

From: planning.comments@leeds.gov.uk
To: [Musson Martyn](#)
Subject: Comments for Licensing Application PREM/05167/001
Date: 17 August 2023 22:37:42

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 17/08/2023 10:37 PM from [REDACTED]

Application Summary

Address: 12A Austhorpe Road Cross Gates Leeds LS15 8DX

Proposal: Premises Licence - New Application

Case Officer: Mr Martyn Musson

[Click for further information](#)

Customer Details

Name: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]

Comments Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 17/08/2023 10:37 PM Austhorpe Road, although it is partly in a retail area, is also a residential street. There are flats adjacent/above and houses and flats opposite this premise. The Opening Hours applied for are incompatible with this premise being a neighbour to local residents. If live music, recorded music (singing) and dancing are allowed until 2.00 a.m. seven days a week this will cause a nuisance to neighbours. Obviously people leaving the premises after closing time (likely to have consumed alcohol) will make a noise and disturb neighbours in this residential area. Other licensed premises in the area, I believe, have a closing time no later than 11.00 p.m. Mon to Thurs and 12.00 a.m. Fri, Sat and Bank Holidays.
This license application should be allowed only with Opening Hours the same as other licensed premise in the Crossgates/Austhorpe Road area. This will prevent any additional noise nuisance to local residents than already exists.

Kind regards

Objection 01

Negotiation

From: [REDACTED]
To: [Entertainment Licensing](#)
Subject: Re: PREM/05167/001 | Pintxos 44, 12A Austhorpe Road | Premises Licences Application | Objection
Date: 18 August 2023 14:04:58
Attachments: [image001.png](#)

Dear Martin

Thank you for this and also forwarding to me the Opening Times etc of all the licensed premises in the area of this application.

I would like to suggest that the Sale By Retail Of Alcohol at these premises is restricted to no later than;
Monday to Thursday - 2300 hrs
Friday, Saturday and Bank Holidays - 0000 hrs
Sunday - 2230 hrs

This is in line with other similar premises in the area.

Please get back to me if the applicant does not accept this, but is willing to negotiate a slightly later time for the Sale Of Alcohol.

Regards

[REDACTED]

Objection 02

From: [REDACTED]
To: [Musson, Martyn](#)
Cc: [REDACTED]
Subject: 12A Austhorpe Road licence application: PREM/05167/001
Date: 27 August 2023 17:41:09

Dear Martin

I believe you are the case officer for this application:

PREM/05167/001
Pintxos 44, 12A, Austhorpe Road, Cross Gates, Leeds, LS15 8DX
Premises Licence - New Application
Open for consultation until 29 August, 2023

Cross Gates Watch Residents' Association objects to the above application. With reference to the four objectives of the Licensing Act, our objection falls mainly under the heading of the prevention of public nuisance although we can see that elements of public safety and the prevention of crime and disorder may also be involved.

Firstly, we need to point out the nature of the area. At times, Leeds City Council plans have — wrongly in our view — described the retail area of Cross Gates, little more than two roads with shops and the ex-Arndale Centre sandwiched between, as a “town centre”, although on occasions this appears to have been downgraded to “local centre”, which, we have to say, may still be something of an exaggeration, an over-egging of the pudding, as it were.

The retail area, geographically very limited as we have indicated above, is surrounded by residential estates, where privacy and a ‘quiet life’ are much appreciated and the order of the day. In terms of public transport to and from the premises at 12A, Austhorpe Road, bus services in the evening are not extensive and terminate well before midnight. Of services operational after 11.00pm: Service 40, last bus to Leeds 23:14 and to Seacroft 23:35; Service 56, last bus to Leeds 23:38 and to Whinmoor 23:28; Service 164/165, last bus (to Garforth) 23:01.

In terms of premises still open after 11.00pm, including licenced premises: The New Travellers' Rest closes 11.00pm Mon-Sat, 10.00pm Sunday; The Barnbow closes 11.00pm every day; The Station closes 11.00pm Sun-Thurs, midnight Fri-Sat; The Charles Henry Roe closes 11.00pm Sun-Thurs, midnight Fri-Sat. The only premises open after midnight, of which we are aware, is Livorno's Pizzas (no alcoholic drinks) which closes 12.30am Sun-Thurs, 2.00am Fri-Sat.

In general, Cross Gates is ‘asleep’ by a little after 11.00pm and bus and other services ‘dead’ only a short time after that.

Consequently, Cross Gates Watch Residents' Association considers that a proposal for the performance of live music, recorded music, dance and the sale of alcohol, indoors and outdoors, every from 12 noon to 2.00am the following day, to be completely inappropriate.

The proposal, if implemented, would impact very negatively upon public amenity and considerably raise the possibility of public nuisance. Patrons leaving the premises are likely to be noisy and, with no parking at the site and last buses having departed circa 11.30pm, there will be noise associated with the arrival and departure of friends' cars, taxis, etc.

In such circumstances, with patrons, some inebriated, spilling out on to the very limited area and narrow footpath in front of the premises, there is ample opportunity not only for public nuisance but also for public safety should some, recklessly or unknowingly, step out into the roadway. (There are no kerb-edge barriers or railings to prevent this.) Additionally, fights may break out amongst inebriated patrons — “Nothing to do with us, once patrons are off the premises”, as applicants often proclaim — leading to criminal activities such as assault with actual bodily harm and damage to neighbouring properties.

Furthermore, within 100 metres of the site, there are, in fact, 46 residences — we can provide details and

addresses, if required — some, but not all, apartments above nearby retail premises which close at 5.30pm, others houses and apartments in their own grounds. All of these would be potentially affected by noise and activity from the application site, should PREM/05167/001 be granted, at very unsociable hours. Residents should be free to enjoy evening relaxation and good nights' sleep without disturbance and interruption from the activities proposed in this application.

I would be grateful if you could acknowledge receipt of this objection.

Yours



CGWRA

From: [REDACTED]
To: [Musson, Martyn](#)
Subject: PREM/05167/001
Date: 04 September 2023 23:11:46

Dear Martyn,

PREM/05167/001

Cross Gates Watch Residents' Association objected to the above licensing application on 27 August. On 31 August, planning application 23/05035/FU appeared on Public Access. In light of the information contained therein, we wish to emphasise certain points in our licensing objection, on the basis that this information was not available to us at the time but was certainly available to the applicant. (Planning application form 23/05035/FU is dated 16 August 2023, other documents 31 August 2023.)

Firstly, the planning application is for a considerable extension of the building, from 120 sq m to 265 sq m, a 121% increase in gross internal floorspace, much given over to patron seating and other facilities. Our concerns regarding potential public nuisance in an area involving 46 residences within 100m of the site are considerably exacerbated by this obviously very large increase in the number of patrons able to be accommodated.

Secondly, planning application form 23/05035/FU states opening to be 16:00 to 23:00 every day of the week, although the design and access statement varies from this and states opening to be 6pm – 11.30pm. In light of this, we do not see why a premises licence from noon until 2.00am the following day is necessary, as the premises would not legally be able to be open for these hours if the applicant got planning permission. One-off events can be catered for by a TEN. We would suggest that licensing from 16:00 to 23:00 is entirely appropriate, in that staff can clear up after patrons have left and still catch public transport, or leave by other means of transport, by 11.30pm, without creating excessive amounts of noise into the small hours of the day.

Yours,

[REDACTED]
CGWRA