

From:Chari, Hughin
Sent:16 May 2023 10:04:02 +0100
To:Musson, Martyn
Cc:Entertainment Licensing
Subject:FW: Fw: qualified objection for application PREM/05101/001

Good morning,

The applicant has agreed to our proposed conditions in relation to prevention of public nuisance. The EPteam will now withdraw our objection. As mentioned in the email, we are withdrawing conditions 6 and 7 on the prevention of public nuisance part but the other conditions are to remain in the licence if it is granted. I will now draft a no objection letter on behalf of the EPteam.

Kind regards

Eugene Chari

Senior Technical Officer

Leeds City Council

Environmental Health Services

Millshaw Parkway

Leeds

LS11 OLS

0113 37 89367

From: Clare Nakamura [REDACTED]
Sent: 11 May 2023 21:10
To: Chari, Hughin [REDACTED]
Subject: Re: Fw: qualified objection for application PREM/05101/001

Good evening,

Thank you for your reply. We are able to agree the queried first and second conditions above and note that the sixth and seventh conditions will be withdrawn. Please provide an updated Qualified Objections letter so that we can formally confirm.

Best wishes,

Clare Nakamura

On Fri, 5 May 2023 at 11:11, Chari, Hughin [REDACTED] wrote:

Good morning,

Thank you for your email.

In relation to condition 1, we do not have a set decibel level of what would be considered too noisy , we usually ask operators to walk around the perimeter of their premises listening out for noise and if this is clearly audible at the nearest noise sensitive premises then they would need to turn the volume down till the noise isn't clearly audible. Vibrational noise usually derives from low frequency noise which would be the bass vibrating through the building structure so in the instance that there are complaints related to vibration, the music would need to be turned down or speakers fitted with anti-vibration mounts.

Condition 2: the nearest noise sensitive premises can be located anywhere in the vicinity of the premises and this would be the local residential properties.

Condition 6,7: will be withdrawn.

Kind regards

Eugene Chari

Senior Technical Officer

Leeds City Council

Environmental Health Services

Millshaw Parkway

Leeds

LS11 OLS

0113 37 89367

From: Clare Nakamura [REDACTED]
Sent: 04 May 2023 20:44
To: Chari, Hughin [REDACTED]
Cc: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Subject: Re: Fw: qualified objection for application PREM/05101/001

You don't often get email from [REDACTED] [learn why this is important](#)

Good evening,

Thank you for sending a Word version. So that we can properly consider the proposed conditions, please clarify the following:

- Condition 1 - what are the enforcement levels for audible noise and perceptible vibration?
- Condition 2 - you confirmed in our telephone conversation that there were no nearby noise sensitive premises. Please confirm what 'nearest' means in terms of distance.
- Conditions 6 and 7 - there is no beer garden, external area or play area to the premises and there is no physical space for such facilities. Please confirm whether these conditions are still required in those circumstances.

We look forward to hearing from you.

Best wishes,

Clare Nakamura

On Tue, 2 May 2023 at 10:36, Chari, Hughin [REDACTED] wrote:

Good morning,

Thank you for your email. I have attached the file as a word document which should be easier to edit.

Kind regards

Eugene Chari

Senior Technical Officer

Leeds City Council

Environmental Health Services

Millshaw Parkway

Leeds

LS11 OLS

0113 37 89367

From: Clare Nakamura [REDACTED]
Sent: 01 May 2023 14:35

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> Please find attached the qualified objection letter for application PREM/05101/001.
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> Kind regards
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> Eugene Chari
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> Senior Technical Officer
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> Leeds City Council
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> Environmental Health Services
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> SEND Next Choices 2023 - Getting ready for adult life - Thursday 29 June at Leeds First Direct Arena
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> A great event for young people with SEND (Special Educational Needs and Disabilities) and their parents and carers. Find out about jobs, training, apprenticeships, college courses, voluntary work, leisure activities, finances, benefits and more. Book your free

> ticket at: <https://bit.ly/SEND2023>.

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580 Meanwood Road, Leeds, LS6 4AZ

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Hana Matsuri Limited
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Leeds
LS6 4AW

Environmental Protection Team
Leeds City Council
Seacroft Ring Road Depot
Leeds
LS14 1NZ

Contact: Hughin Chari
Tel: 0113 37 89367

Our reference: PREM/05101/001
27 April 2023

Dear Sir/Madam

Licensing Act 2003

Name and Address of Premises: 4 Eastgate, Leeds, LS2 7JL,

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with the premises .

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours faithfully

Hughin Chari
Senior Technical Officer



PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: 4 Eastgate, Leeds, LS2 7JL,

Japanese fine dining restaurant, serving Japanese food and alcohol. The premises are split into two areas, a sitting area with a bar at the front of the restaurant and a dining room at the rear. There will be one sitting at lunchtime and two sittings in the evening. There will be a maximum of 40 people including staff and customers. There are also potential residential areas in the same building or in the vicinity of the building.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

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.
3. There shall be no external loudspeakers
4. Bottles 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 nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
6. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 11 pm*.
7. 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.
8. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.

Litter

9. The PLH/DPS 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

10. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons 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.
11. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
12. SIA registered door staff will be employed and used where queues are likely to form to manage the queues and ensure that queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.
13. 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.

Signed:



Dated: 27/04/2023