

Parties Notice of Intention

Licensing Act 2003



Application No: PREM/03180/001

Name of Applicant/premises: Chao Phraya Limited / Chao Phraya

Date of Hearing: 6 June 2012

I am:

The applicant/licence holder

A responsible authority

An interested party

Name: CHAO PHRAYA LIMITED

Address: CHAO PHRAYA, BLAYDS COURT
20 SWINEGATE LEEDS
LS1 4AG

I will be attending the hearing

I will not be attending the hearing

I will be represented at the hearing by:

JAMES STATION OF SCOTFIELD SWEENEY, CHURCH BANK
HOUSE, CHURCH BANK, BRADFORD BD1 4DY

NB if you complete this section all further correspondence will be sent to your representative

Note to interested parties

If you say that you will not be attending the hearing the committee will make it's decision based upon your written representation.

If you wish to withdraw your representation please tick here

or

If you consider that a hearing can be dispensed with please tick here

Please give details as to why you think a hearing can be dispensed with.
(e.g. because you have reached agreement with the other party on conditions)

WITNESSES

Please set out below the name of any person you wish to appear at the Hearing (other than your representative) and give brief details of what you want the witness to tell the Committee. You will only be allowed to call the witness if the Committee gives permission.

Name	Evidence to be given
RACHEL MAYET	Operation of the premises and steps taken to further the licensing objectives.

DOCUMENTS

Please list below and attach any documents (other than your application or written objections) that you wish the Committee to consider and indicate whether copies have already been sent to the other parties.

Document	Copy sent
1. Fulfilment of notice procedures declaration	✓
2. Application summary	✓

Please return this form to:

Entertainment Licensing Section
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Fax: 0113 224 3885

Email: entertainment.licensing@leeds.gov.uk

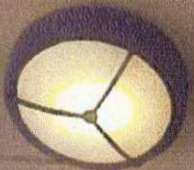
**Licensing Act 2003
fulfilment of notice
procedures declaration**



Leeds
CITY COUNCIL

Name:	CHAO PHRAYA LIMITED	
Premises name:	CHAO PHRAYA	
Address:	BLAYOS COURT, 20 SWINEGATE, LEEDS	
Postcode:	LS1 4AG	
Type of business / organisation:	Pub / bar <input type="checkbox"/> Night club <input type="checkbox"/> Restaurant <input checked="" type="checkbox"/> Takeaway <input type="checkbox"/> Members only club <input type="checkbox"/> Community centre/village hall or similar <input type="checkbox"/> Cinema <input type="checkbox"/> Theatre <input type="checkbox"/> Other (details).....	
Blue Notice (tick the appropriate box and delete as applicable)	1) <input checked="" type="checkbox"/> I display will display a blue notice(s) at / on the premises from: <u>12 APRIL 2012</u> to <u>10 MAY 2012</u>	
	The location of the blue notice(s) was will be: <u>Swinegate & Blayos Court - see 5 attached photographs.</u>	
	2) <input type="checkbox"/> My premises is larger than 50 meters square and I have placed/will place multiple blue notices at 50 meter intervals along the external perimeter of the premises and or next to any highway.	
Newspaper Advert	Date advert appeared/ is due to appear:	13 APRIL 2012
	Publication name:	The Yorkshire Post
I hereby certify that I have fulfilled my obligations about the 'advertisement of applications' under Paragraph 25 and 26 of the Licensing Act 2003 premises licences and club premises certificates regulations 2005 (please find details above.)		
Signed <u>JM Stata for Kelo Field Sweeney</u> Date <u>17/4/12</u> <u>Solicitor for the Applicant.</u>		
It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with a licensing application.		
Please return this form to Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR		

Chaophraya



Chaophraya
LIVE RESTAURANT & BAR







Chaophraya
THAI RESTAURANT
OPEN ALL DAY FOR FOOD & DRINK

IN THE MATTER OF A PREMISES LICENCE APPLICATION
AND IN THE MATTER OF THE LICENSING ACT 2003
AND IN THE MATTER OF AN APPLICATION BY CHAO PHRAYA LIMITED

APPLICATION SUMMARY

1. The Applicant, Chao Phraya Limited, is applying for a Premises Licence for the ground and first floors at Blayds Court, 20 Swinegate, Leeds, LS1 4AG. Plans showing the premises as they currently are and how they are proposed to be are at Annex A.
2. The Applicant already holds a Premises Licence for the first floor at the premises; Licence number PREM/01090. This was issued on 3 September 2005 on conversion from the former Justices' Licence which covered the premises.
3. The current Licence allows the following licensable activities
 - 3.1 The occasional performance of traditional Thai music;
 - 3.2 The playing of recorded background music;
 - 3.3 The occasional performance of traditional Thai dancing;
 - 3.4 The provision of late night refreshment;
 - 3.5 Supply of alcohol.

