



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 11TH FEBRUARY, 2025 AT 10.00 AM

MEMBERSHIP

Councillors

N Buckley - Alwoodley;
S Holroyd - Ardsley and Robin Hood;
L Martin - Roundhay;

**Enquiries specific to
Entertainment Licensing:
Matthew Nelson
Tel No: 0113 37 85337**

**Agenda compiled by:
Committee Services
Civic Hall
Leeds LS1 1UR**

Agenda papers will be published on the Council's website ahead of each meeting. For details of the new premises licence please contact Entertainment Licensing on 0113 378 5029 after the hearing.

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

A G E N D A

| Item No | Ward/Equal Opportunities | Item Not Open | | Page No |
|---------|--------------------------|---------------|--|---------|
| 1 | | | <p style="text-align: center;"><u>PRELIMINARY PROCEDURES</u></p> <p>ELECTION OF THE CHAIR</p> <p>To seek nominations for the election for the position of Chair.</p> | |
| 2 | | | <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance and Scrutiny Support at least 24 hours before the meeting)</p> | |

| Item No | Ward/Equal Opportunities | Item Not Open | | Page No |
|---------|--------------------------|---------------|--|---------|
| 3 | | | <p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p> | |
| 4 | | | <p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p> | |

| Item No | Ward/Equal Opportunities | Item Not Open | | Page No |
|---------|--------------------------|---------------|--|---------|
| 5 | | | <p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p> <p><u>HEARINGS</u></p> | |
| 6 | | | <p>CERTIFICATION OF A FILM – LOS MUERTOS</p> <p>To receive and consider the attached report of the Chief Officer (Elections and Regulatory) advising the Licensing Sub Committee Members of an application for the certification of Los Muertos to be screened 15th February 2025 at Heart Centre, Headingley Enterprise & Arts Centre, Bennett Road, LS6 3HN.</p> | 7 - 12 |
| 7 | | | <p>CERTIFICATION OF FILMS – JAPAN FOUNDATION TOURING FILM PROGRAMME</p> <p>To receive and consider the attached report of the Chief Officer (Elections and Regulatory) advising Members of an application for the certification of four feature length films to be shown at Hyde Park Picture House, Brudenell Road, Headingley LS6 1JD. The films will be shown as part of the Japan Foundation Touring Film Programme between 16th February and 9th March 2025.</p> | 13 - 24 |
| 8 | | | <p>APPLICATION TO VARY A PREMISES LICENCE HELD BY NYK LEEDS, GROUND FLOOR, 106 BURLEY ROAD, BURLEY, LEEDS, LS3 1JP</p> <p>To receive and consider the attached report of the Chief Officer (Elections and Regulatory) regarding an application to vary a premises licence made by NYK Leeds Limited, for NYK Leeds, Ground Floor, 106 Burley Road, Burley, Leeds, LS3 1JP.</p> | 25 - 76 |

| Item No | Ward/Equal Opportunities | Item Not Open | | Page No |
|---------|--------------------------|---------------|---|---------|
| | | | <p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. <p>‘We strive to ensure our public committee meetings are inclusive and accessible for all. If you are intending to observe a public meeting in-person, please advise us in advance of any specific access requirements that we need to take into account by email (FacilitiesManagement@leeds.gov.uk). Please state the name, date and start time of the committee meeting you will be observing and include your full name and contact details’.</p> | |

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| Report author: | Samantha Longfellow-Peniket |
| Telephone No: | 0113 378 5029 |



Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Sub Committee

Date: Tuesday, 11th February 2025

Subject: Certification of a Film – Los Muertos

| | | |
|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): Headingley & Hyde Park | | |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If relevant, Access to Information Procedure Rule number: | | |
| Appendix number: | | |

Executive Summary

To advise the Licensing Sub Committee Members of an application for the certification of Los Muertos to be screened 15th February 2025 at Heart Centre, Headingley Enterprise & Arts Centre, Bennett Road, LS6 3HN.

The applicant’s request is made for the film to be awarded an 18 rating, subject to a declaration provided by the distributor. Further information on this element is detailed at 3.3 of this report.

1.0 Purpose of this Report

1.1 This report informs Members with the background, history and issues of an application made under the Licensing Act 2003 (“the Act”) for the certification of a film that does not currently have a BBFC (British Board of Film Classification) certification. Finally, this report informs Members of the options available to them when considering an application for the certification of films.

2.0 Background Information

2.1 The Licensing Act 2003 applies to premises which provide film exhibitions. At present there are a total of 8 cinemas licensed in the Leeds district.

2.2 The majority of films shown in cinemas will carry a certificate from the BBFC, the categories of which are as follows:

3.0 Main Issues

- 3.1 An application has been received from Good Boys Film Club to certify Los Muertos due to be screened on 15th February 2025 at Heart Centre, Headingley Enterprise & Arts Centre, Bennett Road, LS6 3HN.
- 3.2 There is no requirement for the Committee to view the film as the request is to award an 18 rating subject to a written declaration confirming that the films do not contain any content which would more likely than not, render them liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines.
- 3.3 A report provided by the distributor includes the synopsis, further details on the screening and the declaration referred to above. A copy of this report is available at **Appendix A**.
- 3.4 A representative of Good Boys Film Club will be contactable by phone should Members of Licensing Sub Committee have any questions.

4.0 Implications for Council Policy and Governance

- 4.1 There are no implications for Council policy and governance in respect of determining this application.

5.0 Legal and Resource Implications

- 5.1 There is no right of appeal to the Magistrates Court against this decision of the Committee.

6.0 Recommendations

- 6.1 Members are requested to consider this request for the certification of the films as attached hereto.
- 6.2 Members are recommended to view films prior to the issue of a Certificate.

7.0 Options Available to Members

- 7.1 The Licensing Authority has the authority to categorise a film which is absent of a Certificate from the BBFC.

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|------------------------|---|
| REPORT OF: | ██████████ (Good Boys Film Club) ██████████ ██████████ ██████████ ██████████ |
| TO: | Leeds City Council Licensing Committee ██████████, Principal Licensing Officer Entertainment Licensing - Leeds City Council ██████████ ██ |
| SUBJECT: | Film Certification |
| DATE OF REPORT: | 08/01/25 |

| | |
|-------------------------------|---|
| 1.0 | FILM INFORMATION |
| Film | Los Muertos |
| Director | Lisandro Alonso |
| Country, runtime, year | Argentina, 1h 22mins, 2004 |
| Brief Synopsis | A 54-year-old Argentinean man is imprisoned for killing his brothers. Once he is released, he travels great distances in a small boat on the Paraná River to find his grown daughter. |
| | |
| 2.0 | DETAILS OF PROPOSED SCREENING |
| When | 15/2/25 |
| Where | HEART Headingley |
| Context | The film will be screened as a part of my screening group, Good Boys Film Club. My events aim to explore images of masculinity, boyhood, and male violence. |
| | |
| 3.0 | SCREENER AVAILABLE? |
| Yes/No | No |
| | If Yes, complete, 4.0. If No, complete 5.0 |
| | |
| 4.0 | RECOMMENDED CLASSIFICATION – SCREENER AVAILABLE |
| 4.1 | We advise that the film *** is given an *** certificate. |
| | In making this recommendation we have taken into account the following nine areas which the BBFC use to determine certificates and we can speak to each to explain our recommended certificate. |

| | |
|---|--|
| 4.2 | Dangerous Behaviour |
| | None |
| 4.3 | Discrimination |
| | None |
| 4.4 | Drugs |
| | None |
| 4.5 | Language |
| | None |
| 4.6 | Nudity |
| | None |
| 4.7 | Sex |
| | None |
| 4.8 | Sexual Violence and Sexual Threat |
| | None |
| 4.9 | Threat and Horror |
| | None |
| 4.10 | Violence |
| | None |
| | |
| 5.0 | CLASSIFICATION – SCREENER UNAVAILABLE |
| 5.1 | We advise that an 18 certificate is required for the film. |
| | Any film without a screener for the committee to view, an 18 certificate is required by Leeds City Council, with reference to the below disclaimer. |
| Disclaimer | This film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines. |
| | |
| 6.0 | PREVIEW COPY (Sharing is prohibited by copyright) |
| | |
| Trailer link | |
| Screener link | |
| Password | |
| Alternative copy details & notes | |
| | |

Category PG **Parental Guidance. General viewing, but some scenes may be unsuitable for young children.**

A PG film should not unsettle a child aged around eight or older. Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger or more sensitive children.

Category 12A/12 **Suitable for 12 years and over.**

Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12.

No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child. To help them decide, the BBFC recommend that they check the ratings info for that film in advance.

No one younger than 12 may rent or buy a 12 rated video work.

Category 15 **Suitable only for 15 years and over.**

No one younger than 15 may see a 15 film in a cinema.

No one younger than 15 may rent or buy a 15 rated video work.

Category 18 **Suitable only for adults.**

No one younger than 18 may see an 18 film in a cinema.

No one younger than 18 may rent or buy an 18 rated video work.

Category R18 **To be shown only in specially licensed cinemas, or supplied only in licensed sex shops and to adults only.**

The R18 category is a special and legally restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas, and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.

2.3 In addition to licensing premises for film exhibitions, the licensing authority has a duty under Section 20 of the Licensing Act 2003 to categorise a film which is absent of a certificate from a film classification body such as the BBFC. The licensing authority may also reject or modify a film which has received certification from the BBFC.

2.4 A copy of the current BBFC Classification Guidelines are available [here](#).

3.0 Main Issues

3.1 An application has been received from Hyde Park Picture House to have a total of four feature length films certified as they are not currently certified by the BBFC. The screenings are scheduled to take place at Hyde Park Picture House, Brudenell Road, Headingley LS6 1JD. The films will be shown as part of the Japan Foundation Touring Film Programme between 16th February and 9th March 2025.

3.2 A list detailing the films requesting certification, including a synopsis and the applicant's recommended rating, can be found at **Appendix A**.

3.3 To assist members with their deliberation officers of the Licensing Authority have viewed each film in accordance with BBFC guidelines. This can be found at **Appendix B**.

