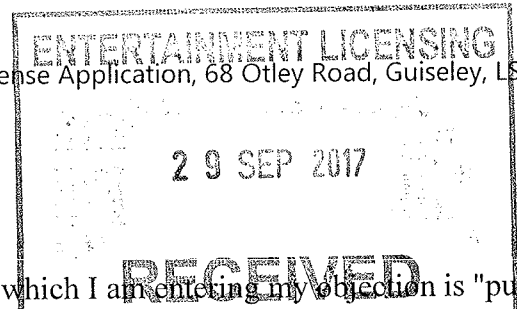


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Appendix D
Prem/04072/001

Nelson, Matthew

From: >
Sent: 29 September 2017 21:02
To: Entertainment Licensing
Subject: Re: Objection to Entertainment License Application, 68 Otley Road, Guiseley, LS20
by Gareth Abraham



Dear Sirs,

Further to my email below, I wish to clarify that the ground on which I am entering my objection is "public nuisance/disturbance", in particular, during unsociable/unreasonable hours, i.e. from early evening until 11pm Monday to Saturday and 5pm to 11pm on Sunday.

The commercial premises at 68 Otley Road was previously used as a take away (which did not sell alcohol) when I moved into my flat in 2010. I had to endure several months of unreasonable behaviour from the business during their time occupying the business premises. In addition, there was a constant smell of indian food (although I believe the food was not prepared at the premises due to the business being owned by Mumtaz Restaurant in Bradford trading as "Jaldi Jaldi") coming from the commercial premises.

I was unable to communicate with the business owner directly because the business was staffed and not run by the business owners themselves. This resulted in numerous clashes with the staff in the take away who did not care that they continued to blast loud music, which came through into my flat, despite my efforts to ask them to reduce the volume to something more reasonable for the time of evening. In addition, the front door of the business premises did not shut properly which resulted in the door banging as it was closing. This shook the whole building.

The door, to this day, has not been fixed to prevent this from happening.

If the applicant proposes to close at 11pm every night, I anticipate that I will have to endure similar behaviour from the occupants which will cause unreasonable disruption to me and cause me to question what they will do next out of spite. This could involve, but not be exclusive to, excessive noise, disruptive noise, excessive noise that is above what would be created when shutting the premises at the end of an evening, for example, clearing up, emptying bins, taking the bins out etc.,. I would also have to endure disruption from any stragglers who attempt to get into the business premises after closing looking for whatever the business purposes to sell/trade in.

Due to the difficulties I experienced with the take away business that previously occupied the premises in question, I cannot see how a business who is seeking an entertainment licence would be any better or whether we can reach common ground if they are looking to open every day from 10am to 11pm, especially on Sunday.

As I am unaware of the type of business the applicant proposes to open at the premises, I can only assume that I will have to endure a similar experience, with the staff and owners of the business saying they can do whatever they want until whatever time they want. This would result in numerous calls to the noise abatement/nuisance team at Leeds City Council and undue stress that all this will cause me to suffer.

Furthermore, if the application includes the sale and consumption of alcohol on the premises, this would only add to the unreasonable disruption that I would have to endure by visitors to the business. The anticipated noise that would be generated by people visiting the business premises up to and after the business is closed would breach also my rights as a private tenant.

As a private tenant, I am entitled to "hours of quiet enjoyment" under a implied covenant contained within my tenancy agreement.

Occupation of the business premises outside unreasonable hours, that which is proposed by the applicant of the entertainment licence, will breach the rights I enjoy under my tenancy agreement if they choose to be unreasonable.

It is clear that the Council have not written to me or any of my neighbours regarding the application and it is also clear that my landlord has failed to take responsibility for the duty of care that they owe me as their tenant. Had it not been for a neighbour who let me know about the notice in the window of the commercial premises, I would not have been aware of it's existence. You cannot rely on people reading a notice taped to the inside of the door or a notice printed in the local paper, which, in today's society, is no longer a sufficient method of notification.

I currently cannot work due to having been diagnosed with a progressive degenerative disease called Psoriatic Arthritis. I am therefore legally recognised as disabled as given at section 6 of the Equality Act 2010. I therefore rarely leave my flat for this very reason. This is why I would not have know about the application.

I have been living in my flat for several years now and I am quite familiar with the noise generated from people coming out of the pubs and bars around the centre of Guiseley, something which is only going to become more of an issue when the "Potting Shed" opens at the old HSBC Bank premises on Oxford Road, Guiseley.

I trust that my objections and representations will be fully noted.

I look forward to hearing from you further in this matter.

Yours faithfully

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PREM/04072/001

Nelson, Matthew

From:
Sent: 02 October 2017 16:37
To: Entertainment Licensing
Subject: Objection to the application of "Entertainment License" 68 Otley Road, Guiseley, LS20 8AH.

