

Mr. Jean-Claude Dooh  
59 Bexley Avenue  
Harehills  
Leeds  
LS8 5LT

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP

Contact: Mr. Mudhar  
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Our reference: PREM/03218/001  
Date: 13<sup>th</sup> August 2012

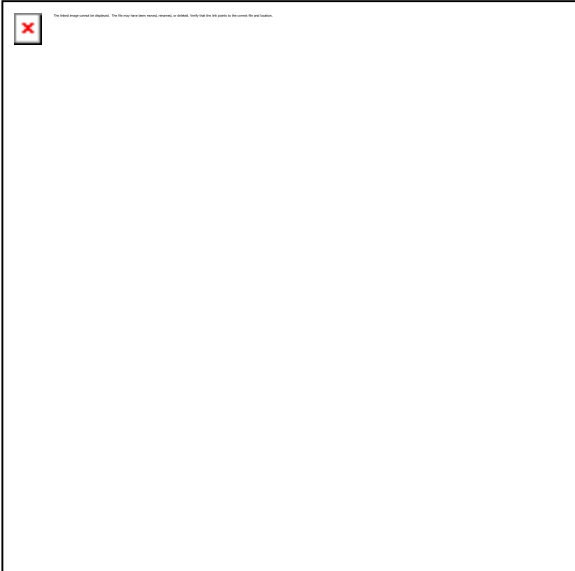
Dear Mr. Dooh

**Licensing Act 2003**  
**Name of Premises: Afro Diaspora**  
**Address: Unit 10, Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6PJ**

**Letter of Representation – Full Objection**

[www.leeds.gov.uk](http://www.leeds.gov.uk)

general enquiries 0113 222  
4444



Thank you for submitting your application dated 13<sup>th</sup> July 2012 for the above premises.

### The Premises

The application premise 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 has 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. I understand that the premises Licence for this venue has now lapsed. When the Premises licence was in force the licensable activities were granted from 11:00 hours till 23:00 hours 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.

### Background

In 2010-11 the applications to vary the licensable activities till late night hours were submitted by the previous applicants which were not supported by an Environmental Health on the grounds of possible public nuisance issues by way of 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 will be parked in the streets immediately surrounding the residential properties.

The ceiling above the dance floor is acoustically weak and incapable of providing sufficient resistance to the passage of amplified sound. The premises are not air conditioned; therefore the windows are most likely to be opened for ventilation especially during the summertime. The aluminium windows (which covered large area of glazing to the front elevation of the building) are doubly glazed, however, the window frames are very old and ill-fitting.

I believe the previous applications (for late night licensable activities) were either refused or the applications were withdrawn by the applicants. I understand that those applications were also objected to by the Police.

### 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 21<sup>st</sup> 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.

### Proposed Licensable Activities

#### Supply of alcohol, Recorded music, performance of Dance, Late Night Refreshment

11.00 hours 02:00 hours      Monday – Thursday

11.00 hours 04:00 hours    Friday & Saturday  
12.00 hours 01:00 hours    Sundays

The proposed licensable activities until late night hours have the potential to increase the late night revellers in the area. Having regard to the nature of structure (acoustically weak ceiling and ill-fitting window frames), this will not prevent amplified music and voices escaping from the premises. In view of these concerns, Leeds City Council's Health and Environmental Action Service fully objects to this application being granted as it will likely to cause noise nuisance to neighbouring noise sensitive properties thus undermining the prevention of public nuisance objective of the Licensing Act 2003.

Yours sincerely

Gurdip Mudhar.  
Senior Environmental Health Officer.