



MIA Properties Leeds Ltd
15 Crosshills
Kippax
Leeds
LS25 7JP

Environmental Protection Team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

Contact: Mrs. Vanessa Holroyd
Tel: 0113 395 1162
Fax: 0113 247 4947
vanessa.holroyd@leeds.gov.uk
Our reference: PREM/00708/005
19 August 2011

Dear Sirs

Licensing Act 2003

Name of Premises: White Swan

Address: 15 Cross Hills, Kippax, Leeds, LS25 7JP

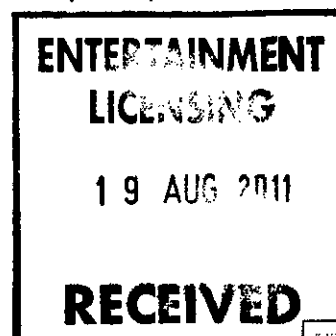
Thank you for submitting your application for the above premises.

Leeds City Council's environmental action service is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

However you could meet this objective by incorporating certain identified measures within your operating schedule. Therefore, please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible.



If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours faithfully

Mrs. Vanessa Holroyd
Senior Environmental Health Officer

Encs

PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan

Address: Cross Hills, Kippax, Leeds, LS25 7JP

The application premise is located in Kippax town centre and is in close proximity to residential properties. This application is to use a garage as a bottle bar with recorded music. The main access to the garage appears to be through a roller shutter door. There is currently a planning application being considered for the conversion of a first floor flat above the premises into two flats which are to be let out to private tenants.

Planning permission will also need to be sought for the change of use of the garage to A4.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be restricted in the garage bottle bar to sale by retail of alcohol only.
2. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises being properties located on high street, Kippax during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
3. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 11 pm except for smoking.

Signed:

Dated:

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan
Address: Cross Hills, Kippax, Leeds, LS25 7JP

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's *environmental action service*, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

Please return this document to:

Environmental protection team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

PART 3

To be completed by the applicant or applicant's representative

Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan
Address: Cross Hills, Kippax, Leeds, LS25 7JP

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's environmental action service.

In this instance we understand that Leeds City Council's environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

Environmental protection team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP