

I write on behalf of Friends and Residents of Orville Gardens (FROG) 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 FROG is the residents association for Orville Gardens, a small cul-de-sac right opposite the site which is almost entirely occupied by long-term residents, our numbers include both families with young children and elderly people, who would be particularly adversely affected by this proposed pub if it is allowed

We object on the grounds that the proposed licence would be contrary to all four licensing objectives and particularly because it would be in breach of the Cumulative Impact Policy (CIP) for the area, which was introduced precisely to prevent further escalation of the problems that large-scale drinking causes in Headingley

As the Sub-Committee will of course be aware, the CIP for this area states that 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) " Given the location and scale of the proposed new pub, it is simply not possible for the applicant to demonstrate any such thing, and in accordance with council policy is clear that this application should therefore be refused

We say this because not only are the premises located within the CIP area, they are sited right 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 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

In their planning application, the applicant attempted to claim that this pub would not add to the cumulative impact of licensed premises in the area, this claim, which cannot be substantiated, was made 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 Bainbrigge 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, 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 our members and 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 order to get to school – whether one of the primary schools that are close to the site (Rose Court and Springbank), or another school further away – 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, and most likely would have to do this on foot. 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 and on their way home after school. In the evening, children living in Orville Gardens would experience drinkers from the pub in varying states of drunkenness and rowdiness when entering or leaving our street.

It is our contention that granting this licence would, as described and without question, be contrary to all the licensing objectives and would fundamentally breach the CIP policy for this area. For these reasons we object most strongly to this application and urge the Sub-Committee to refuse the application. If an application like this can be granted, then what is the CIP for?

Richard Norton  
Chair, FROG

