×		•

Mr. Umer Chohan 70 Fitzroy Drive Leeds LS8 1RP Environmental protection team Leeds City Council Knowsthorpe Gate Cross Green Leeds LS9 0NP

Contact: Mr. Mudhar Tel: 0113 3951171 Fax: 0113 2474947

Gurdip.mudhar@leeds.gov.uk
Our reference: PREM/03143/001

Date: 20th February 2012

Dear Sir

Licensing Act 2003

Name of Premises: Domino's Pizza T/a Yorkshire Doughball Ltd Address: Dominos Pizza, 88 Street Lane, Roundhay, Leeds, LS8 2AL

Environmental Health (Prevention of Public Nuisance) Letter of Representation – Full Objection.

Thank you for submitting your application dated 18th January 2012 for a late night refreshment licence.

The application premises are situated on a busy Street Lane and lies amongst the parade of shops. I understand there is a living accommodation directly above the application premises. The premises is joined to a licensed premises (at Home Bar and the Curry Lounge above) to the left when facing the premises and to the right, it joined to the Sun Shine Tanning Studio which has a living accommodation above. Further residential flats are located above the offices on No: 92 Street Lane.

I believe the current opening hours of the premises as per Planning approval which was grated in 1991 are as follows:

Monday – Saturday:

08:00 hours - 23:30 hours

The applicant is now seeking to extend the opening times of the premises to provide late night refreshments (under the licensing Act 2003) as follows:

10:00 hours – 04:00 hours Monday – Sundays.

Impact on neighbouring properties (Late night noise and disturbance)

This Department has some concerns that the late night opening hours of the premises will generate noise nuisance complaints from the residents living above the shops by way of comings and goings of customers, staff making deliveries, opening and closing of shop door and noise from vehicles (banging doors, car stereos, engines revving etc). The Department have previously received complaints of noise disturbance from the occupants of these flats (in 2009) from the noise disturbance caused by patrons linked to the at Home Bar during the anti-social hours.

Additionally, the Department is also concerned about the possible noise disturbance being caused to the residents in the flat above from the activities in the commercial kitchen below. It is not known if there is an adequate sound insulation between residential flat and the Dominos Pizza. It is possible that the residents have adapted to the noise knowing that the premises would be closing at 23:00 hours; however, this would not be tolerable if the premises are allowed to open until 4:00 hours as proposed.

In view of the above concerns, Leeds City Council's Health and Environmental Action Service (HEAS) fully objects to this application as it will generate noise nuisance complaints from the residents and, therefore would undermine the prevention of public nuisance objective of the Licensing Act 2003.

However, should the Licensing sub-committee be minded to grant the premises licence, it is recommended that the committee should have regard to the following licensing conditions being imposed to this licence:

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 situated directly above the application premises.
- 3. There shall be no playing of amplified music on the premises by staff.
- 4. Commercial waste will not be placed in any external receptacle between 11 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 residential flat situated above the application premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
- 6. The activities of persons using the external areas shall be monitored after 11 pm 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.

Litter

7. The Premises Licence Hollder 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

- 8. Clear and legible notices will be displayed in the car park requesting customers 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.
- 9. 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.

Yours faithfully

Gurdip Mudhar Senior Environmental Health Officer