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**LICENSING SUB-COMMITTEE**

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**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
MONDAY, 11TH NOVEMBER, 2013 AT 10.00 AM**

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**MEMBERSHIP**

**Councillors**

A Khan           Burmantofts and Richmond Hill;  
G Wilkinson   Wetherby;  
Third Member to be confirmed

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**Agenda compiled by:  
Tel No:  
Governance Services  
Civic Hall  
LEEDS LS1 1UR**

**Helen Gray  
247 4355**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<b><u>PRELIMINARY PROCEDURES</u></b>  <b>ELECTION OF THE CHAIR</b>	
2			<b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b>  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)  (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	

Item No	Ward	Item Not Open		Page No
3			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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><b>LATE ITEMS</b></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	Item Not Open		Page No
5			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><b><u>HEARINGS</u></b></p>	
6	Chapel Allerton		<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR SIAM ORIENTAL RESTAURANT 106A HARROGATE ROAD, MOORTOWN, LEEDS, LS7 4LZ</b></p> <p>To consider the report of the Head of Licensing and Registration which sets out details of an application for the grant of a premises licence, for Siam Oriental Restaurant 106A Harrogate Road, Moortown, Leeds, LS7 4LZ</p> <p>(Report Attached)</p>	1 - 54



Report author: Mrs Emma White  
0113 2474095

## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

**Date: 11th November 2013**

**Subject: Application for the grant of a premises licence for Siam Oriental Restaurant 106A Harrogate Road, Moortown, Leeds, LS7 4LZ**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):      Chapel Allerton		
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 for the grant of a premises licence, made by Siam Square (Leeds) Ltd, for Siam Oriental Restaurant 106A Harrogate Road, Moortown, Leeds, LS7 4LZ.

The application is for Sale by retail of alcohol, live music, recorded music, performance of dance, anything of a similar description, late night refreshment as noted in 3.3.

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

The application has attracted representations from other persons and responsible authorities.

The premises are located within an area covered by a Cumulative Impact Policy.

#### 1.0 Purpose of this Report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for 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.

## **2.0 History of Premises**

- 2.0 This the first application for a premises licence made by Siam Square (Leeds)Ltd.
- 2.1 These premises previously had the benefit of a premises licence. Due to the licence holder entering liquidation the licence lapsed on the 29<sup>th</sup> July 2013, as no licence transfer was received within the 28 day consultation period.

## **3.0 The Application**

- 3.0 The applicant is Siam Square (Leeds) Ltd,
- 3.1 The application form may be found at Appendix A to this report.
- 3.2 In summary the application is for

Sale by retail of alcohol, live music, recoded music, performance of dance, anything of a similar description.

Everyday            12:00 – 03:00

Late night refreshment

Everyday            23:00 - 03:00

### Non Standard Timings

From the end of permitted hours on New Year's Eve until the start of permitted hours New Year's Day. Late night refreshment 23:00 New Year's Eve until 05:00 New Year's Day.

## **4.0 Other matters relevant to the application**

- 4.0 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.

## **5.0 Steps to promote the Licensing Objectives**

- 5.0 The applicant proposes to take specific steps to promote the licensing objectives identified in section "P" of the application form.

## **6.0 Proposed Designated Premises Supervisor**

- 6.0 Puttachat Keassarin intends to be the Designated Premises Supervisor.

## **7.0 Location**

- 7.0 A map which identifies the location of this premise is attached at Appendix B.

## **8.0 Cumulative Impact Policy**

8.0 The premises are located within the Cumulative Impact Area 4.

8.1 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.

8.2 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify through the risk assessment process and/or operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

8.3 Details of the Cumulative Impact Policy specific to Area 4 and an outline of the evidence behind the reason for setting this Policy is attached at Appendix C.

## **9.0 Representations**

9.0 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

### 9.1 Representations from Responsible Authorities

9.1.1 Representations have been received from West Yorkshire Police, Environmental Protection Team, Health and Safety Team, Planning Services.