The application is for the same licensable activities as currently provided for by the existing Premises Licence and for the same times of operation and opening as under the current Licence.

4. Chao Phraya has carried on business at the premises for over 7 years. It is a Thai themed restaurant providing up market a la carte fine dining. The operation is food led and the supply of alcohol is ancillary to meals. There is a bar area used primarily by diners before and after meals. Average spend per head is £30 to £40. The restaurant has an excellent reputation:
 - *'Top 3 Thai restaurants within the UK'* – The Guardian
 - *'Number 1 Vegetarian in the UK'* – The Times
 - *'Best Thai outside of London'* – Harden Good Food guide
 - *'Top 10 Restaurants in the UK'* – The Times

5. The restaurant is the first of what is now a group with other restaurants in Manchester, Trafford Centre, Liverpool (three in the Liverpool 1 complex), Meadowhall Sheffield and Bullring, Birmingham with another opening in Glasgow in July 2012.
6. The current restaurant provides good quality surroundings for its diners; photographs showing the restaurant as it is are at Annex B. The proposed extension into the ground floor will involve complete refurbishment at a cost of £1.4m to provide a high quality setting for customers. The restaurant is at the gateway to Leeds and the re-furbished ground floor will display a high quality glazed frontage showing the private dining area of the restaurant. The private dining areas are designed for corporate customer dining and private celebration events, i.e. birthdays. At Annex C are some impressions of the look of the new restaurant.
7. Chao Phraya takes its responsibilities to promote the licensing objectives seriously. Section "P" of the application sets out the steps which will be taken to ensure those objectives are promoted. These are the same as which govern the current operation of the restaurant. There have been no incidents at the restaurant to which the Police have had to attend and nothing has been drawn to Chao Phraya's attention to suggest its patrons have been involved in crime or disorder or public nuisance after leaving it.
8. Additional staff will be recruited for the expanded premises and all will be properly trained so that they are aware of the obligations and responsibilities upon them to ensure compliance with the licence requirements.
9. It is submitted that the fact that the Applicant has a proven track record of successful, trouble free operation must weigh heavily with the Sub Committee.
10. The Applicant wishes to make a substantial investment (£1.4m) in the extension and refurbishment of the premises with the intention of continuing to provide a high quality fine dining experience to its customers. Thai themed food is at the heart of the operation – alcohol is ancillary to meals.
11. The Restaurant with its obvious emphasis on food does not attract casual drinkers; the bar is designed for use by diners.
12. It is accepted the premises fall within the City Centre Cumulative Impact Area. However, it is submitted that notwithstanding its location, the applicant demonstrates that its application satisfies the Committee's requirement that the grant will not add to the impact already experienced:-
 - 12.1 Whilst in the City Centre it is not one of the "hot spot" areas, it has Bibis opposite and is in a quiet part of the town;
 - 12.2 The Applicant has set out in detail in section P of its application how it will promote the Licensing Objectives;

- 12.3 The conditions at section P are taken from its existing Licence for the premises which have operated successfully for over 7 years without incident;
- 12.4 The supply of fine Thai themed food in a high quality setting is at the heart of the Applicant's operation; the supply of alcohol is very much ancillary to that;
- 12.5 Whilst the application provides for the supply of late night refreshment, the nature of the Applicant's operation does not attract late diners who are looking for a quick, cheap meal after public houses have closed;
- 12.6 There is nothing specifically targeted to the Applicant's premises in the representations made by West Yorkshire Police;
- 12.7 The Applicant and its management (Mr Stead and his partner Ms Kaewraikhot who founded and control the business live in Leeds city centre) share the concerns of the Council and the Police about the City centre; they want it to be a safe environment for their customers and so have put in place appropriate conditions in Section P of the application to ensure that the Applicant promotes the Licensing Objectives. Whilst there is an outside area at ground floor and a first floor terrace, conditions P(b)5 and P(b)6 respectively provide that there shall be no external loudspeakers and that customers cannot use the external areas after 11.00pm;
- 12.8 It is questionable whether a relevant representation has been made by the Police under paragraph 13.30 of the Guidance to Section 182 Licensing Act 2003. The representation submitted appears to be of a generic nature and does not make any specific reference to the Applicant's premises which have operated without incident for several years or the conditions proposed by the Applicant in Section P of its application.