3.4 Details of each film including advance screeners have been provided to the Licensing Sub Committee Members in advance of the hearing.

3.5 A representative of Hyde Park Picture House will be available via phone.

4.0 Implications for Council Policy and Governance

4.1 There are no implications for Council policy and governance in respect of determining this application.

5.0 Legal and Resource Implications

5.1 There is no right of appeal to the Magistrates' Court against the decision of the Licensing Sub Committee.

6.0 Recommendations

6.1 Members are requested to consider this request for the certification of the films as attached hereto.

6.2 Members may take the decision to view any of the films prior to the issue of a Certificate.

7.0 Options Available to Members

7.1 The Licensing Authority has the authority to categorise a film which is absent of a Certificate from the BBFC.

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| REPORT OF: | ██████████, Head of Cinema for Leeds Heritage Theatres (Hyde Park Picture House) Tel: ██████████ |
| TO: | Leeds City Council Licensing Committee ██████████, Principal Licensing Officer Entertainment Licensing - Leeds City Council ██████████ ██ |
| SUBJECT: | Film Certification (festival or season) |
| DATE OF REPORT: | 06/01/25 |

| | |
|------------------|---|
| 1.0 | DETAILS OF PROPOSED FESTIVAL OR SEASON |
| When | Carmen Comes Home Sunday 16/02/25 Ghost Cat Anzu Saturday 22/02/25 In the Wake Thursday 06/03/25 Sakura Sunday 09/03/25 |
| Where | Hyde Park Picture House |
| Context | We will be hosting the Japan Foundation Touring Film Programme again, for the first time since reopening. Over four weeks in February and March, we'll be screening a selection of four fantastic films from their touring programme, three contemporary and one classic film. |
| 2.0 | SCREENER AVAILABLE? |
| Yes/No/Partial | Carmen Comes Home Yes Ghost Cat Anzu Yes In the Wake Yes Sakura Sunday Yes |
| | If Yes, complete, 3.0 – 6.0. If No, complete 7.0 If Partial complete both sections |
| 3.0 | FILM 1 RECOMMENDED CLASSIFICATION – SCREENER AVAILABLE |
| 3.1 Film Details | Carmen Comes Home (Japan, 1951, 86mins) Dir. Kinoshita Keisuke Japan's first ever feature film produced in full colour, Carmen Comes Home is one of Keisuke's most beloved films, exploring the shifts and disparities in post-war Japanese Moral standards. ██ |
| | We advise that the film Carmen Comes Home is given a 12A certificate. |

| | |
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| | In making this recommendation we have taken into account the following nine areas which the BBFC use to determine certificates and we can speak to each to explain our recommended certificate. |
| 3.2 | Dangerous Behaviour |
| | n/a |
| 3.3 | Discrimination |
| | n/a |
| 3.4 | Drugs |
| | n/a |
| 3.5 | Language |
| | n/a |
| 3.6 | Nudity |
| | n/a |
| 3.7 | Sex |
| | n/a |
| 3.8 | Sexual Violence and Sexual Threat |
| | n/a |
| 3.9 | Threat and Horror |
| | n/a |
| 3.10 | Violence |
| | n/a |
| PREVIEW COPY | (Sharing is prohibited by copyright) |
| Trailer link | To be sent via email to: [REDACTED] |
| Screener link | [REDACTED] |
| Password | [REDACTED] |
| | |
| 4.0 | FILM 2 RECOMMENDED CLASSIFICATION – SCREENER AVAILABLE |
| 4.1 Film Details | Ghost Cat Anzu (Japan, 2024, 86mins) Dir. Kuno Yoko, Yamashita Nobuhiro A charming French-Japanese animation co-production that blends reality with fantasy and deadpan wit with tenderness. [REDACTED] |
| | We advise that the film Ghost Cat Anzu is given a PG certificate. |
| | In making this recommendation we have taken into account the following nine areas which the BBFC use to determine certificates and we can speak to each to explain our recommended certificate. |
| 4.2 | Dangerous Behaviour |
| | n/a |
| 4.3 | Discrimination |
| | n/a |
| 4.4 | Drugs |
| | n/a |
| 4.5 | Language |
| | n/a |
| 4.6 | Nudity |
| | n/a |
| 4.7 | Sex |

| | |
|-------------------------|--|
| | n/a |
| 4.8 | Sexual Violence and Sexual Threat |
| | n/a |
| 4.9 | Threat and Horror |
| | n/a |
| 4.10 | Violence |
| | n/a |
| PREVIEW COPY | (Sharing is prohibited by copyright) |
| Trailer link | To be sent via email to: [REDACTED] |
| Screeener link | [REDACTED] |
| Password | N/A |
| 5.0 | FILM 3 RECOMMENDED CLASSIFICATION – SCREENER AVAILABLE |
| 5.1 Film Details | In the Wake (Japan, 2021, 134mins) Dir. Zeze Takahisa A taut, intense thriller that touches on themes of social injustice affecting those in need, the limits of compassion, and the stigma surrounding welfare in Japan. [REDACTED] |
| | We advise that the film In the Wake is given a 15 certificate. |
| | In making this recommendation we have taken into account the following nine areas which the BBFC use to determine certificates and we can speak to each to explain our recommended certificate. |
| 5.2 | Dangerous Behaviour |
| | n/a |
| 5.3 | Discrimination |
| | n/a |
| 5.4 | Drugs |
| | n/a |
| 5.5 | Language |
| | n/a |
| 5.6 | Nudity |
| | n/a |
| 5.7 | Sex |
| | n/a |
| 5.8 | Sexual Violence and Sexual Threat |
| | n/a |
| 5.9 | Threat and Horror |
| | n/a |
| 5.10 | Violence |
| | Contain strong violence |
| PREVIEW COPY | (Sharing is prohibited by copyright) |
| Trailer link | To be sent via email to: [REDACTED] |
| Screeener link | [REDACTED] |
| Password | [REDACTED] |

| | |
|-------------------------|--|
| | |
| 6.0 | FILM 4 RECOMMENDED CLASSIFICATION – SCREENER AVAILABLE |
| 6.1 Film Details | Sakura (Japan, 2024, 119mins) Dir. Hara Hiroto In this intriguing, multi-layered police procedural mystery-thriller with vast emotional depth, a lowly public relations employee in a large police force stands up for justice. [REDACTED] |
| | We advise that the film Sakura is given a 15 certificate. |
| | In making this recommendation we have taken into account the following nine areas which the BBFC use to determine certificates and we can speak to each to explain our recommended certificate. |
| 6.2 | Dangerous Behaviour n/a |
| 6.3 | Discrimination n/a |
| 6.4 | Drugs n/a |
| 6.5 | Language n/a |
| 6.6 | Nudity n/a |
| 6.7 | Sex n/a |
| 6.8 | Sexual Violence and Sexual Threat n/a |
| 6.9 | Threat and Horror Contain murder scenes |
| 6.10 | Violence n/a |
| PREVIEW COPY | (Sharing is prohibited by copyright) |
| Trailer link | To be sent via email to: [REDACTED] |
| Screener link | [REDACTED] |
| Password | [REDACTED] |
| 7.0 | CLASSIFICATION – SCREENER UNAVAILABLE |
| 7.1 | We advise that a *** certificate is required for the film ***. Any film without a screener for the committee to view, an 18 certificate is required by Leeds City Council, with reference to the below disclaimer. |
| Disclaimer | This film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines. |
| | |

Certification Controls at Hyde Park Picture House

As per our premises licence, the Hyde Park Picture House follows BBFC certification guidance, which is listed with each individual film on our [website](#).

We have several checks in place to manage access to films based on this guidance. These checks are as follows:

- Our [terms & conditions page](#) includes clear guidance on certification in a way audiences can understand and which includes a link to the BBFC if further information is required.
- Certificates are added to every listing on our box office system in addition to our website and this limits the tickets available to films where appropriate. E.g. An audience member can't buy a child's ticket for a 15 or 18 certificate film.
- We have also established a Content Guidance system which allows us to give additional content information to audiences to help them make informed choices about what they watch. Full guidance on this can be found on our [website](#).
- Adding the cert to the Box Office system also enables our Front of House staff to identify the age restrictions for films. All staff are fully trained to both understand and then manage certification and age restrictions for films, so we can both advise on entry and appropriateness of a film and refuse sales where required.
- All tickets bought in advance or on the day are checked by a staff member on the door to the cinema auditorium so if an underage person has bought a ticket over the phone or internet in advance they would have to engage with a staff member at ticket check point and entry would be refused and ticket refunded.

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Officer Comments –

| Title | Synopsis provided by the Applicant | Applicant's Recommended Rating | Link to Screener | Password (if applicable). | Officer Comments |
|--------------------------|---|--------------------------------|------------------|---------------------------|---|
| Carmen Comes Home | Japan's first ever feature film produced in full colour, Carmen Comes Home is one of Keisuke's most beloved films, exploring the shifts and disparities in post-war Japanese Moral standards. | 12A | [REDACTED] | [REDACTED] | █ – 12A ok (nothing contentious) |
| Ghost Cat Anzu | A charming French-Japanese animation co-production that blends reality with fantasy and deadpan wit with tenderness. | PG | [REDACTED] | N/A | █ – PG ok |
| In the Wake | A taut, intense thriller that touches on themes of social injustice affecting those in need, the limits of compassion, and the stigma surrounding welfare in Japan. | 15 | [REDACTED] | [REDACTED] | █ – 15 ok |
| Sakura | In this intriguing, multi-layered police procedural mystery-thriller with vast emotional depth, a lowly public relations employee in a large police force stands up for justice. | 15 | [REDACTED] | [REDACTED] | Cert 15 ok -The film starts with a woman being held in water until drowned. Her body taken to a car trunk where there is another lifeless body and so thrown over a bridge following which the killer says a prayer. The film then turns to the investigation during which an employee questions the truth of the murders which are |

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|--|--|--|--|--|---|
| | | | | | <p>linked to faith or 'believers', police maladministration and association. At 1:06 mins there is a brief scene of female being hit/killed with splattered blood. . The images do not exceed the following BBFC Cert 15 guidance 'Violence may be strong but there should not be sustained focus on the infliction of pain or victims' suffering. The strongest gory images may occur if justified by context (for example, war, medical detail). Prolonged sadistic violence is unlikely to be acceptable'.</p> |
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Report author: Mr Martyn Musson
0113 378 5029

Report of the Chief Officer Elections and Regulatory

Report to Licensing Sub Committee

Date: 11th February 2025

Subject: Application to Vary a Premises Licence held by NYK Leeds, Ground Floor, 106 Burley Road, Burley, Leeds, LS3 1JP

| | | |
|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): | | |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If relevant, Access to Information Procedure Rule number: | | |
| Appendix number: | | |

Summary of Main Issues

This is an application to vary a premises licence made by NYK Leeds Limited, for NYK Leeds, Ground Floor, 106 Burley Road, Burley, Leeds, LS3 1JP.

