

[REDACTED]

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Sent: 17 Oct 2017 12:44:49 +0100

To: Amin, Imtishaam

[REDACTED]

Subject: Zorba's Application at 4 Austhorpe Road, LS15

Attachments: Notes of Meeting at Zorbas Restaurant on 11 Oct 17-ver2-14 Oct 17.docx

Dear Shaam,

I am attaching herewith a copy of the notes of my meeting with Gerti Masllavica, proprietor of Zorba's restaurant. I had a useful meeting with him on the morning of 11 October. I might mention that he supplied me with a copy of his application and risk assessment. We have never been able to find these on the portal, and even up to the evening of 10 Oct they were not there, so far as we could see or check. Needless to say, our job in commenting on the application would have been much easier if they had been available earlier.

It was clear from the documents provided, and from our meeting, that Zorbas's is an upmarket venue, and seeks to provide quiet dining facilities with an attractive pre/post meal drinks venue. Recorded music is low level background music, and live music will be infrequent (1-2 times per month, mainly with private functions), with a single vocalist, self accompanied guitarist, or with piano accompaniment. There will be no performance stage for groups.

As the attached notes indicate, noise breakout will not be an issue as the volume is anyway low and cannot be heard outside (I tested this), and during hot weather windows will not be opened as the air conditioning system to be installed requires them to be closed. Further detail generally on this and other matters is contained in the attached notes, and will not be repeated here.

I explained to Mr Masllavica that our concern was with the double issue of precedent, and the fact that conditions attaching to the license apply to the premises and not to the owner. We would wish the conditions to be expressed in such a way that they can apply to the premises in an enforceable way so that all subsequent proprietors are bound by them, and so that they can also be applied to other premises further up Austhorpe Road, where the risk of noise impact on residences and other premises would be much greater.

On this aspect, Mr Masllavica indicated that he had no objection at all to a general noise inaudibility condition being applied to any permission granted.

At this point, there is not much more we can say, as it seems to be up to the Licensing Committee, if it agrees with the view expressed here, to decide how

such a condition can be applied according to its usual practices.

