

## APPENDIX D



Xpress Foods UK Ltd  
96 Folkestone Street  
Bradford  
BD3 8AT

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

Contact: Mrs. Vanessa Holroyd  
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Our reference: PREM/03198/001  
14 June 2012

Dear Sir/Madam

### **Licensing Act 2003**

**Name of Premises: Baguette Express**

**Address: Unit 3, 7 Duncan Street, Leeds, LS1 6DQ**

Thank you for submitting your application for the above premises.

The application premises is a recently opened sandwich shop situated in a retail parade in the city centre with a late night basement bar below and residential accommodation above. The premise is located in Cumulative Impact Policy area 1.

The premise is currently trading as a sandwich shop only with A1 use and its hours under planning are restricted to 08.00 hours to 18.00 hours Monday to Friday, 08.00 hours to 17.00 hours on Saturdays and standard hours on Sundays.

There is planning permission for A5 (Hot Food Take Away) use of this premises with opening hours allowed 09:00 to 24:00 Monday to Saturday and 10:00 hours to 24:00 hours Sunday but the applicant has not applied to discharge the conditions which would allow it to trade as A5.

This licensing application is for the premises to be a fast food takeaway to have opening hours Monday to Sunday 07:00 to 02:00 hours the following day with Late Night refreshment from 23:00 to 02:00 hours the following day. Should this application be granted then planning approval will need to be sought for those hours as well as A5 use.

Noise complaints have been received about a licensed premise in the parade since 2010 and legal notices have been served for statutory noise nuisance from raised voices in their outside area as well as amplified music. The most recent noise complaint was received in May 2012.

The hours applied for with very early opening and very late closing are likely to give rise to public nuisance from customers arriving and leaving, noise being transmitted through the structure to residents above and also from early morning deliveries. Also there is insufficient information provided with this application as to how you will meet the licensing objective of prevention of public nuisance.

Therefore, in view of the above circumstances and that the premise is in a Cumulative Impact Area, this Department fully objects to the application being granted.

Yours faithfully

Mrs. Vanessa Holroyd  
Senior Environmental Health Officer