9.1.2 The representations submitted by the four Responsible Authorities remain as a matter for member's consideration. A copy of the same may be found at Appendix D.

### 9.2 Other representations

9.2.1 The application has attracted representations from other persons.

9.2.2 The licensing section is in receipt of ten individual letters of objection. All of which are opposed to this application on the grounds of noise nuisance.

9.2.3 The application has attracted a representation from the Chapel Allerton ward Councillors. A copy of the same may be found at Appendix E.

9.2.4 Copies of the representations will be available at the hearing for Members consideration.

## **10.0 Options Available to Members**

10.0 The licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as requested.

- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Refuse to specify the said person as the designated premises supervisor.
- Reject the whole or part of the application.

10.1 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.

#### **11.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from other persons



**Application for a premises licence to be granted  
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 that 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 Siam Square (Leeds) Ltd

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description		reference or description	
Siam Oriental Restaurant 106A Harrogate Road Chappell Allerton		<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>27 SEP 2013</p> <p>RECEIVED</p> </div>	
Post town	Leeds	Postcode	LS7 4LZ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£46500 <i>✓</i>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

- |   |   |
|---|---|
|   | Please tick as appropriate                                      |
| a) an individual or individuals *               | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual *          |   |
| i. as a limited company                         | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B)            |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                            | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                    | <input type="checkbox"/> please complete section (B)            |

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Siam Square (Leeds) Ltd
Address C/o 7 Calverley Street Leeds LS1 3DA
Registered number (where applicable) 08558483 <i>✓ ALONE</i>
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2 <sup>1</sup>	8 <sup>1</sup>	1 <sup>1</sup> 0 <sup>1</sup> 2 <sup>1</sup> 0 <sup>1</sup> 1 <sup>1</sup> 3 <sup>1</sup>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<sup>1</sup>	<sup>1</sup>	<sup>1</sup> <sup>1</sup> <sup>1</sup> <sup>1</sup>

Please give a general description of the premises (please read guidance note 1)  
 Restaurant and bar

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick any that apply

- a) plays (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)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur								
Fri								
Sat						<b><u>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</u></b> (please read guidance note 5)		
Sun								

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><u>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</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					



**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	1200	0300			
Tue	1200	0300			
Wed	1200	0300	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	1200	0300			
Fri	1200	0300			
			<b>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</b> (please read guidance note 5) From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Sat	1200	0300			
Sun	1200	0300			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	1200	0300			
Tue	1200	0300			
			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	1200	0300			
Thur	1200	0300			
			<b>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</b> (please read guidance note 5) From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Fri	1200	0300			
Sat	1200	0300			
Sun	1200	0300			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	1200	0300			
Tue	1200	0300	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Wed	1200	0300			
Thur	1200	0300	<b><u>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</u></b> (please read guidance note 5) From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Fri	1200	0300			
Sat	1200	0300			
Sun	1200	0300			

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1200	0300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1200	0300	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed	1200	0300			
Thur	1200	0300	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri	1200	0300			
Sat	1200	0300	<b><u>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</u></b> (please read guidance note 5) From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Sun	1200	0300			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon	2300	0300						
Tue	2300	0300						
Wed	2300	0300				<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	2300	0300						
Fri	2300	0300				<b><u>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</u></b> (please read guidance note 5) 2300 on New Year's Eve until 0500 on New Year's Day		
Sat	2300	0300						
Sun	2300	0300						

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	1200	0300			
Tue	1200	0300			
Wed	1200	0300			
Thur	1200	0300			
Fri	1200	0300			
Sat	1200	0300			
Sun	1200	0300			
			<b>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</b> (please read guidance note 5)		
			From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Puttachat Keassarin	
Address 111 Kirkstall Hill Leeds	
Postcode	LS4 2TH
Personal licence number (if known) LEEDS/PERL/01373/05	
Issuing licensing authority (if known) Leeds City Council	
Date of birth 27/10/1971	

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 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	1200	0330	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) 1200 on New Year's Day until 0330 on 2<sup>nd</sup> January</p>
Tue	1200	0330	
Wed	1200	0330	
Thur	1200	0330	
Fri	1200	0330	
Sat	1200	0330	
Sun	1200	0330	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

CCTV to be provided and maintained to the satisfaction of the Police. Images to be retained for a minimum of 30 days and made available to the authorities on request.