The application proposes to extend the terminal hour for late night refreshment and the opening hours of the premises to 02:00 hours, every day of the week.

Responsible authorities and Ward Members have been notified of this application.

The application has attracted representations from local residents who object to the application on the grounds of public nuisance.

1 Purpose of this Report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

2 History of Premises

- 2.1 On the 14 June 2024 an application for the grant of a premises licence was served on Licensing Authority. The application proposed late night refreshment and recorded music until 02:00 hours, Monday to Sunday.
- 2.2 The application attracted representations from West Yorkshire Police, the Environmental Protection Team and members of the public. Agreements with the authorities were reached resulting in the withdrawal of their representations. The application require the Licensing Sub Committee considered the application due to the three public representations outstanding.
- 2.3 At the hearing on the 30 July 2024 the Licensing Sub Committee resolved to grant the application, subject to the following modifications:
 - The hours during which the premises are licensed to provide late night refreshment shall be: Sunday to Thursday: 23:00 to 00:00 hours Friday and Saturday: 23:00 to 01:00 hours
 - The hours during which the premises shall be open to members of the public shall be: Sunday to Thursday: 11:00 to 00:00 hours Friday and Saturday: 11:00 to 01:00 hours
 - The premises will not be licensed to play recorded music, the Applicant's representative having confirmed that only background music will be played.
 - The licence holder shall provide litter patrols at intervals of 30 minutes.
- 2.4 A copy of the existing licence is attached at **Appendix A**.

3 The Application

- 3.1 The applicant is NYK Leeds Limited.
- 3.2 The application is made to extend the terminal hour for late night refreshment and the hours the premises are open to the public. The hours proposed are:

*Late Night Refreshment
Monday to Sunday 23:00 until 02:00 hours*

*Opening Hours of the premises
Monday to Sunday 11:00 until 02:00 hours*

- 3.3 A redacted copy of the application form is attached at **Appendix B**.
- 3.3 A noise and odour impact assessment provided by the applicant in support of their application can be found at **Appendix C**.

4 Location

- 4.1 A map which identifies the location of the premises is attached at **Appendix D**.

5 Representations

- 5.1 Under the Act representations can be received from anyone but must be relevant and, in the case of members of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 5.2 There have been no representations from responsible authorities.

Other Representations

- 5.3 The application has attracted nine individual representations from members of the public (described as 'other persons' in the legislation) who oppose the application mainly on the grounds of public nuisance.
- 5.4 Two representations have been received from members of the public who have expressed concerns that they be at risk of retribution, a decision is made to redact their identity.
- 5.5 In order to protect personal data, redacted copies of the representations are attached at **Appendix E** and the original versions will be provided to the Licensing Sub Committee in advance of the hearing.
- 5.6 The author of Objection #9 has supplied video footage in support of their representation which will be screened during the hearing.

6 Licensing Hours

- 6.1 Members are directed to paragraphs 6.8 to 6.15 for the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.
- 6.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives.
- 6.3 A list of premises in the local area and their licensed hours and activities is provided at **Appendix F**.

7 Equality and Diversity Implications

7.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

8 Options Available to Members

8.1 The Licensing Sub Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

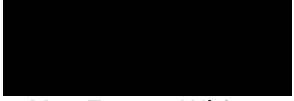
- Grant the variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Reject the whole or part of the application.

8.2 Members of the Licensing Sub Committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives and relevant to the application.

9 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy

Licence issued under the authority of Leeds City Council



Mrs Emma White
Licensing Officer
Entertainment Licensing
Elections & Regulatory Services

Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
 - a. unauthorised access or occupation (e.g. through door supervision), or
 - b. outbreaks of disorder, or
 - c. damage

Annex 2 – Conditions consistent with the operating schedule

General – All four licensing objectives

2. All staff will be made aware of the licensing agreements terms along with the health and safety requirements for business operation.
3. All staff will be trained in the proper use of equipment and prompt clean-up of rubbish, spillage etc left behind from patrons. This is in the interest of upholding standards, prevention of accidents and keeping up appearances from a business aspect for the premises.

The prevention of crime and disorder

4. A suitable closed circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will record images to cover all areas of the premises to which the public have access (save for toilets), including the immediate external areas of the premises. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on duty at the premises at all times who is capable of operating the system and downloading images recorded by it. These images will be downloaded and provided, on request, to an officer of a responsible authority.
5. The CCTV shall be checked weekly to ensure it is working correctly and a log maintained of those checks. This log will be kept on the premises for a 12 month period and produced for inspection when requested to do so by an authorised officer.
6. A register shall be maintained on the premises to record all incidents and accidents. Records should include matters such as anti-social behaviour, admission refusals, ejections, seizure of prohibited items, casualties/unwell customers, welfare and safeguarding matters, accidents, and safety incidents. The records shall include the date, time, and location of the incident; nature of the incident; personal details and contact information for all people involved including any witnesses, SIA and Personal Licence numbers, any crime number and details of police officers attending. A note of the action taken, and where relevant a note of the actions to prevent any reoccurrence should also be included. The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry. Incident and accident records shall be kept in a bound register with consecutively numbered pages.
7. No unaccompanied children are allowed on the premises after 2100 hrs. Notices are to be displayed to this effect.
8. Regular checks are to be made of the outside area during the hours of darkness to discourage groups gathering and loitering outside the premises.
9. During opening hours. the premises will be well illuminated to the satisfaction of West Yorkshire Police and kept free from graffiti.

10. Seating for 20 people shall be maintained within the premises.

Public Safety

11. Annual gas and electric safety tests will be conducted along with PAT testing of appliances and sockets.
12. Health and safety, risk assessments, employees and public liability insurances will be in place along with sufficient internal and external lighting.
13. Emergency lighting will clearly be displayed along with fire exists.
14. First aid kit(s) will be available within the premises for emergencies.

The prevention of public nuisance

15. Recorded music to have a terminal hour of 23:00 hours Monday to Sunday and all bank holidays.
16. Bottles will not be placed in any external receptacle between 23:00 and 07:00 the following day to minimise noise disturbance to neighbouring properties.
17. Doors and windows will be kept shut during operational hours with no 'door stops' within the fire exists to prevent members of the public from entering through the rear entrance into the property.
18. Signage will be displayed to leave the premises quietly and operation times for the benefit of patrons.

Protection of children from harm

19. Service will be restricted to persons over the age of 16 and access to the kitchen and services area will be restricted.

Annex 3 – Conditions attached after a hearing by the licensing authority

The prevention of public nuisance

20. The licence holder shall provide litter patrols at intervals of 30 minutes during the operational hours. This will be within the immediate vicinity of the premises with employees in uniform.
21. Only background music will be played on the premises.

Annex 4 – Plans

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council licensing authority.

Plan submitted with this application on: 17 June 2024

Plan drawing reference: LP-01A shows an area of licensable activity that covers the publicly accessible areas of the premises only.



PREM7

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We NYK Leeds Limited (insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number PREM/05361/001

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
NYK Leeds
Ground Floor
106 Burley Road
Burley
Leeds
LS3 1JP
Post town Post code

Telephone number of premises (if any)

Non domestic rateable value of premises £

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address
Unit 53 Listerhills Science Park, , Bradford, West Yorkshire, BD7 1HR

Post Town

Postcode

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes No

If not, from what date do you want the variation to take effect?

Day **Month** **Year**

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes No

Please describe briefly the nature of the proposed variation (please read guidance note 2)

Variation of opening hours from currently approved:

Sunday to Thursday: 11:00 to 00:00 hours

Friday and Saturday: 11:00 to 01:00 hours

To the following:

Sunday to Thursday: 11:00 to 02:00 hours

Friday and Saturday: 11:00 to 02:00 hours

To accompany the application we have a sound report to address the potential impact to residential dwellings.

Changes to Activities

Provision of late night refreshment

Changing from:

Sunday to Thursday 23:00 - 00:00

Friday & Saturday 23:00 - 01:00

Changing to:

Every Day 11:00 - 02:00

Activity will take place Indoors

Seasonal Variations:

None

Non-Standard Timings:

None

Other details:

A sound report is to supplement this variation of licensable activity. This will be attached as part of the application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

Please tick all that apply

Provision of regulated entertainment

- a) play (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- C)** indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

✓

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

| Plays Standard days and timings (please read guidance note 7) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|---|--------------|---------------|--|-----------------|--|
| Day | Start | Finish | | Outdoors | |
| Mon | | | Please give further details here (please read guidance note 4) | Both | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for performing play (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

B

| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of a films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|---|--------------|---------------|---|-----------------|--|
| Day | Start | Finish | | Outdoors | |
| Mon | | | Please give further details here (please read guidance note 4) | Both | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 7) | | | Please give further details (please read guidance note 4) |
|--|-------|--------|---|
| Day | Start | Finish | |
| Mon | | | State any seasonal variations for indoor sporting events (please read guidance note 5) |
| | | | |
| Tue | | | |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 6) |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

D

| Boxing or wrestling entertainment Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | | | |
|---|-------|--------|---|--|--|--|--|
| Day | Start | Finish | | Outdoors | | | |
| Mon | | | Please give further details here (please read guidance note 4) | Both | | | |
| | | | | | | | |
| Tue | | | | State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 5) | | | |
| | | | | | | | |
| Wed | | | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 6) | | |
| | | | | | | | |
| Thur | | | | | | | |
| | | | | | | | |
| Fri | | | | | | | |
| | | | | | | | |
| Sat | | | | | | | |
| | | | | | | | |
| Sun | | | | | | | |
| | | | | | | | |