Conclusion

13. It is submitted that the Sub-Committee can be satisfied that this is an application which satisfies the rebuttable presumption at paragraph 13.29 of the Guidance under Section 192 Licensing Act 2003 and that granting the application will not add to the impact already being experienced in the Leeds City Centre.

This 28 day of May 2012



Schofield Sweeney Solicitors LLP
Church Bank House
Church Bank
Bradford BD1 4DY
Tel: 01274 306000
Ref: JMS/1424.19
Solicitors for Chao Phraya Limited

IN THE MATTER OF A PREMISES LICENCE APPLICATION

AND IN THE MATTER OF THE LICENSING ACT 2003

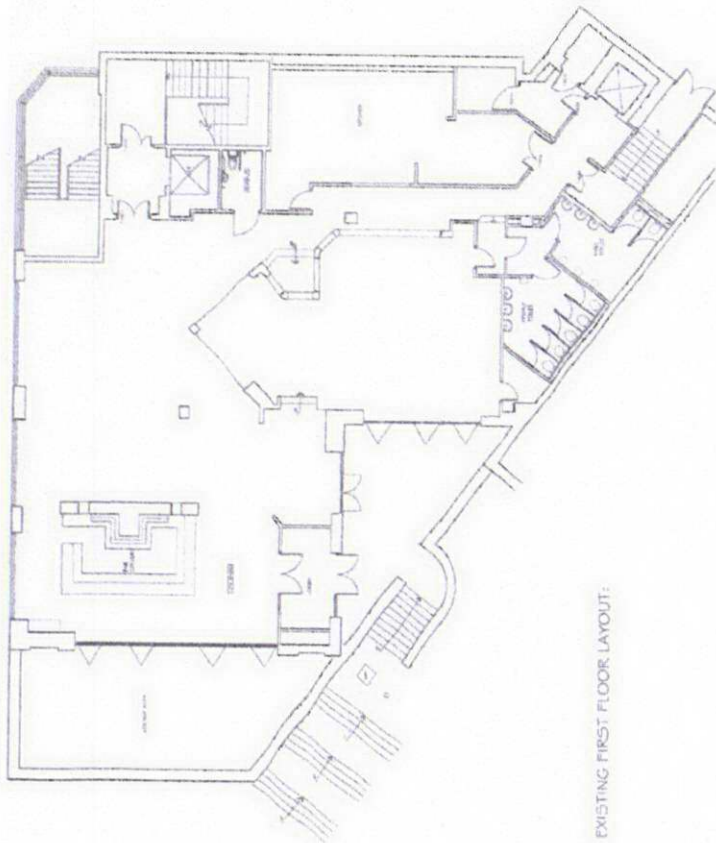
AND IN THE MATTER OF AN APPLICATION BY CHAO PHRAYA LIMITED