There is to be waiter/waitress service throughout the restaurant area of the premises affording control and supervision.

**b) The prevention of crime and disorder**

As (a) above

**c) Public safety**

As (a) above

**d) The prevention of public nuisance**

As (a) above

**e) The protection of children from harm**

The premises will operate a proof of age scheme to comply with mandatory conditions.

Children will be permitted on the premises in accordance with the provisions of the Licensing Act 2003

As (a) above



**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>HCR</i>
Date	27 <sup>th</sup> September 2013
Capacity	Solicitors for and on behalf of the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Harrison Clark Rickerbys  
5 Deansway

Post town	Worcester	Postcode	WR1 2JG
Telephone number (if any)	01905 744535		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) licensing@hcrlaw.com			

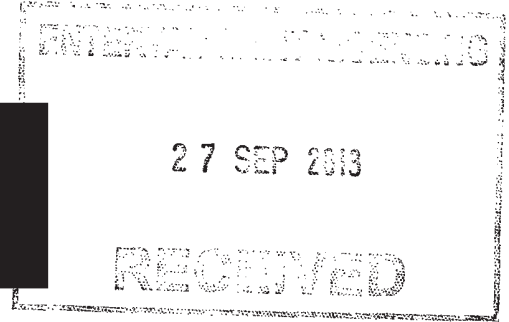
## Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

I PUTTACHAT KEASSARIN  
[full name of prospective premises supervisor]

of  

.....  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence

.....  
[type of application]

by SIAM SQUARE (LEENS) LTD

.....  
[name of applicant]

relating to a premises licence .....  
[number of existing licence, if any]

for SIAM ORIENTAL RESTAURANT  
106A HARROGATE ROAD  
CHAPPELL ALLERTON  
LEEDS LS7 4LZ

.....  
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

SIAM SQUARE (LEEDS) LTD  
[name of applicant]

concerning the supply of alcohol at

SIAM ORIENTAL RESTAURANT  
106A HARROGATE ROAD  
CHAPPEL AUERTON  
LEEDS  
LS7 4LZ

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

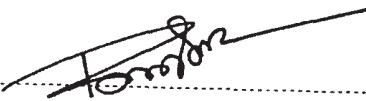
LEEDS/PERL/01373/05  
[insert personal licence number, if any]

EXP. 01.11.15

Personal licence issuing authority

LEEDS CITY COUNCIL  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

PUTTACHAT KEASSARIN

Date

15/09/13



# Appendix B

**Key**

- On licence
- Off licence
- ▲ Late night refreshment
- T Other

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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## PREM/03389/001 Siam Oriental Restaurant

<b>Title:</b>	106A Harrogate Road, Leeds, LS7 4LZ
<b>Sub Title:</b>	
<b>Date:</b>	28 October 2013
<b>Scale:</b>	1:1000



