

Entertainment Licensing
Leeds City Council
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Environmental protection team
Leeds City Council
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Our reference: 12/29720/TENOBJ
Date: 13th August 2012

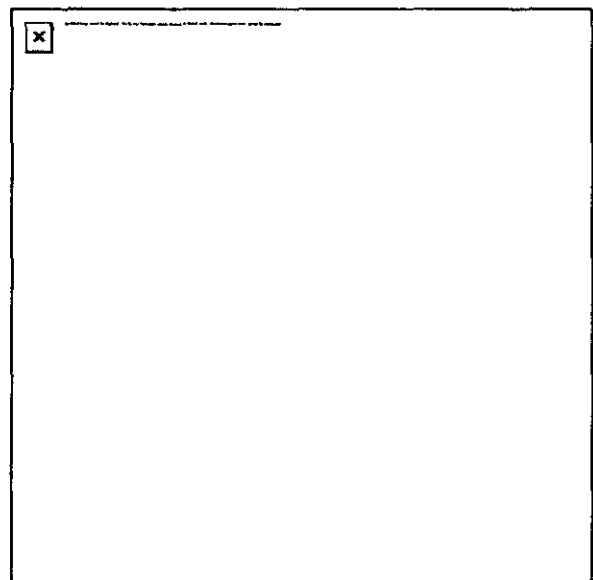
Dear Sir / Madam

Notice of Formal Objection to TEN/01384/12
Licensing Act 2003
Unit 10 Shaftesbury Parade Harehills Lane Harehills Leeds LS9 6PJ

I refer to the above-mentioned Temporary Event Notice which has recently been sent to Environmental Health for consultation.

www.leeds.gov.uk

general enquiries 0113 222
4444



The application premises consists of a former Shaftsbury Cinema which is situated on the junction of York Road and Harehills Lane, Leeds 9. The ground floor of the building had been converted into retail units and the upper floor level is currently vacant and had been used as a bar (known as Starlight Bar) until 2 March 2012 when the Premises Licence was surrendered (by Mr. Nawaz Khan). The licence formally lapsed on 30 March 2012. When the Premises licence was in force the licensable activities were granted from 11.00am till 11.00 pm Monday to Sunday.

Immediately to the rear of the site is a Job Centre and diagonally opposite (some 30 metres away) on Harehills Lane is a parade of six shops with residential accommodation above. Immediately to the rear of the shops is densely populated residential area. Further residential flats are situated some 100 metres to the north of the site along Harehills Lane.

When the Premises Licence was in force, applications were submitted (in 2010 / 11) to vary the licensable activities until late night hours. During my site visits to the premises it was noticed that the ceiling above the dance floor was acoustically weak and incapable of providing sufficient resistance to the passage of amplified sound. These premises were not air conditioned, therefore the customers had to open the windows for ventilation purposes. The aluminium windows (which covered large area of glazing to the front elevation of the building) were doubly glazed but the window frames were found to be very old and ill-fitting.

The applications for the variation of the premises licence were not supported by an Environmental Health on the grounds of possible public nuisance from comings and goings of people, noise associated with vehicles (banging doors, car stereos, revving engines etc). There is no dedicated car park or parking spaces available for the patrons close to the application premises, most of the vehicles were going to be parked in the streets immediately surrounding the residential properties. I understand that these applications were also objected to by the Police on the grounds of crime and disorder. Hence the applications were either withdrawn prior to the hearing or refused during the hearing.

Noise complaints

An Environmental Health has received a noise complaint made by a nearby resident to the Council's Licensing Section regarding loud music being played at the premises which had caused a sleep disturbance. The complaint was made as a result noise breaking out from the premises during the event which was held on Sunday the 21st November 2010 at 1.00am. The event was permitted under the Temporary Event Notice. The complainant in question had indicated that although other residents in the neighbourhood had been affected by the noise, however, due to fear of reprisals they did not wish to make complaints to the Council.

I understand that the noise complaints from loud music breaking out from the premises have recently been made to the Licensing Section by the local residents which are currently under investigation by the Licensing Enforcement officers. It appears that the premises may have been used for entertainment purposes without the Premises Licence and without the Temporary Event Notices.

An application for the premises licence has now been submitted by Mr. Jean- Claude Dooh (who is also the applicant for this TEN) which is currently being considered by an Environmental Health and the other responsible authorities.

TEN Application

The proposal consists of carrying out the following licensable activities on the 25th August 2012 from 14:00 hours to 06:00 hours the next day.

- supply of alcohol
- provision of regulated entertainment
- Provision of late night refreshment.

In view of the above this Department has concerns that the licensing objective for the prevention of public nuisance will not be met should this event take place as it will cause unnecessary noise nuisance for local residents and hence is formally serving notice that we will be objecting to this Temporary Event Notice.

Yours faithfully

Gurdip Mudhar
Senior Environmental Health Officer)