APPLICATION SUMMARY

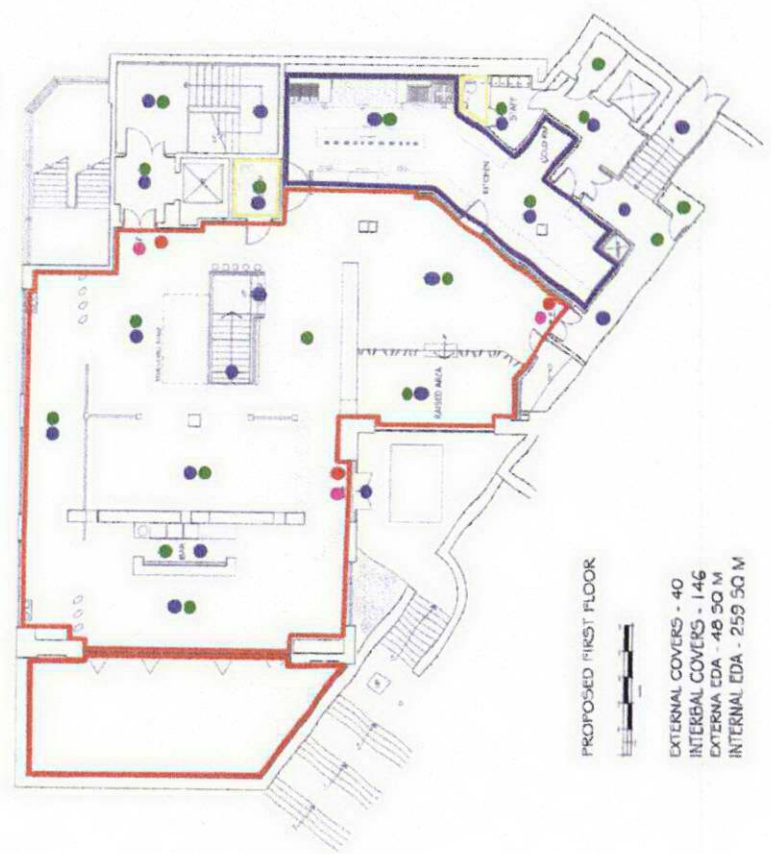
ANNEX A



LOCATION PLAN : SCALE 1 : 1250



EXISTING FIRST FLOOR LAYOUT:



- BREAK GLASS CALL POINT
- AREA TO BE COVERED BY EMERGENCY LIGHTING
- AREA TO BE COVERED BY SMOKE / HEAT DETECTION (AS APPROPRIATE)
- ILLUMINATED EMERGENCY EXIT SIGN

PROPOSED FIRST FLOOR

EXTERNAL COVERS - 40
 INTERNAL COVERS - 146
 EXTERNA EDA - 48 50 M
 INTERNAL EDA - 259 50 M

THIS PLAN, SPECIFICATION, CONTRACT AND DRAWINGS SHALL BE READ TOGETHER TO BE INTERPRETED AS A SINGLE DOCUMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.
DATE: 18.03.2019

CHAOPHRAYA LEEDS SWINEGATE
 FIRST FLOOR LICENSING

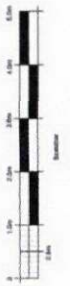
DRAWING TITLE: FIRST FLOOR LICENSING
 SCALE: 1:100 @ A1
 DATE: MARCH 2019
 DRAWN BY: TJM

