

Mr. Neil Ewin  
Oaklands Manor  
Thorner Lane  
Scarcroft  
LS14 3AH

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

Contact: Mr Mudhar  
Tel: 0113 3951171  
Fax: 0113 2474947  
Gurdip.mudhar@leeds.gov.uk  
Your reference:  
Our reference: PREM/03095/001  
7<sup>th</sup> November 2011

Dear Mr. Ewin

**Licensing Act 2003**

**Name of Premises: The Spice Box Limited**

**Address: 152 High Street, Boston Spa, Wetherby, LS23 6BW**

Thank you for submitting your application for the above premises.

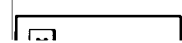
Leeds City Council's environmental action service is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

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 sincerely

Mr. Gurdip Mudhar  
Senior Environmental Health Officer.

## **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: The Spice Box Limited  
Address: 152 High Street, Boston Spa, Wetherby, LS23 6BW**

The application relates to an end terraced ground floor restaurant which is located within a mixed residential and commercial part Boston Spa High Street. I believe the upper floor levels (3 storey building) have recently been granted planning permission for change of use to residential flats. Further residential dwellings are located to the rear of the application premises on St Mary's Street.

It is this Department's concern that due to the close vicinity of the noise sensitive properties, there is the potential for noise disturbance being use as a result of comings and goings of customers, possible noise breakout from the premises from playing amplified music, noise from kitchen extractor and other equipment such as compressors for refrigeration etc

Having considered the application 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 Prevention of public nuisance objective of the Licensing Act 2003.

### **Noise and Vibration**

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
2. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises which are located directly above the application premises and to the rear of the application premises on St Marys Street.
3. There shall be no external loudspeakers
4. Bottles will not be placed in any external receptacle between 8:00 pm and 7 am the following day to minimise noise disturbance to neighbouring properties.
5. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.

6. The PLH/DPS will ensure patrons and staff use external areas (including smoking) in a manner which does not cause disturbance to nearby residents and business in the vicinity.
7. The activities of persons using the external areas shall be monitored and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.
8. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.

#### **Litter**

9. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

#### **Transport / Pedestrian Movement**

10. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.
11. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

Signed:

Gurdip Mudhar (Senior Environmental Health Officer)

Dated: 7<sup>th</sup> November 2011

**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: The Spice Box Limited  
Address: 152 High Street, Boston Spa, Wetherby, LS23 6BW**

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:

Gurdip Mudhar  
Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds, LS2 9ND

**PART 3**

**To be completed by the applicant or applicant's representative**

**Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: The Spice Box Limited**

**Address: 152 High Street, Boston Spa, Wetherby, LS23 6BW**

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:

Gurdip Mudhar.  
Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds, LS9 0NP