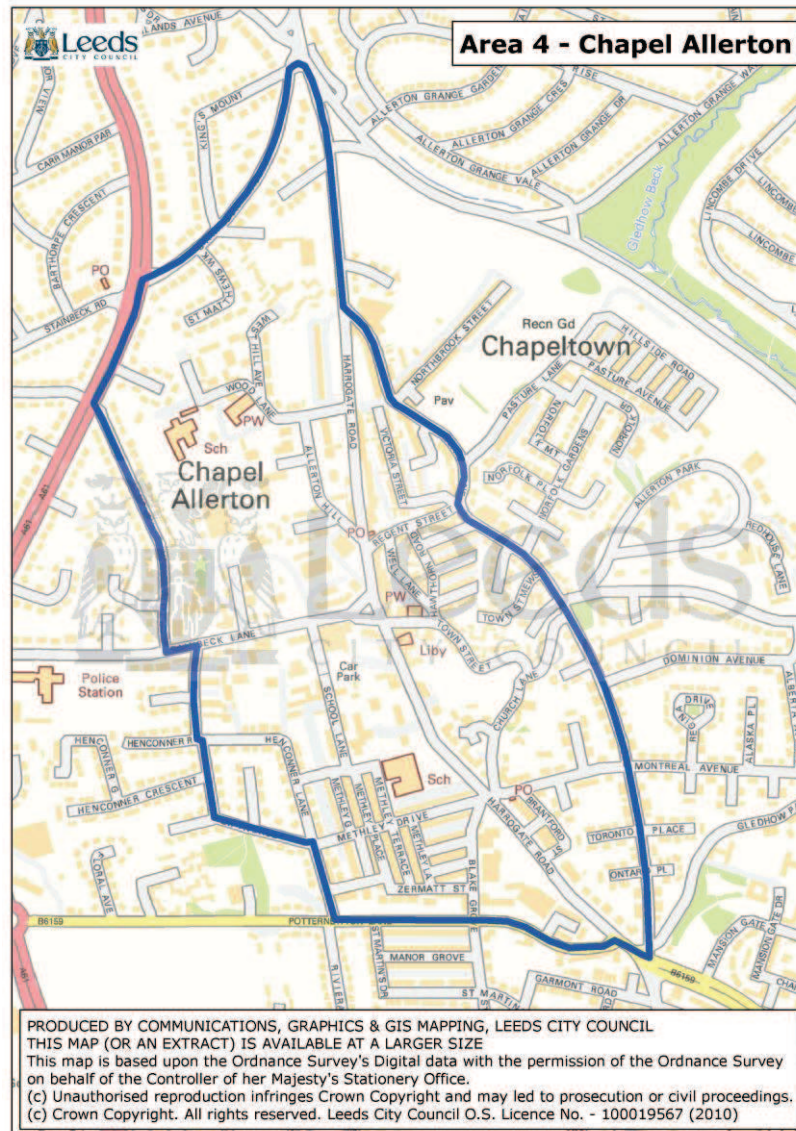
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### Cumulative Impact Policy

Area 4 relates to the Chapel Allerton district of Leeds.

Fig 1



It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

### Rationale

The Chapel Allerton CIP has performed well in the four years since its inclusion in the Statement of Licensing Policy. However, over the past four years residents of Chapel Allerton have noticed an increase in the amount of takeaway litter. There is also a concern relating to premises applying to vary their licence to increase the licensed area of their premises. In some cases this includes altering conditions to allow the use of the outside area to facilitate smokers following the smoking ban. This has a knock on effect on nuisance issues.