E

| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|--|-------|--------|---|----------|--|
| Day | Start | Finish | | Outdoors | |
| Mon | | | Please give further details here (please read guidance note 4) | Both | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 6) | | |
| Sun | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|--|-------|--------|--|----------|--|
| Day | Start | Finish | | Outdoors | |
| Mon | | | Please give further details here (please read guidance note 4) | Both | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | State any seasonal variations for the playing of recorded music (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 6) | | |
| Sun | | | | | |

G

| Performance of dance Standard days and timings (please read guidance note 7) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
|--|--------------|---------------|---|-----------------|--|
| Day | Start | Finish | | Outdoors | |
| Mon | | | | Both | |
| Tue | | | | | |
| Wed | | | Please give further details here (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | State any seasonal variations for the performance of dance (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 6) | | |
| | | | | | |

H

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
|--|--------------|---------------|---|-----------------|--|
| Day | Start | Finish | Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Mon | | | | Both | |
| Tue | | | | | |
| Wed | | | Please give further details here (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list. (please read guidance note 6) | | |
| | | | | | |

I

| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | X |
|--|--------------|---------------|--|-----------------|----------|
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | | | |
| Mon | 11:00 | 02:00 | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | 11:00 | 02:00 | A sound report is to supplement this variation of licensable activity. This will be attached as part of the application. | | |
| | | | | | |
| Wed | 11:00 | 02:00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| | | | | | |
| Thur | 11:00 | 02:00 | None | | |
| | | | | | |
| Fri | 11:00 | 02:00 | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 6) | | |
| | | | | | |
| Sat | 11:00 | 02:00 | None | | |
| | | | | | |
| Sun | 11:00 | 02:00 | None | | |
| | | | | | |

J

| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 8) | On the premises | |
|---|--------------|---------------|--|-------------------------|--|
| | | | | Off the premises | |
| | | | | Both | |
| Day | Start | Finish | | | |
| Mon | | | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 6) | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) | |
|---|-------|--------|--|--|
| Day | Start | Finish | None | |
| Mon | 11:00 | 02:00 | | |
| | | | | |
| Tue | 11:00 | 02:00 | | |
| | | | | |
| Wed | 11:00 | 02:00 | | |
| | | | | |
| Thur | 11:00 | 02:00 | | Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 6) |
| | | | | |
| Fri | 11:00 | 02:00 | | None |
| | | | | |
| Sat | 11:00 | 02:00 | | |
| | | | | |
| Sun | 11:00 | 02:00 | | |
| | | | | |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Please tick ✓ yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 11)

Any Highways noise and litter issues will be alleviated. We are proposing to provide more than adequate provision for litter and recycling. Sound proofing has been undertaken to the rear vent to allow for below than background sounds.

b) The prevention of crime and disorder

As no alcohol is served on the premises nor will patrons be allowed to consume their own alcohol, it is unlikely that there will be any anti social behaviour from patrons leaving the premises.

c) Public safety

As previously mentioned there will be no alcohol served on the premises therefore it is not expected that there will be any anti social behaviour. All the necessary health and safety and fire regulations will be adhered to. Fire extinguishers and fire safety equipment will be station for emergencies. CCTV will be in place for public safety also.

d) The prevention of public nuisance

As previously mentioned no alcohol will be served on the premises. Litter bins will be provided. Our client is aware that internal music could be a nuisance and will turn this off at an agreed hour. A notice asking patrons to quietly leave the premises can be displayed.

e) The protection of children from harm

All the necessary health and safety measures will be taken including signage stating certain areas are "out of bounds" except for staff.

Please tick ✓ Yes

- I have made or enclosed payment of the fee, or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable ✓
- I understand that I must now advertise my application ✓
- I have enclosed the premises licence or relevant part of it or explanation ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (See guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

[Redacted]

| | |
|------------------|------------------|
| Post town | Post code |
|------------------|------------------|

| |
|----------------------------------|
| Telephone number (if any) |
|----------------------------------|

| |
|---|
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) [Redacted] |
|---|

Notes for guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.

13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Our Reference: NIA/1276/24/335/v2.0/NYK, 106 Burley Road, Leeds

3rd December 2024

Dear Sirs

**NOISE IMPACT AND ODOUR IMPACT ASSESSMENT
PROPOSED EXTENSION OF OPENING TO 0200 HOURS
NYK, 106 BURLEY ROAD, LEEDS, LS3 1JP**

1.00 INTRODUCTION

1.01 RP Acoustics Limited has been commissioned by 363 Architecture to carry out a noise impact and odour risk assessment for a proposed extension of opening to 0200 hours at NYK, 106 Burley Road, Leeds, LS3 1JP (hereafter referred to as the site).

1.02 The scope of the noise impact and odour risk assessment is as follows:

- Determine ambient and background noise levels at the site
- Assess the noise associated with the kitchen extraction system (with the flue boxed out)
- Assess the noise impact in accordance with relevant guidelines

- Determine the odour potential associated with the kitchen extraction system
- Determine the odour risk assessment
- Provide recommendations for odour control requirements

1.03 This report sets out the methodology and findings of the assessments. It has been prepared on behalf of for the sole purpose described above and no extended duty of care to any third party is implied or offered. Third parties making reference to the report should consult 363 Architecture and RP Acoustics Limited as to the extent to which the findings may be appropriate for their use.

1.04 A glossary of acoustic terms is contained in Appendix 1 for reference.

2.00 SITE SETTING

2.01 The application site comprises 106 Burley Road, Leeds, LS3 1JP. An aerial image of the site setting is shown in Appendix 2. The site is located in a mixed use residential and commercial setting in Woodhouse to the north west of Leeds city centre.

2.02 The nearest non-associated residential uses with a line of sight to the kitchen extraction system (fan and flue) are the dwelling flats located to the north of the site (see Appendix 2).

2.03 There are numerous hot food takeaways in the locality of the site.

2.04 For reference the NYK kitchen extract flue has been boxed out for full height in order to reduce the noise levels associated with the extraction system (see Appendix 2). The extraction fan is variable speed and is operated at low (24), medium (30) and high/full (36). It is typically operated at medium speed (30) but is occasionally operated at high/full (36) for short periods to remove excessive heat within the kitchen.

3.00 NOISE VALIDATION SURVEY

- 3.01 Following the boxing out of the kitchen extract flue to reduce the noise levels associated with the extraction system, a noise validation survey in the late evening of Friday 30th August 2024.
- 3.02 For the purpose of the noise validation survey at single noise monitoring position was adopted in a reflective field environment at 1 metre from the façade of the nearest residential dwelling flats (see Appendix 2).
- 3.03 Noise measurements were undertaken using an NTi Audio XL2 Type 1 integrating sound level meters. A 90 mm windshield was fitted for all measurements. The measurement system calibration was verified immediately before and after measurement sessions with no drift in calibration level was noted (calibration certificates reproduced in Appendix 3 for reference).
- 3.04 Measurements consisted of A-weighted broadband parameters, together with linear third octave band L_{eq} levels, with a logging interval of 1 second. The following table contains a summary of the relevant measurement data rounded to the nearest decibel (with a – 3 dB façade enhancement correction applied in order to ascertain free field noise levels).

Table 3.1 – Baseline Noise Measurement Data

| Time | LAeq (dB) | LA90 (dB) | LA99.8* (dB) | LA10 (dB) | LA1 (dB) | Comments |
|-----------|-----------|-----------|--------------|-----------|----------|---|
| 2346–2351 | 46 | 42 | 41.1 | 48 | 51 | Burley Road; extract fan high/full (36), barely perceptible |
| 2351–2356 | 47 | 42 | 41.0 | 48 | 54 | Burley Road; extract fan high/full (36), barely perceptible |
| 0022–0027 | 47 | 42 | 40.1 | 48 | 51 | Burley Road traffic, extract fan OFF |
| 0200–0300 | 46 | 40 | 39.1 | 47 | 50 | Burley Road traffic, extract fan OFF |

* The $L_{A99.8}$ (5 minutes) is defined as the underlying level as per the Noise Act 1996

- 3.05 The ambient noise level (L_{Aeq}) is dominated by Burley Road traffic and not the kitchen extraction system.
- 3.06 With the kitchen extraction system at medium (30), it was wholly inaudible outside the nearest residential dwelling flats.
- 3.07 With the kitchen extraction system at high/full (36), it was barely perceptible outside the nearest residential dwelling flats. Based on experience, it is considered it would be inaudible inside the nearest residential dwelling flats with a partially open window.
- 3.08 In order to ascertain the noise level of the kitchen extraction system at high/full (36) outside the nearest residential dwellings flats, reference is made to the underlying noise level ($L_{A99.8, 5 \text{ minutes}}$) as defined by the Noise Act 1996. As the fan was running continuously at high/full (36) during the measurement period before midnight, as Burley Road traffic is dominant, the fan noise level is calculated as follows:

- Underlying Noise Level Traffic + Fan (36) 41.0 dB $L_{A99.8}$ (2351–2356)
- Underlying Noise Level Traffic 40.1 dB $L_{A99.8}$ (0022–0027)
- Fan Noise Level 33.7 dB (41.0 – 40.1 logarithmically)
6 dB below background 0200–0300
Barely perceptible = no impact

4.00 ODOUR RISK ASSESSMENT

4.01 The following 'Risk Assessment for Odour' has been derived from criteria outlined by DEFRA 2005, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems Appendix C. The assessment is carried to accurately score the site according to DEFRA standards. Odour control must be designed to prevent odour nuisance in a given situation. The following score methodology is suggested as a means of determining odour control requirements using a simple risk assessment approach.

