Headingley & Hyde Park, where 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)."

One of the prime reasons for the creation and subsequent extension of this CIP area is the Otley Run, the notorious pub-crawl from Far Headingley into the city centre which attracts large groups of drinkers, frequently in fancy dress, who become increasingly drunk and ill-behaved as they progress along the route. This application needs to be considered in the context that not only are the premises located within the CIP area, they are sited bang on the route of the Otley Run, in a residential area and in what is currently a gap between the last pub in Headingley (the Original Oak) and the Hyde Park pub at Hyde Park corner. It needs to be understood too that the Otley Run is not solely a night-time phenomenon, groups often do it throughout the day towards the end of the week, including on traditional working and school days.

The application is for a proposed new super-pub for some 1,000 customers (estimate in the applicant's planning application), in the highly-sensitive location described above. There can be no doubt that as this would be the largest pub in the area, it would add dramatically to the accumulation of licensed premises in the CIP area, and inevitably therefore to an increase in their adverse effects. As the applicant clearly stated in their planning application that this would be a pub, an alcohol-led premises, council policy is clear that this application should be refused.

In their planning application, the applicant attempted to claim that their pub would not add to the cumulative impact of licensed premises in the area, such a claim is frankly a fantasy. They made the claim not on the basis of any considered response to the specific local context in which the premises are situated, but primarily by referring to their experience of running licensed premises elsewhere without complaint. However, the Council's Statement clearly 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 that application meet this standard of rebuttal.

Crime and Disorder

The applicants have proposed (in their planning application) a management plan that includes the statement “Large groups in fancy dress will not be permitted entry into the premises or external areas ” While this approach is welcomed many questions remain, including how this would be enforced, what number makes a group “large”, and what would happen when truly large groups in fancy dress (which can number up to 100, literally) turn up and discover they will not be admitted Given that by this stage in the Otley Run participants are generally drunk and raucous, there is the inevitable likelihood of disorder, along with impacts on public safety and nuisance Moreover it is hard to see how a pub of this size, with such high development and running costs, could possibly be viable without catering to this trade

Public Safety

The proposal would without doubt be detrimental to public safety, it would inevitably become a popular staging point on the Otley Run 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 weekly spectacle of the behaviour of drinkers (both students and others) in Headingley shows clearly why this warning was issued Moreover at the point where the premises are located traffic generally moves much faster than in the centre of Headingley, the site falls between two of the speed cameras on this section of Headingley Lane and traffic frequently speeds up over this section of the A660 The premises are located on the opposite (south) side of Headingley Lane from the side on which the pubs in either direction are located (The Original Oak in Headingley and the Hyde Park), so drinkers progressing on foot (or arriving and departing by bus) would have to cross the road, creating a hazard for both themselves and drivers In addition there would inevitably be problems with taxis/private hire vehicles dropping off and picking up passengers outside the pub, on both sides of the road, as can be witnessed every week outside the Box in particular in Headingley

Problems would be further exacerbated on match days at Headingley Stadium when there are hugely increased numbers of people and levels of drinking in Headingley, and particularly for Leeds Rhinos (rugby league) games when spectators park their cars on both sides of Headingley Lane all the way from the Bainbrigg Road Junction to the Elinor Lupton site and beyond, the combination of these additional factors with the enormous drinking facility proposed, by an operator known for their low alcohol prices, would inevitably be detrimental to public safety

Public Nuisance

The proposed premises would significantly add to public nuisance The Otley Run is not only a danger to participants and road users, it is also a significant nuisance to residents At this stage of the Run, most participants are drunk, to varying degrees, so they make excessive noise, especially when in large groups, with singing, shouting and chanting, and often encouraging drivers to hoot their horns in response, they dominate the pavement and overflow into the road or force other pedestrians off the pavement, some vomit on or urinate at the side of the pavement or in the side streets and entrances, and can be abusive if challenged, collectively, they can be intimidating to others

Local residents, to all sides of the premises, would also have to put up with the noise and disturbance of customers leaving the pub late at night The noise nuisance would include loud voices, car doors slamming and engines starting up and running, from both those who come by car and taxis

Protection of Children

Equally there is clearly potential harm to children from the proposed pub There are many children living in our street and in other neighbouring streets, and this is only likely to increase as

the movement of students away from living in HMOs in this area to purpose-built accommodation or housing closer to the city centre continues. Moreover there are primary schools close to the site in both directions along Headingley Lane - Rose Court nursery and pre-prep school at the top of Buckingham Road, and Springbank Primary School on Spring Road. Children going to and from these schools would have to pass a functioning pub at both the start and end of the school day, given that it is applying to open at 8am. Additionally, if proposals that have been under consultation for the Rose Court site to become an additional primary school linked to Springbank, young children would move between the two sites during the school day. Although it is to be hoped that there would be little trouble before 9 a.m., children would be forced to confront the impact of the Otley Run both during the school day on their way home after school. In the evening, children living locally would experience drinkers from the pub passing their homes, in varying states of drunkenness.

It is our contention that granting this licence would, as described and without question, be contrary to all the licensing objectives and would breach the CIP policy for this area. For these reasons we object to the application for a premises licence at the former Elinor Lupton Centre, and urge the licensing authority to refuse the application. If an application like this can be granted, then what is the CIP for?

Richard and Jane Norton