## Evidence

Fig 2

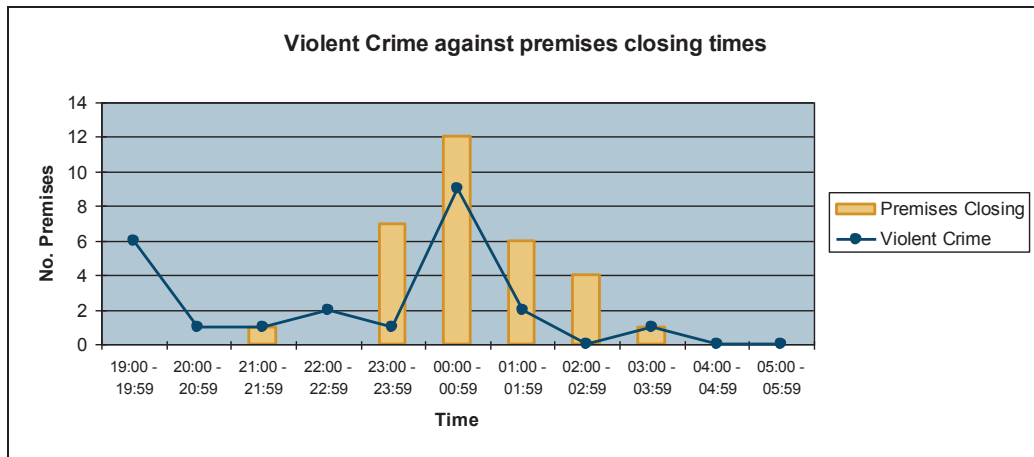
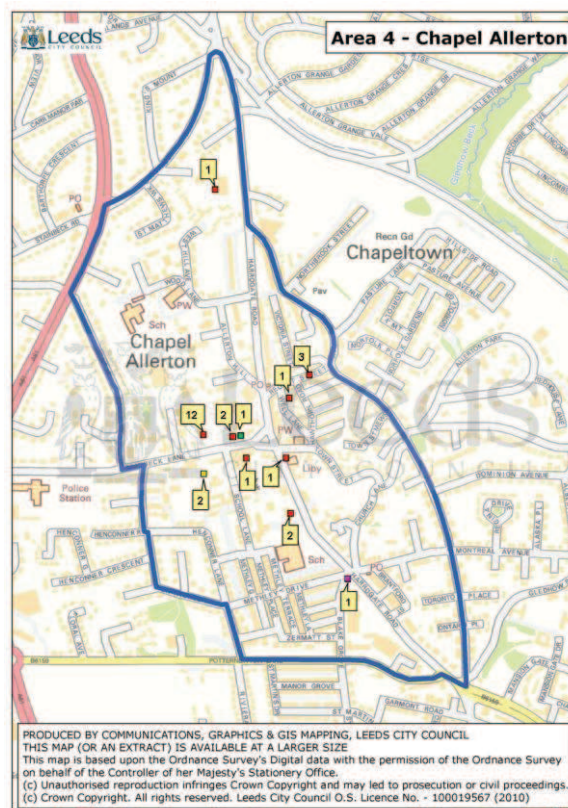


Fig 2 shows the number of violent crimes in the period between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1<sup>st</sup> May 2010).

As with the comments against the same analysis for Area 2, it is difficult to attribute the violent crime directly to premises which have no control over customers once they have closed.

Although not as closely matched as the figures for Area 2, the above would still suggest that violent crime numbers are affected by the number of premises which close at a given time. Should the number of premises increase, or existing premises extend their hours, it would be expected that the violent crime would react accordingly.

Fig 3



**Nuisance reports in Area 4 (2005 – 2010)**

Fig 3 shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.



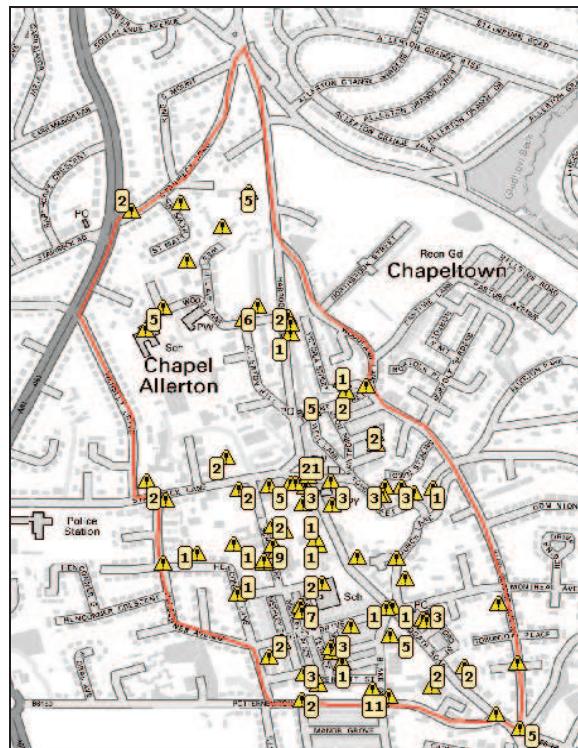
**Fig 4**



**Violent Crime Offences (2009/10)**

Fig 4 shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

**Fig 5**



**Anti Social Behaviour (2009/10)**

Fig 5 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

As can be seen from the above three maps of Area 4, there is a clear concentration of nuisance and violent crime problems around the locations dominated by licensed premises, while anti social behaviour is prevalent in the entire of Area 4 – although still with a clear concentration in numbers around licensed premises.

