



Tokyo Industries (Yorkshire) Limited  
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Manchester  
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Environmental Health Services  
Leeds City Council  
Seacroft Ring Road Depot  
Seacroft  
Leeds  
LS14 1NZ

Contact: Vanessa Holroyd

Our reference: PREM/03189/009  
5 September 2023

Dear Sir/Madam

**Licensing Act 2003**

**Name and Address of Premises: Unit 1, Cloth Hall Street, Cloth Hall, Leeds, LS1 2HD,**

We refer to your licensing application for the above premises. We believe that your application does not give enough information about how you intend to meet an important objective of the licence, which is to prevent public nuisance. We therefore confirm that we are submitting a formal objection to your application.

The proposed variation is:

To extend the permitted hours for the provision of regulated entertainment (to include films) and the sale of alcohol from the current hours of Monday to Friday 11:00 to 00:30 and Saturday & Sunday 09:00 to 00:30 to the proposed hours of Monday to Sunday 09:00 to 02:00 the following morning.

To extend the permitted hours for the provision of regulated entertainment (to include live music) from the current hours of Monday to Friday 11:00 to 23:30 and Saturday & Sunday 09:00 to 23:30 to the proposed hours of Monday to Sunday 09:00 to 02:00 the following morning.

To extend the permitted hours for the provision of regulated entertainment (to include recorded music) from the current hours of Monday to Friday 11:00 to 01:00 and Saturday & Sunday 09:00 to 01:00 to the proposed hours of Monday to Sunday 09:00 to 02:00 the following morning.

To extend Late Night Refreshment from the current hours of Monday to Sunday 23:00 to 00:30 to the proposed hours of Monday to Sunday 09:00 to 02:00 the following morning. The opening hours of the premises will be Monday to Sunday 09:00 to 02:30 the following morning.

To amend Condition 46 of the Premises Licence which currently reads “100 covers to be maintained at all times” to read “a minimum number of 100 chairs at tables will be retained at the premises”.

To remove Conditions 47, 48 and 49 of the Premises Licence

We base our objection on the following matters:

- The potential for noise disturbance associated with licensable activities passing through the fabric of the building to cause noise and vibration in adjoining residential/business premises.
- The potential for noise disturbance associated with licensable activities to break out of the premises or pass through the fabric of the building to cause noise disturbance to nearby residential/business premises.
- The potential for noise disturbance from the use of outside areas whilst smoking/drinking in the area/s provided/whilst arriving/leaving, including that from vehicles.
- The potential for the alleged sources of nuisance described in items 1 to 3 above to continue into hours where such disturbance may adversely affect sleep and other loss of the use and enjoyment of a property.
- The application premises are situated within the one of the two red zones of the City Centre Cumulative Impact Assessment area; where that the impact of licensed premises is so severe that the council considers that any application for a new or the variation of an existing license should be refused unless the applicant can show how their application would not lead to an increase in the impact of licensed premises in the area. area cannot support any more premises opening or extending their hours. Your application does not provide sufficient information to show that it is exceptional or should be considered as such.

We also base our objection on experience including that specifically associated with the premises and the area including data relating to complaints received from members of the public.

The application premises have been a restaurant for over 10 years and is located on the ground floor of a development that has flats directly above. There have been several noise complaints from residents in the flats above with the most recent being in May and June this year with the complainant alleging noise late at night but that it had only really started to be a problem more recently. Should the variation to extend their hours be granted then there is likely to be an increase to the public nuisance affecting the residents from not only loud music, patrons arriving and leaving later patrons outside smoking, and from the extract ventilation system being on until the early hours.

In addition, the applicant would need to apply to the Department of planning to vary their hours of use as they currently do not have consent to be open after 01:00 hours.

## **Conclusions reached**

We recommend that the Sub-Committee refuse the application.

We do not believe that further conditions will resolve the application as it stands.

Yours faithfully



Vanessa Holroyd  
Senior Environmental Health Officer