To whom it may concern:

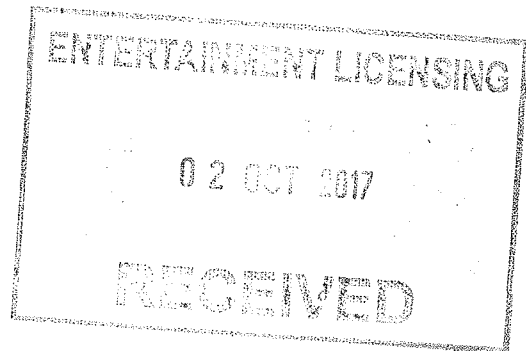
I am writing to you with regards to the application for an "Entertainment License" at the commercial premises at 68 Otley Road, Guiseley, LS20 8AH.

I object to the application made on the ground that it would cause a nuisance to me and my neighbours. There are no bars or pubs that are situated so close to residential properties, especially within such close proximity to my home.

I also object to the sale of alcohol and live/recorded music being played at the premises. We have enough problems with people congregating near our homes to do drugs or other illegal activity. We do not need further problems that will inevitably occur if the license is granted.

I confirm that I will be attending the hearing once a date has been set after the notice/consultation period ends on 15 Oct 2017.

Yours sincerely,



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White, Emma

From: Phillips, Adam on behalf of Wadsworth, Cllr Paul
Sent: 12 October 2017 11:08
To: Deighton, Charlotte
Subject: PREM/04072/001 - 68 Otley Rd
Attachments: Document6.docx

Dear Ms Deighton,

Please find attached a letter regarding the licensing application for 68 Otley Road.

I would be grateful if you could inform me of the next steps with this application and if you could keep me informed of its progress please.

Thank you,

Councillor Paul Wadsworth
Guiseley and Rawdon Ward



Charlotte Deighton
Licensing Officer
Entertainment Licensing

(By Email)

Councillor Paul Wadsworth
Conservative Group Office
2nd Floor East
Civic Hall
Leeds
LS1 1UR

Date: 9 October 2017

Dear Ms Deighton

PREM/04072/001 - Cafe/Bar, 68 Otley Road, Guiseley, Leeds, LS20 8AH

I would like to place on record my objection to the above application.

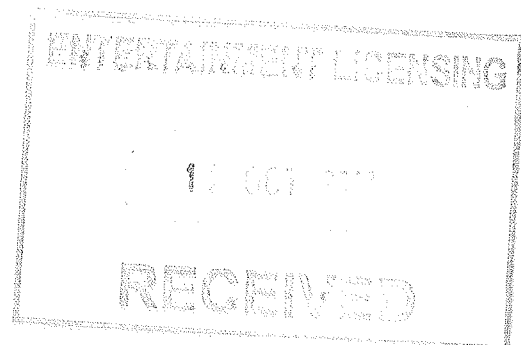
My concerns relate to the close proximity of the premises to residential properties above and nearby, and the inevitable noise nuisance that will result from the operation of the business, particularly from the outside area and the recorded music.

I also have concerns about the lack of any parking and the close proximity of other licenced premises

I would ask that, in the event the application is granted, that conditions are placed on the licence that ensure the outside area is closed at a reasonable hour.

Yours sincerely

Councillor Paul Wadsworth
Guiseley & Rawdon Ward





White, Emma

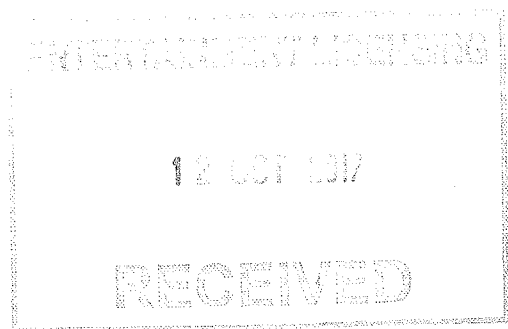
From: Phillips, Adam on behalf of Latty, Cllr Graham
Sent: 12 October 2017 10:35
To: Deighton, Charlotte
Subject: PREM/04072/001 - 68 Otley Rd
Attachments: 68 Otley Rd application oct17.doc

Dear Ms Deighton,

Please find attached a letter in respect of the licence application for 68 Otley Road.

Regards,

Councillor Graham Latty
Guiseley and Rawdon Ward



Councillor Graham Latty

**Charlotte Deighton
Licensing Officer
Entertainment Licensing**

(By Email)

11 October 2017

Dear Ms Deighton,

PREM/04072/001 - Cafe/Bar, 68 Otley Road, Guiseley, Leeds, LS20 8AH

I am writing to object to the above licence application on the grounds of the likely noise nuisance to the residents above and nearby the bar. The proposed use of recorded music and an outside area will likely cause noise issues for these residents.

I would be grateful if you would record this objection as part of your determination of this application.

Yours sincerely

**Councillor Graham Latty
Guiseley and Rawdon Ward**