Table 4.1 – Risk Assessment for Odour for Proposed Restaurant

| Criteria | Rating | Score | Details |
|---|-----------|-------|--|
| Dispersion | Very Poor | 20 | Low level discharge, discharge into courtyard or restriction on stack |
| | Poor | 15 | Not low level but below eaves, or discharge at below 10 m/s |
| | Moderate | 10 | Discharging 1m above eaves at 10 to 15 m/s |
| | Good | 5 | Discharging 1m above ridge at 15 m/s |
| Proximity of Receptors | Close | 10 | Closest sensitive receptor less than 20m from kitchen discharge |
| | Medium | 5 | Closest sensitive receptor between 20 and 100m from kitchen discharge |
| | Far | 1 | Closest sensitive receptor over 100m from kitchen discharge |
| Size of Kitchen | Large | 5 | More than 100 covers or large sized take away |
| | Medium | 3 | Between 30 and 100 covers or medium sized take away |
| | Small | 1 | Less than 30 covers or small sized take away |
| Cooking Type (Odour / Grease Loading) | Very High | 10 | Pub (high level of fried food), fried chicken, burgers or fish and chips |
| | High | 7 | Vietnamese, Thai or Indian |
| | Medium | 4 | Cantonese, Japanese or Chinese |
| | Low | 1 | Most Pubs, Italian, French, Pizza or Steakhouse |
| Overall Score = 31 = High Level of Odour Control | | | |

| Impact Risk | Odour Control Level Requirement | Significance Score |
|--------------|---------------------------------|--------------------|
| Low / Medium | Low Level Odour Control | Less than 20 |
| High | High Level Odour Control | 20 to 35 |
| Very High | Very High Level Odour Control | More than 35 |

4.02 High level odour control requires pre-filters and carbon filters to achieve a 0.2 to 0.4 second residence time. This is in line with the installed odour control system (see Appendix 4).

5.00 CONCLUSION

5.01 A noise impact and odour risk assessment for a proposed extension of opening to 0200 hours at NYK, 106 Burley Road, Leeds, LS3 1JP.

5.02 In accordance BS 4142, the noise associated with the installed kitchen extraction system has no impact on the nearest non-associated residential dwellings flats with a line of sight to the (now boxed out) kitchen extraction system (fan and flue). This is wholly consistent with subjective aural observations during the course of the noise validation survey.

5.03 A scheme of odour abatement has been installed in accordance with good practice in order to protect residential amenity.

5.04 In conclusion, noise and odour do not pose a constraint to an extension of hours to 0200.

If we can be of any further assistance, please do not hesitate to contact us.

Yours sincerely

MEng(Hons), AMIOA, Diploma in Acoustics and Noise Control
For

APPENDIX 1 GLOSSARY OF ACOUSTIC TERMS

Sound Pressure Level (L_p)

The basic unit of sound measurement is the sound pressure level. As the pressures to which the human ear responds can range from 20 μPa to 200 Pa, a linear measurement of sound levels would involve many orders of magnitude. Consequently, the pressures are converted to a logarithmic scale and expressed in decibels (dB) as follows:

$$L_p = 20 \log_{10}(p/p_0) \text{ where}$$

L_p = sound pressure level in dB; p = rms sound pressure in Pa; and p_0 = reference sound pressure (20 μPa).

A-weighting Network

A frequency filtering system in a sound level meter, which approximates under defined conditions the frequency response of the human ear. The A-weighted sound pressure level, expressed in dB(A), has been shown to correlate well with subjective response to noise.

Equivalent continuous A-weighted sound pressure level, $L_{Aeq, T}$

The value of the A-weighted sound pressure level in decibels of continuous steady sound that within a specified time interval, T, has the same mean-square sound pressure as a sound that varies with time. $L_{Aeq, 16h}$ (07:00 to 23:00 hours) and $L_{Aeq, 8h}$ (23:00 to 07:00 hours) are used to qualify daytime and night time noise levels.

$L_{A10, T}$

The A-weighted sound pressure level in decibels exceeded for 10% of the measurement period, T. $L_{A10, 18h}$ is the arithmetic mean of the 18 hourly values from 06:00 to 24:00 hours.

$L_{A90, T}$

The A-weighted sound pressure level of the residual noise in decibels exceeded 90% of a given time interval, T. L_{A90} is typically taken as representative of background noise.

$L_{AF \text{ max}}$

The maximum A-weighted noise level recorded during the measurement period. The subscript 'F' denotes fast time weighting, slow time weighting 'S' is also used.

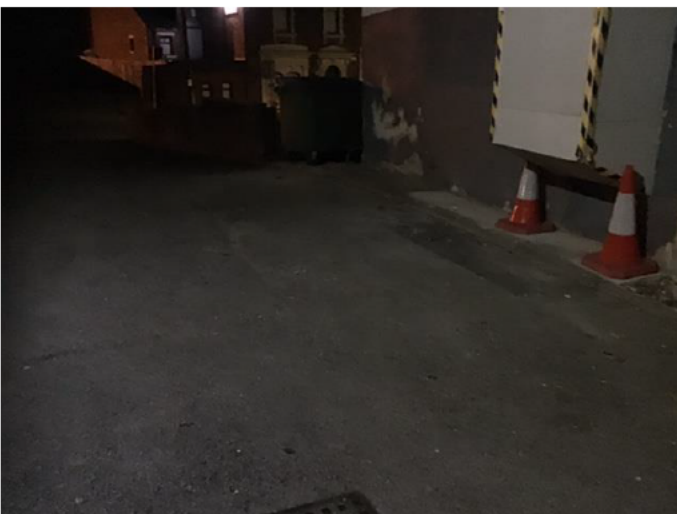
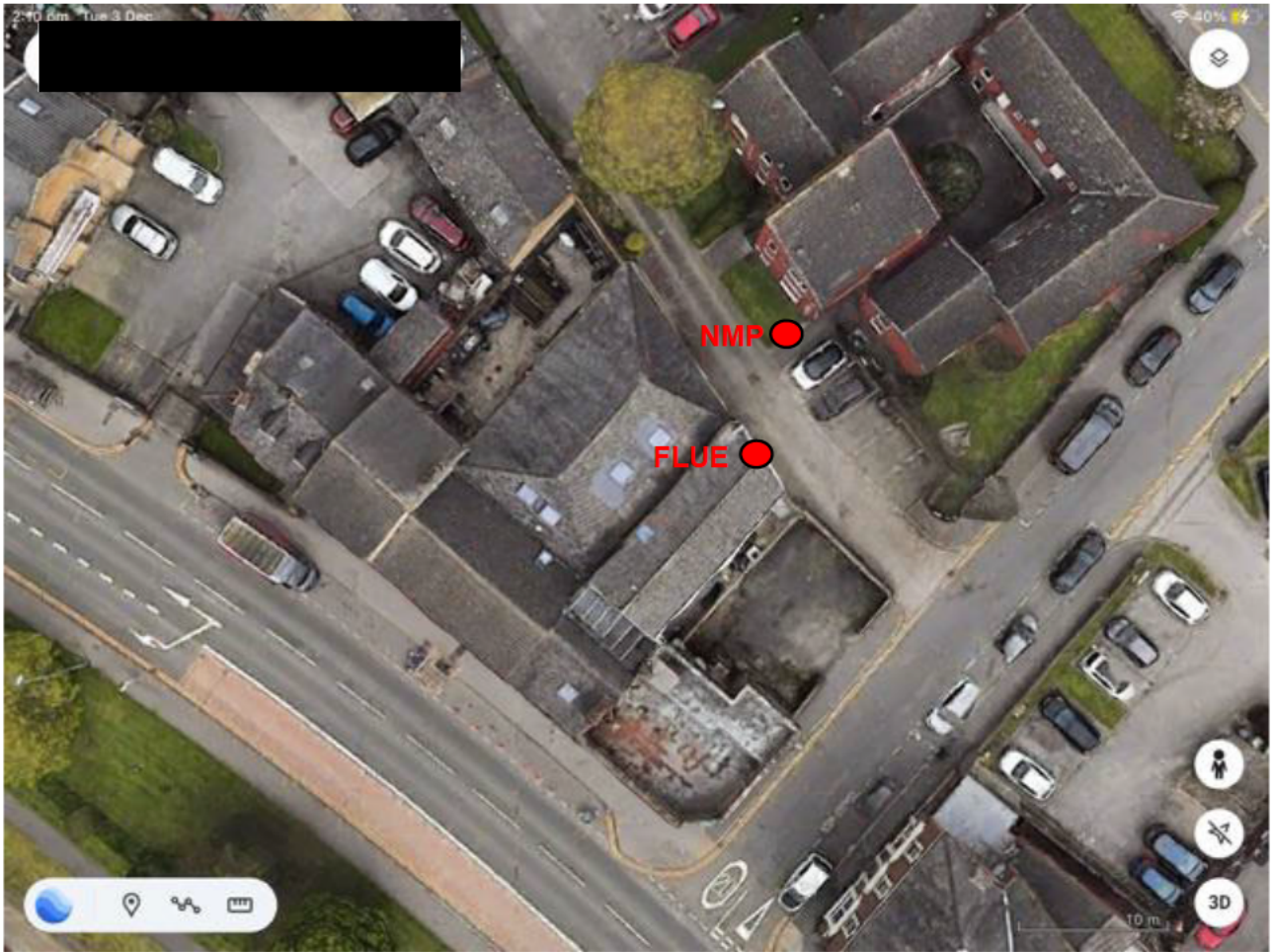
Sound Exposure Level (SEL or L_{AE})

The energy produced by a discrete noise event averaged over one second, no matter how long the event actually took. This allows for comparison between different noise events that occur over different lengths of time.

Building Regulations ADE 2003 Standard ($D_{nT,w} + C_{tr}$)

A single-number quantity which characterises the airborne sound insulation between rooms using noise spectrum No. 2 as defined in BS EN ISO 717-1:1997.