Residents have raised concerns about premises making slight variations to their premises licences, which while individually seem relatively minor, collectively have a large impact on the area. Following further analysis, it has been found that since 2005 there has been 11 variations in Area 4, these can be summarised as follows:

- 4 applications to extend hours
- 3 applications to allow or alter activities in external areas following the introduction of the smoking ban
- 2 applications to increase structural size
- 1 application to remove redundant licence conditions

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Extracted from the Final Consultation Report published in December 2010 which presented the findings of the review of the cumulative impact policies and the subsequent public consultation on the amended Statement of Licensing Policy which took place in 2010. The full report is available from Entertainment Licensing.

## White, Emma

---

**From:** Ward, Mike (Environmental Prote  
**Sent:** 22 October 2013 15:39  
**To:** Sanderson, Christopher  
**Cc:** bob.patterson@westyorkshire.pnn.police.uk; White, Emma  
**Subject:** RE: Licensing application at Siam Oriental Restaurant, 106A Harrogate Road, Leeds 7  
**Attachments:** Objection Siams redd.pdf

To Christopher

Please find attached for your information our objection to the above.

Thank you

(Emma I have attached a copy where redacted information relating to other businesses is now fully removed for you to post on Images)

**From:** Sanderson, Christopher  
**Sent:** 18 October 2013 16:16  
**To:** Entertainment Licensing  
**Cc:** Ward, Mike (Environmental Prote; [bob.patterson@westyorkshire.pnn.police.uk](mailto:bob.patterson@westyorkshire.pnn.police.uk))  
**Subject:** Licensing application at Siam Oriental Restaurant, 106A Harrogate Road, Leeds 7

Colleagues,

I enclose Planning Services objection to the above application.

Chris Sanderson  
Principal Compliance Officer  
Compliance Services  
Tel. No. 0113 2478216



Siam Square (Leeds) Ltd  
C/o 7 Calverley Street  
Leeds  
LS1 3DA

Environmental Protection Team  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS

Contact: Mr Mike Ward  
Tel: 0113 395 1414  
Fax: 0113 247 6282  
michael.ward@leeds.gov.uk  
Our reference: PREM/03389/001  
21 October 2013

Dear Sir / Madam

**Licensing Act 2003**

**Name of Premises: Siam Oriental Restaurant**

**Address: 106A Harrogate Road, Moortown, Leeds, LS7 4LZ**

Thank you for submitting your application for the above premises.

We are of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

We base our objection on the following matters:

1. The potential for noise disturbance associated with licensable activities passing through the fabric of the building to cause noise and vibration in adjoining residential flats.
2. The potential for noise disturbance from the use of outside areas whilst smoking and whilst arriving / leaving, including that from vehicles.
3. That the granting the hours of operation applied for would set a precedent in an area already served by late opening venues. The applicant venue can reasonably be expected to add to the existing impact of all licensable premises in that area. The existing impact includes noise from loud music and from sources outside such as from customers.

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

Having read the matters we describe below if you feel we should consider anything else please do not hesitate to contact us.



**Description of the surrounding area:**

Chapel Allerton has a vibrant mix of mainly commercial and residential premises. Generally the commercial premises are situated along the main roads that run through the area, with the bulk of the residential premises situated behind. Please see map appendix 1.

Many businesses also have residential flats situated above them. This has caused issues relating to noise due to the close vicinity of noise sensitive premises to premises that open late and offer licensable activities such as live or recorded music.

The map at appendix 1 shows premises that offer licensable activity that are open at later times from midnight. The premises involved and their general opening hours are indicated within on the map by a colour (blue, yellow and red). Please ignore any coloured circles created by the data base. We believe based on the councils database that no premises open later than 02:00 unless they have notified us of a temporary event.