PROJECT NO: JMDA1016A/L2

JMDA LTD
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

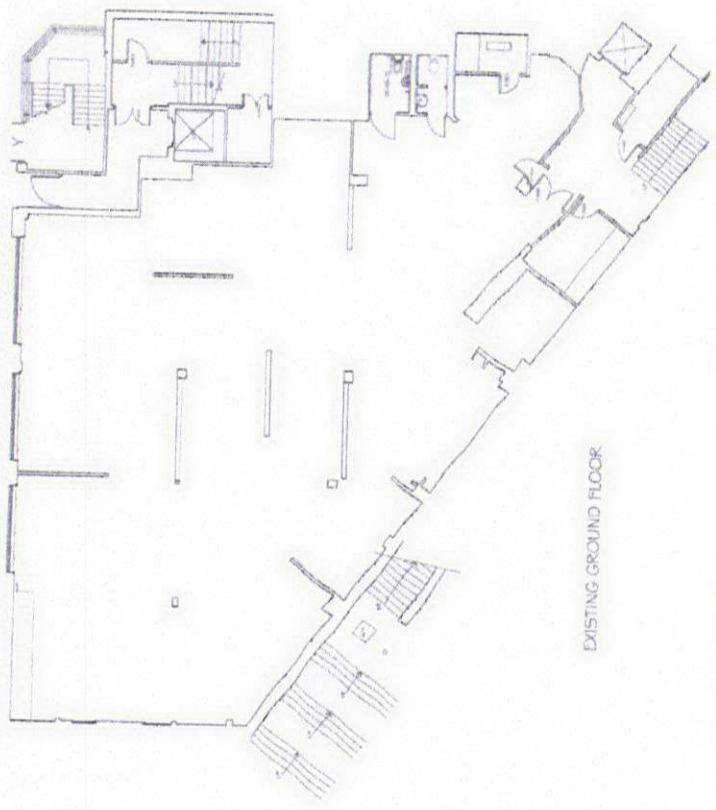


PROPOSED FIRST FLOOR
 5188 SQ FT
 146 COVERS

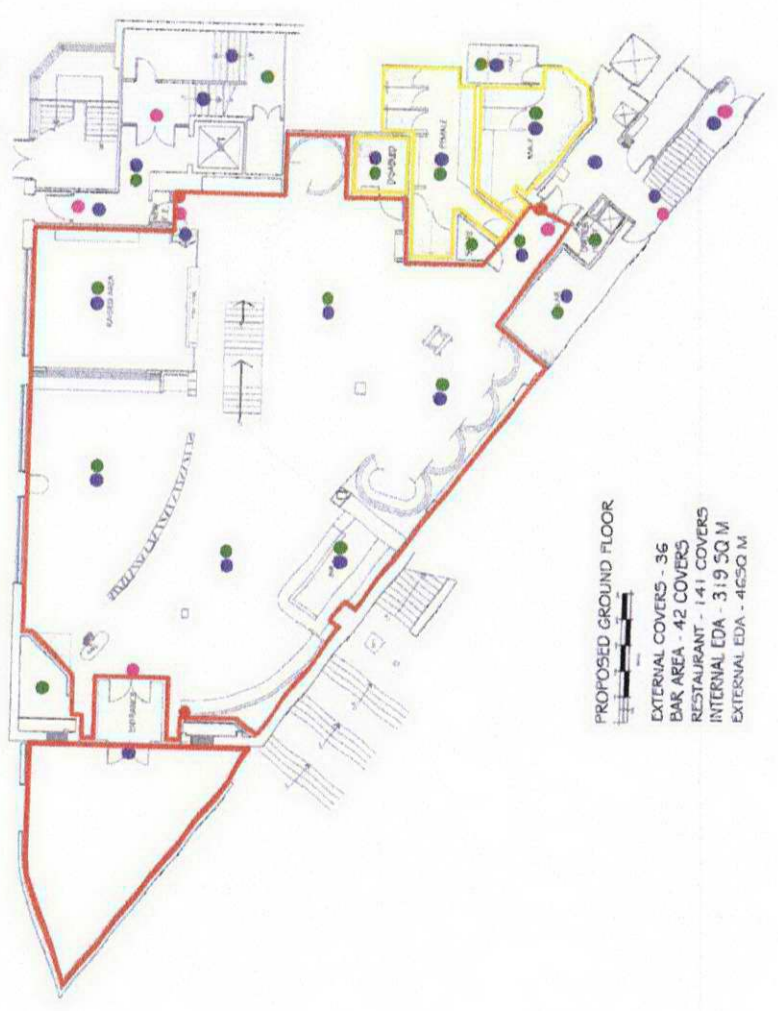




LOCATION PLAN : SCALE 1:1250



EXISTING GROUND FLOOR



PROPOSED GROUND FLOOR

- EXTERNAL COVERS - 36
- BAR AREA - 42 COVERS
- RESTAURANT - 141 COVERS
- INTERNAL ADA - 319 SQ.M
- EXTERNAL ADA - 4650 M

- DRINK GLASS CALL POINT
- AREA TO BE COVERED BY EMERGENCY LIGHTING
- AREA TO BE COVERED BY SMOKE / HEAT DETECTION (AS APPROPRIATE)
- ILLUMINATED EMERGENCY EXIT SIGN

THIS PLAN IS TO BE USED IN CONNECTION WITH THE LICENSING APPLICATION TO BE MADE IN CONNECTION WITH THE LICENSING ACT 2003. THE LICENSING AUTHORITY IS TO BE ADVISED TO HEREAFTER.