**APPENDIX 2
AERIAL IMAGE OF SITE AND NOISE MONITORING POSITION AND
PHOTOGRAPHS OF NOW BOXED OUT EXTRACT FAN AND FLUE**



APPENDIX 3
CALIBRATION CERTIFICATE FOR SOUND LEVEL METER (CALIBRATION EVERY 2 YEARS)



Certificate of Calibration and Conformance

Certificate number: U46717

Test Object: Sound Level Meter, BS EN IEC 61672-1:2013 Class 1
Associated Frequency Analyser to BS EN IEC 61260:1996 Class 1

Producer: [Redacted]
Type: XL2-TA
Serial number: A2A-17283-E0
Customer: [Redacted]
Address: [Redacted]

Contact Person: [Redacted]
Order No: RPA/24/CAL/01

Introduction:

Calibration has been performed as set out in CA Technical Procedures which are based on the procedures for periodic verification of sound level meters as per the **Test Object** listed above. Results and conformance statement are overleaf and detailed results, where appropriate, are provided in the attached Measurement Report.

| Tested: | Producer | Type | Serial No | Certificate No |
|--------------|--------------|--------|-----------|----------------|
| Microphone | NTi Audio | MC230A | A23855 | 46716 |
| Calibrator* | Larson Davis | CAL200 | 17115 | U46700 |
| Preamplifier | NTi Audio | MA220 | 11174 | Included |

* The calibrator was complete with any required coupler for the microphone specified.

Additional items that have also been submitted for verification:

Wind shield N/A
Attenuator N/A
Extension cable N/A

These items have been taken into account wherever appropriate.

Instruction Manual: NTi-Audio XL2 Operating Manual v3.11.02 August 2016 Firmware Version: V4.71 The test object is a single channel instrument.

| Conditions | Pressure kPa | Temperature °C | Humidity %RH |
|------------------------|--------------|----------------|--------------|
| Reference conditions | 101.325 | 23 | 50 |
| Measurement conditions | 97.15 ±0.02 | 22.30 ±0.4 | 43.48 ±0.65 |

Calibration Dates:

Received date: 23/01/2024 Reviewed date: 09/02/2024
Calibration date: 09/02/2024 Issued date: 09/02/2024

Technicians: (Electronic certificate)

Calibrated by: [Redacted]
Reviewed by: [Redacted]

This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. It provides traceability of measurement to the SI system of units and/or to units of measurement realised at the National Physical Laboratory or other recognised national metrology institutes. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory.

APPENDIX 3
CALIBRATION CERTIFICATE FOR SOUND CALIBRATOR (CALIBRATION EVERY YEAR)



Certificate of Calibration and Conformance

Certificate number: **U46700**

Test Object: **Sound Calibrator**

Producer:

Type: **CAL200**

Serial number: **17115**

Customer:

Address:

Contact Person:

Order No:

| Measurement Results | Level dB | Frequency Hz | Distortion % |
|--------------------------|---------------|-----------------|-----------------|
| Measurement 1 | 114.11 | 1000.36 | 0.37 |
| Measurement 2 | 114.11 | 1000.36 | 0.37 |
| Measurement 3 | 114.12 | 1000.37 | 0.37 |
| Result (Average): | 114.11 | 1000.36 | 0.37 |
| Expanded Uncertainty: | 0.1 | 1 | 0.3 |
| Degree of Freedom: | >100 | >100 | >100 |
| Coverage Factor: | 2 | 2 | 2 |

The stated level is relative to 20µPa. The level is traceable to National Standards.
The stated level is valid at measurement conditions

| Conditions | Pressure kPa | Temperature °C | Humidity %RH |
|------------------------|--------------|----------------|--------------|
| Reference conditions | 101.325 | 23 | 50 |
| Measurement conditions | 98.28 ±0.01 | 21.63 ±0.35 | 45.58 ±1.8 |

Calibration Statement

The reported expanded uncertainty of measurements is based on a standard uncertainty multiplied by the coverage factor of k=2, providing a level of confidence of approximately 95%. Where the degrees of freedom are insufficient to maintain this confidence level, the coverage factor is increased to maintain this confidence level. The uncertainty has been determined in accordance with UKAS requirements.

Multi Level Multi Frequency

Refer to page 3 for details of additional levels and frequencies calibrated.

Calibration Dates:

Received date: 23/01/2024 Reviewed date: 09/02/2024
Calibration date: 08/02/2024 Issued date: 08/02/2024

Technicians: (Electronic certificate)

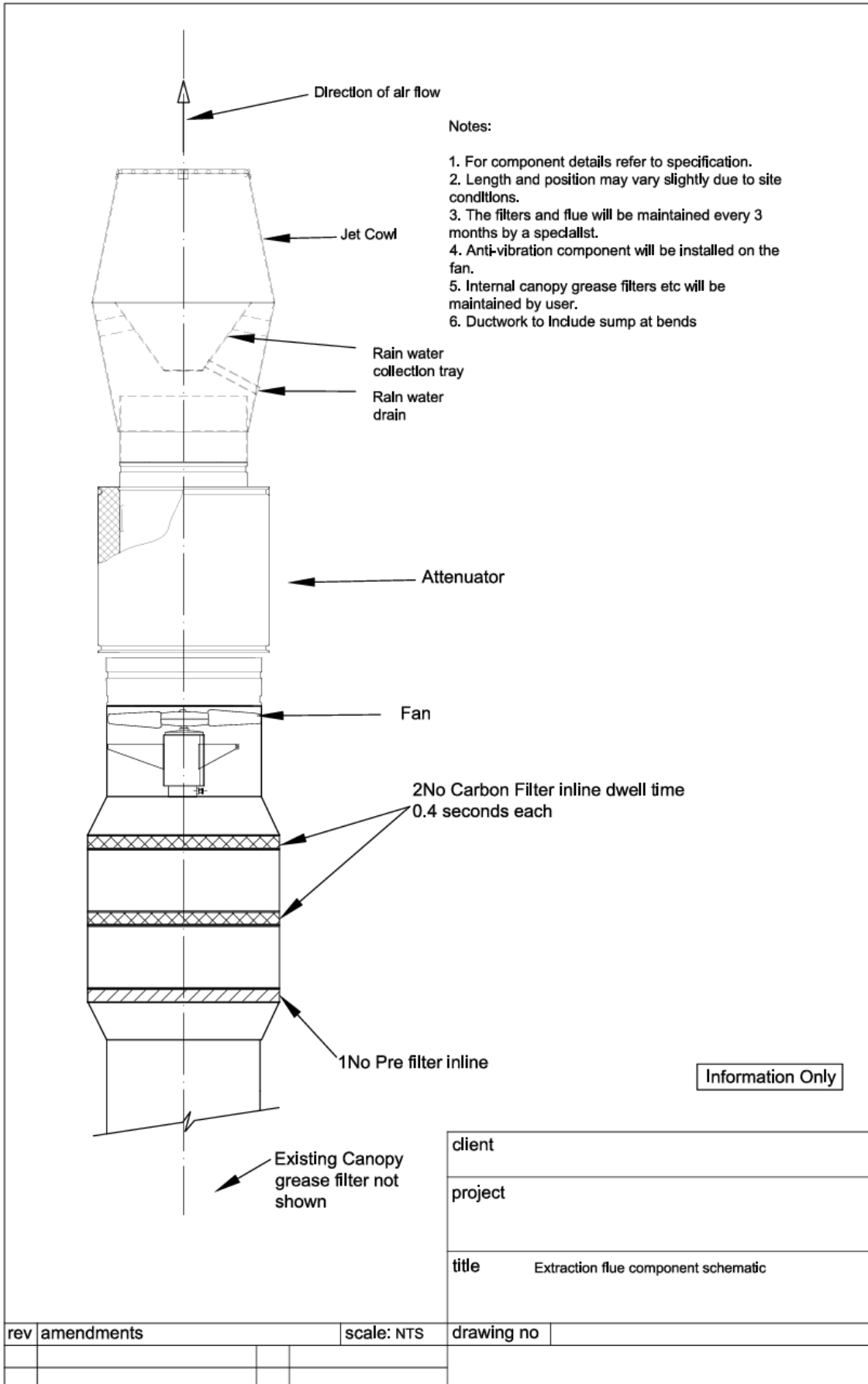
Calibrated by:

Reviewed by:

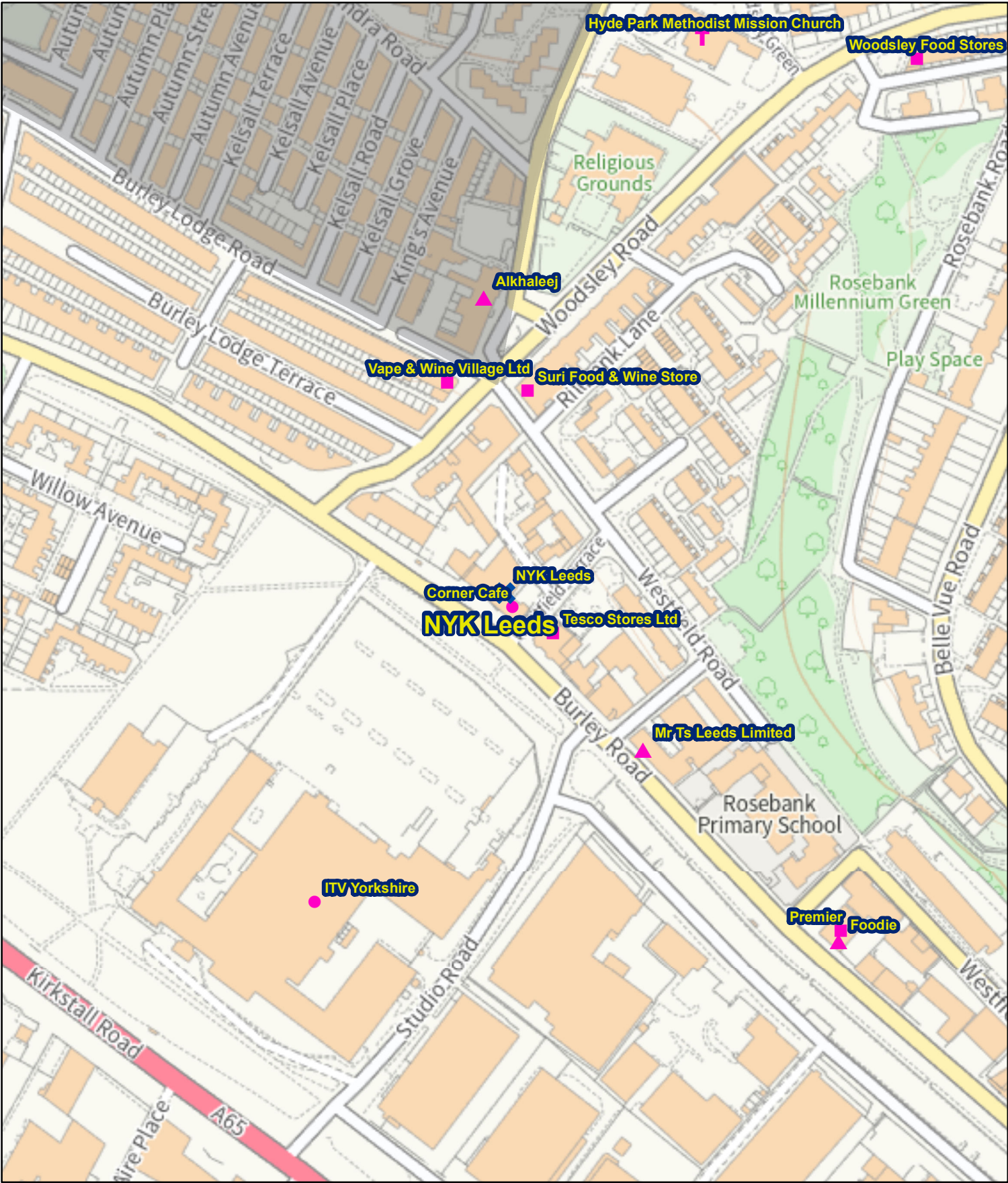
This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. It provides traceability of measurement to the SI system of units and/or to units of measurement realised at the National Physical Laboratory or other recognised national metrology institutes. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory.

Doc ref: Calb-V7-Cert-Master-V1.02

APPENDIX 4 INSTALLED KITCHEN EXTRACTION SYSTEM









APPENDIX D



This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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| | | | |
|---|--------------------|---|------------------------|
| Key | | | |
| Neighbouring premises | | | |
|  | Applicant premises |  | On licence |
|  | GA area |  | Late night refreshment |
|  | Page 57 |  | Other |

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From: [REDACTED]
To: [Entertainment Licensing](#)
Subject: PREM/05361/002 PREM/05361/002 | NYK Leeds, 106 Burley Road, LS3 1JP | Full Variation Application
Date: 07 January 2025 20:53:42

[REDACTED]

Dear sir or madam,

I wish to object very strongly to the application for the extension of opening hours for this takeaway NYK Leeds to 2 AM 7 days a week. It is totally unnecessary to be open until this hour.

There is a great likelihood of disturbance to rest and sleep for the residents, particularly in the flats to the rear of the premises, which is a mainly residential area. This may be exacerbated by increased noise from cars etc visiting the premises, revving, and raised voices if people have been out late, drinking alcohol.

There is also very likely to be increased litter and disease and consequently rats and other vermin, as people are prone to eat in their vehicles and throw their refuse on the kerb. This is already a problem in Little Woodhouse.

Please let me know the outcome of this application.

Yours sincerely,

[REDACTED]

Objection 02

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002 W: Extended opening hours 106 Burley road
Date: 20 January 2025 09:53:49

From: [REDACTED]
Sent: 15 January 2025 22:22
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Subject: Extended opening hours 106 Burley road

To whom it may concern I object to the takeaway having their opening hours extended it was under 6months ago that the hours were extended surely this is sufficient. Also it will impact on people living near more noise maybe more litter etc.. Please do not grant them the extended hours

Thank you

[REDACTED] nearby resident

[Yahoo Mail: Search, organise, conquer](#)

Leeds Citizens' Panel: Your Community, Your Voice

Leeds City Council runs the Leeds Citizens' Panel to find out what people in Leeds think, do and need.

[Join Leeds Citizens' Panel](#) to play an important role in shaping your city and local community.

Objection 03

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002
Date: 20 January 2025 10:29:01

From: [REDACTED]
Sent: 17 January 2025 16:07
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Cc: [REDACTED]
Subject: PREM/05361/002

Dear Sir/Madam

The proposal to extend opening hours for this NYK takeaway is highly objectionable, for the residential area as a whole, and particularly for those who live closer by. The noise, especially after midnight, generated by customers arriving and parking, waiting (car radio/music, doors slamming etc) is going to be intolerable. I understand that the current hours were only recently fixed, and that this is a further revision. There are already too many takeaways. They are detrimental to the quality of life for local residents.

Yours sincerely

[REDACTED]
[REDACTED]

Objection 04

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002 FW: NYK Leeds Limited, Burley Road
Date: 20 January 2025 10:34:15

From: [REDACTED]
Sent: 19 January 2025 17:14
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Subject: NYK Leeds Limited, Burley Road

Dear Licensing Authority,

I am contacting you with regards to an application from NYK Leeds Limited for extending the operating hours until 02:00am.

I am a resident at [REDACTED], [REDACTED] the premises of NYK and is next to Westfield Terrace road.

Residents at Westfield Cout already have a major issue with litter dumped around our premises by customers of NYK, almost on a daily basis or every other day. Litter dumped on the nearby street/pavement can be transferred to our premises by wind or sometimes people directly throw the litter in our premises.

This anti-social behaviour is most likely to occur during late night hours.

In addition, Westfield Terrace road is the main road where potential customers of NYK park. There have been instances when people parked on this road late at night hear to loud music or talking loudly, causing noise disturbance to any nearby residents.

I believe the above issues will only become more frequent if NYK is allowed to operate until 02:00am and I would like to ask that the above is taken into serious consideration.

Kind Regards,

[REDACTED]

[REDACTED]



Virus-free. www.avg.com

Objection 05

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002 FW: Objection to Extension of Opening Hours at NYK, 106, Burley Rd. Leeds.
Date: 20 January 2025 10:49:19

From: [REDACTED]
Sent: 19 January 2025 21:47
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Subject: Objection to Extension of Opening Hours at NYK, 106, Burley Rd. Leeds.

Dear Sir/Madam,

I write to object to the above business, NYK, Burley Rd. Leeds, application to increase their opening hours, even further.

This is a residential area, already, with a higher than acceptable amount of take-away and restaurants, the litter and noise created by customers does nothing to enhance an already poor neighbourhood.

Increasing the opening hours, especially during weekdays, will disrupt / decrease the quality of life of residents.

This business had their opening hours extended only five months ago. Surely, they should consider the people who live in the area and make do with their recently extended hours of opening.

I sincerely hope that the residents do not have to endure more noise and more litter.

Kind regards

[REDACTED]

Objection 06

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002 FW: Objection to NYK late license application Burley Road
Date: 20 January 2025 14:32:51

From: [REDACTED]
Sent: 20 January 2025 13:18
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>; [REDACTED]
[REDACTED]
Subject: Objection to NYK late license application Burley Road

Hello - pls see objection set out below - I'd be grateful if you would confirm receipt - thanks - [REDACTED]

I and many other neighbours are concerned about the new application to trade until 2 AM each evening, especially so soon after the last application which was sensibly rejected by the licensing committee in 2024. This new application shows a disregard for local residents, many of whom are vulnerable and unable to object or find it difficult to have their say. It has been 'sneaked in' during a quiet period and it is only by chance that one resident noticed the discreet notice on the premises and alerted others. Many of whom feel totally disheartened and depressed about the thought of living under such unacceptable conditions.

Due to concerns of possible retribution, please ensure that my name and address is not published and not available to the take away.

Reasons for objection

- 1. The business continues to show disregard for the amenity and welfare of local residents in the general running of the company. This is evident from an application for a late license every single night of the week until 2AM so soon after the last application. Last time round residents were extremely anxious and concerned that the application was going to be approved and that anxiety has now come back for many. Approving this application would have significant effects of the mental health and wellbeing of already vulnerable and suffering residents.*
- 2. Despite promises at the licensing committee and in the previous application there is still an issue with litter. Residents are regularly having to pick litter up from this take away. The litter is usually thrown out of a car after about 11 PM, although it happens other times too.*
- 3. Since the last application I have caught a worker at NYK cleaning a fat-laden and putrid grill into one of the drains adjacent to Westfield court. There have been continued breaches of the environmental enforcement and evidence has*

been provided to environmental health to this effect. I have been advised by environmental health that a fine will be issued.

- 4. Opening until 2AM would make life unbearable for local residents who live next to Westfield Terrace in particular. Some of the residents are vulnerable and with terminal health conditions. There is a direct relationship between the amount of noise and anti social behaviour and how late it is. The later it is the greater the problem. Before this take away opened no-one parked on Westfield terrace in the evenings. Since opening, the terrace has cars parked frequently down one side with NYK customers, right next to residents bedrooms (in some cases, a distance of only a few metres). Many of the customers eat their food in the car, windows open, engine running, loud music blaring, chatting loudly, slamming doors, using car horns, revving engines and to top it all, many just throw their rubbish out into the street. Aside from the noise and sleep disturbance, there has been an increase in rats in the area. If the restaurant do pick litter up (which we all doubt, no-one has seen them) then they most certainly don't do it late in the evening and it's shortly after this time that the rats come out and devour the left-over takeaway*
- 5. It is not just anti-social behaviour from those arriving by car. Late in the evening others are on foot and often sit on the walls outside residents bedroom windows eating their food and those eating in this way are highly likely to discard their rubbish onto the pavement, road or over a wall. Rarely are these customers quiet, often talking loudly to a friend or on the phone.*
- 6. Smells at the rear of the property are still evident, despite the improvements to the flue. The smells are particularly apparent late in the evening. It is acknowledged that the smells are not as awful as they were before the flue improvement but they are still unacceptable. If open until 2AM the flue will be operating and pumping out smells and noise in very close proximity to the bedrooms of at least 6 properties. In two of these properties there are residents with terminal health issues and I am writing this in part to stand up for them.*
- 7. As above re noise from the flue. There has been an improvement but given the very close proximity to bedrooms the noise late in the evening becomes more apparent given the quietness of the surroundings as the evening progresses. This has had the effect of reducing the impact of the flue improvements. This will become even more of a problem in the summer when residents need to have windows open.*
- 8. Opening until 2AM also means bins being emptied later, staff at the rear smoking and chatting on their mobile phones and the general noise associated with such an establishment.*

It is acknowledged that some improvements have been made to the flue but it is the contention of residents that these should have been undertaken anyway from the outset. The true nature of this company is revealed in the ongoing issues, the

quickness of this new application and in the total lack of acknowledgement of the long-suffering residents in the application.