DATE: 15.12.12

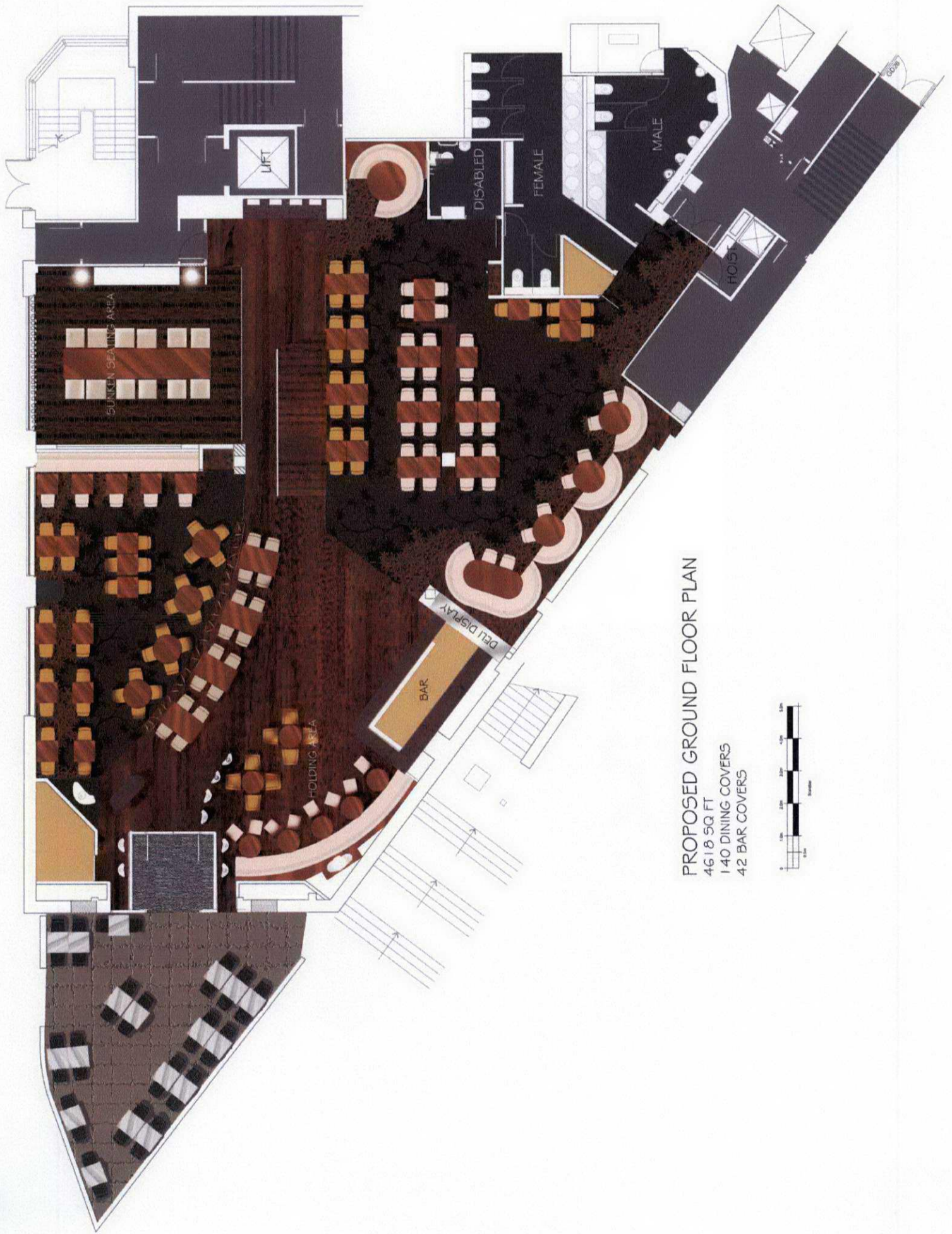
CHAOPHRAYA
LEEDS
SWINGGATE

GROUND FLOOR LICENSING

SCALE	1:100 @ A1
DATE	MARCH 2012
PROJECT NO.	JMDA1016A/L1
DATE	17.03.12

Jmda
JMDA CONSULTANTS

ALAN J. JONES
17 The Arcade Building
100-102, The Arcade
Leeds LS1 6PL
www.jmda.co.uk



PROPOSED GROUND FLOOR PLAN
 4618 SQ FT
 140 DINING COVERS
 42 BAR COVERS



IN THE MATTER OF A PREMISES LICENCE APPLICATION
AND IN THE MATTER OF THE LICENSING ACT 2003
AND IN THE MATTER OF AN APPLICATION BY CHAO PHRAYA LIMITED

APPLICATION SUMMARY

ANNEX B







IN THE MATTER OF A PREMISES LICENCE APPLICATION
AND IN THE MATTER OF THE LICENSING ACT 2003
AND IN THE MATTER OF AN APPLICATION BY CHAO PHRAYA LIMITED

APPLICATION SUMMARY

ANNEX C