Finally, the licensing committee or the council should consider the cumulative effect of late night take aways, on amenity, air quality, noise, mental health etc. Such applications tend to be in more deprived parts of the city where there are vulnerable residents, who often don't speak up or are unable to. This objection in part speaks on behalf of these people.

Objection 07

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002 FW: Objection to late license for NYK Leeds Fried Chicken 106 Burley Rd take away
Date: 20 January 2025 14:35:10

From: [REDACTED]
Sent: 20 January 2025 14:16
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Subject: Objection to late license for NYK Leeds Fried Chicken 106 Burley Rd take away

Objection to late license for NYK Leeds Fried Chicken 106 Burley Rd take away

Due to concerns of possible retribution, please ensure that my name and address is not published and not available to the take away.

I and many other neighbours/residents are concerned about the application to trade at until 2 AM each evening,

Anti Social Behavior on Westfield Terrace and Westfield Road still continues under the present licence this means cars parked with engines running, loud music being played long into the night, which stops residents going to sleep. Take away packaging with sauces, chips, chicken etc just dumped on the road, pavement and outside residents ground floor flats it's a dirty mess. We are having to go round on a daily basis cleaning and removing the trash left.

People eating take aways on the Tesco wall adjoining Westfield Terrace with and all of the above anti social behavior taking place.

There is still oil being poured into the drain which I have witnessed on one occasion.

Please think about the residents it's intolerable now, it is a residential area please refuse this extension.

Please respond to this email you have received

Thank you

Objection 08

From: planning.comments@leeds.gov.uk
To: [Musson, Martyn](#)
Subject: Comments for Licensing Application PREM/05361/002
Date: 20 January 2025 16:15:23

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 20/01/2025 4:15 PM from [REDACTED]

Application Summary

Address: Ground Floor 106 Burley Road Burley Leeds LS3 1JP

Proposal: Premises Licence - Full Variation

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: 20/01/2025 4:15 PM I feel that the operation of a business between the hours of midnight and 2am in the morning will not be beneficial to the area. There is already an existing problem with cars parking illegally on double yellow lines and blocking entrances etc. The granting of a late night refreshment licence will result in extra traffic, in a residential area. There has recently been an increase in crime in this area - graffiti, break ins and anti-social behaviour. This kind of establishment will not improve that situation.

Kind regards

Objection 09

From: [Musson, Martyn](#)
To: [Musson, Martyn](#)
Subject: FW: PREM/05361/002 | NYK Leeds, 106 Burley Road, LS3 1JP | Full Variation Application - Objection
Date: 21 January 2025 11:57:29

From: [REDACTED]
Sent: 20 January 2025 16:49
To: Entertainment Licensing <Entertainment.Licen@leeds.gov.uk>
Subject: PREM/05361/002 | NYK Leeds, 106 Burley Road, LS3 1JP | Full Variation Application - Objection

I wish to object to the application by NYK at 106 Burley Road to extend their hours of opening as detailed below:

Sunday to Thursday: 11:00 to 00:00 hours Friday and Saturday: 11:00 to 01:00 hours To the following:
Sunday to Thursday: 11:00 to 02:00 hours Friday and Saturday: 11:00 to 02:00 hours To accompany the application we have a sound report to address the potential impact to residential dwellings.'

This Take-Away is situated on Burley Road . The main issue is that although NYK faces onto Burley Road, at the rear it backs onto a residential area, its' rear entrance and flue are about 30 yards from the windows of Westfield Court, and it's late operations were previously (see below) extremely disruptive to the inhabitants there.

The owner was previously opening until 02:00 in contravention of the operating license and as a result, was the subject of an Enforcement Case:

24/00006/NCP3 Ground Floor 106 Burley Road. I believe this was superseded when the owner then applied to LCC for an extension until 02:00 and I attended the Licensing Panel hearing on 30th July to represent local residents and object to a late extension.

At the Licensing Panel on 30th July a compromise was accepted. On behalf of the residents I agreed that midnight Sunday to Thursday and 01:00 Friday and Saturday would both meet the needs of the business and the requirements of local residents and the Licensing Panel agreed to that arrangement. I believe the Licensing Panel were appreciative of our efforts to reach a compromise, recognising that although this area is predominantly residential, there needed to be an element of 'give and take' to support small businesses in the area.

That was on 30th July. Less than five months later the owner is seeking to extend the hours of operation up to 02:00 every night. Since the Panel Hearing, the premises have kept to the revised closing times of midnight and 01:00 Friday and Saturday night and residents have been satisfied that this compromise, largely, resolved most of their issues. The owner did promise regular litter sweeps, but (as per the attached video) these seem to be sporadic rather than regular. This video was taken on the morning of Saturday 11th January and I leave you to come to your own conclusions as to how effective the 'litter pick' has been.

There are vulnerable residents in Westfield Court, including children and pensioners and an extension to 02:00 is just not good enough. The application notes there is a sound report attached, but this will not affect the main issue which is customer noise, and there is little the owner can do to ameliorate this. The main issue will be the noise generated by the customers of NYK between midnight and 02:00. NYK itself may try and reduce noise as much as it can, but customers will park up in Westfield Terrace (immediately adjacent to Westfield Court), eat their takeaway with the radio on, the car engine running and talking loudly and then throw their litter onto the pavement. This was happening prior to the hours being agreed as midnight weekdays on 30th July, but under this proposal this will now continue until 02:00, severely impacting on local residents amenity and quality of life.

The residents have already accepted opening times until Midnight on week days, if this is now extended to 02:00 this will become unacceptable and unreasonable. LWCA undertook a survey in 2021 which identified over THIRTY Takeaways within the Little Woodhouse boundaries, we are not short of

Takeaways in the area, but we are short of residential accommodation and it would be unreasonable to subject the residents of Westfield Court to the noise and disruption that an extension of opening hours until 02:00 would inevitably bring. I request that you reject the application and retain the opening hours as agreed less than five months ago.



Objection 09



Objection 09



Objection 09



Objection 09



Issued premises licences and club certificates within an area



PREM/05361/001 - NYK Leeds, Ground Floor, 106 Burley Road, Burley, Leeds, LS3 1JP

Provision of late night refreshment

| | |
|--------------------|---------------|
| Friday & Saturday | 23:00 - 01:00 |
| Sunday to Thursday | 23:00 - 00:00 |

PREM/05166/002 - Papa John's, Unit 1 Briggs House, 98 Belle Vue Road, Woodhouse, Leeds, LS3 1HF

Provision of late night refreshment

| | |
|--------------------|---------------|
| Friday & Saturday | 23:00 - 02:00 |
| Sunday to Thursday | 23:00 - 00:00 |

PREM/03640/001 - Dominos, The Triangle, 2 Burley Road, Burley, Leeds, LS3 1JB

Provision of late night refreshment

| | |
|-----------|---------------|
| Every Day | 23:00 - 05:00 |
|-----------|---------------|

PREM/01313/003 - Woodsley Food Stores, 98 Woodsley Road, Woodhouse, Leeds, LS3 1DU

Sale by retail of alcohol

| | |
|--------------------|---------------|
| Monday to Saturday | 08:00 - 23:00 |
| Sunday | 10:00 - 22:30 |

PREM/02731/016 - Premier, 70 Burley Road, Burley, Leeds, LS3 1JX

Sale by retail of alcohol

| | |
|-----------|---------------|
| Every Day | 00:00 - 23:59 |
|-----------|---------------|

PREM/00175/003 - Suri Food & Wine Store, 20 Woodsley Road, Woodhouse, Leeds, LS3 1DT

Sale by retail of alcohol

| | |
|--------------------|---------------|
| Monday to Saturday | 08:00 - 23:00 |
| Sunday | 10:00 - 22:30 |

PREM/05279/001 - Foodie, Ground Floor, 70 Burley Road, Burley, Leeds, LS3 1JX

Provision of late night refreshment

| | |
|-----------|---------------|
| Every Day | 23:00 - 03:00 |
|-----------|---------------|

PREM/04988/002 - Vape & Wine Village Ltd, 13 - 15 Hyde Park Road, Hyde Park, Leeds, LS6 1PY

Sale by retail of alcohol

| | |
|-----------|---------------|
| Every Day | 07:00 - 23:00 |
|-----------|---------------|

PREM/02913/002 - Corner Cafe, 104 Burley Road, Burley, Leeds, LS3 1JP

Sale by retail of alcohol

| | |
|--------------------|---------------|
| Monday to Saturday | 12:00 - 22:30 |
| Sunday | 12:00 - 22:00 |

PREM/04316/003 - Kirkstall Service Station, 217 Kirkstall Road, Burley, Leeds, LS4 2AH

Sale by retail of alcohol

| | |
|-------------------------------------|---------------|
| Every Day | 00:00 - 23:59 |
| Provision of late night refreshment | |
| Every Day | 23:00 - 05:00 |

**PREM/02545/002 - ITV Yorkshire, Television Centre, Kirkstall Road, Burley, Leeds, LS3
1JS**

| | |
|--|---------------|
| Sale by retail of alcohol | |
| Every Day | 00:00 - 23:59 |
| Provision of late night refreshment | |
| Every Day | 23:00 - 05:00 |
| Performance of a play | |
| Every Day | 00:00 - 23:59 |
| Exhibition of a film | |
| Every Day | 00:00 - 23:59 |
| Indoor sporting events | |
| Every Day | 00:00 - 23:59 |
| Performance of live music | |
| Every Day | 00:00 - 23:59 |
| Performance of recorded music | |
| Every Day | 00:00 - 23:59 |
| Performance of dance | |
| Every Day | 00:00 - 23:59 |
| Entertainment similar to live music, recorded music or dance | |
| Every Day | 00:00 - 23:59 |