The applicant premises is situated within the Chapel Allerton C.I.P. area. It is the council's policy, on receipt of relevant representations, to refuse new and variation applications for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

The application has attracted representations from the public, members and other agencies that concern matters related to the public nuisance objective.

**Description of the applicant venue and the application:**

When considering the map (appendix 1) the applicant venue is situated centrally amongst other commercial and licensable premises. The venue occupies the ground floor and basement of a substantial part of the old Police station premises. It has several flats adjoining it at ground and first floor level.

The applicant has applied for indoor live and recorded music, performances of dance and anything of a similar nature between 12:00 and 03:00 every day of the week. It has also applied for the provision of late night refreshment indoors and the supply of alcohol both inside and off premises over the same period. The hours of opening applied for extend a further half hour until 03:30.

In their accompanying floor plans the applicant has indicated that significant activities known generally to cause complaints about noise are to occur in areas adjoining noise sensitive premises. All the areas specified within the plans are internal areas.

We have invited the applicant through their solicitor to show how they are going to meet the licensing objective relating to public nuisance (Items 8.34 to 8.41 of the AMENDED GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003 – October 2012). To date all that we have received is that information given within part M of the application form. The applicant has stated that CCTV will be provided and images retained and service will be provided by waiters and waitresses.

We have been provided with no detail regarding any noise insulation or limiting devices. We have no further detail regarding the intended management of customers using the outside areas including whilst they arrive and leave the venue.



Despite our suggestion that the applicant considers further the potential for their application to cause public nuisance and in so doing use the proforma risk assessment, we have received no further information.

#### **Complaint history for the area about 200m around the venue:**

Please refer again to the map at appendix 1. The red stars indicate the general areas where a complaint has been received concerning noise during the period October 2010 to present. A filled red star indicates complaint/s arising from noise from outside sources such as people on the street. The spread of the complaints is fairly wide within the area.

Over the past three years, we have received twenty three complaints considered relevant to the application. The majority of those complaints related to noise (91%) and the majority of noise complaints related to loud music (60% of all complaints) or from noises such as from patrons outside (39% of all complaints). It should be noted that some complainants alleged noise from both sources.

Please see the outline of the complaints in appendix 2

#### **Complaint history specific to the applicant premises:**

We have received no complaints regarding the business premises between October 2010 and now. We have only received two complaints regarding noise during 2005 /6 specific to the applicant premises.

The alleged noise in 2005 was due to loud music and voices beyond the operating hours which were considerably less than that applied for in the current application. The latest activity was licenced until midnight on certain nights. In 2006 it was due to loud music played during the early evening until 23:00 in an un-insulated glazed area.

#### **Comparative complaint levels for context.**

Littering is by far the most frequent service request recorded for the city center and is recorded as a result of an observed offence. As a result we have removed littering from the overall figures considered in order to make them comparable. We have also not included noise from buskers in the city center as they are not a source of complaint in Chapel Allerton.

We find that noise from loud music accounts for approximately 68% of all remaining relevant complaints and noise from outside sources, 18% for the city center since October 2010. We have 142 relevant complaints overall for that period in the area 500m from city square [relevant commercial noise (various), odour and lighting issues].

When comparing Chapel Allerton with the city center for the same period, complaints for noise from loud music are similar and also high as a percentage overall. The noise arising from outside sources is much higher in Chapel Allerton 39% as compared with 18% in the city center.

The above figures suggest that the impact of noise from both inside and outside sources can be expected to be high in Chapel Allerton.

## Conclusions reached

The applicant has not demonstrated that their application would have no cumulative impact in the area. This is despite an invitation to do so.

We believe that the applicant premises will cause noise disturbance to adjoining and nearby residential premises. We also believe that the business will contribute to the noise from people in the area especially as they leave during the early hours, or whilst they smoke outside.

We believe that the hours of operation would set a precedent that would see other licensed premises require further hours of operation in an area that already experiences issues relating to noise.

We recommend that the Sub-Committee refuse the application according to the C.I.P.

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

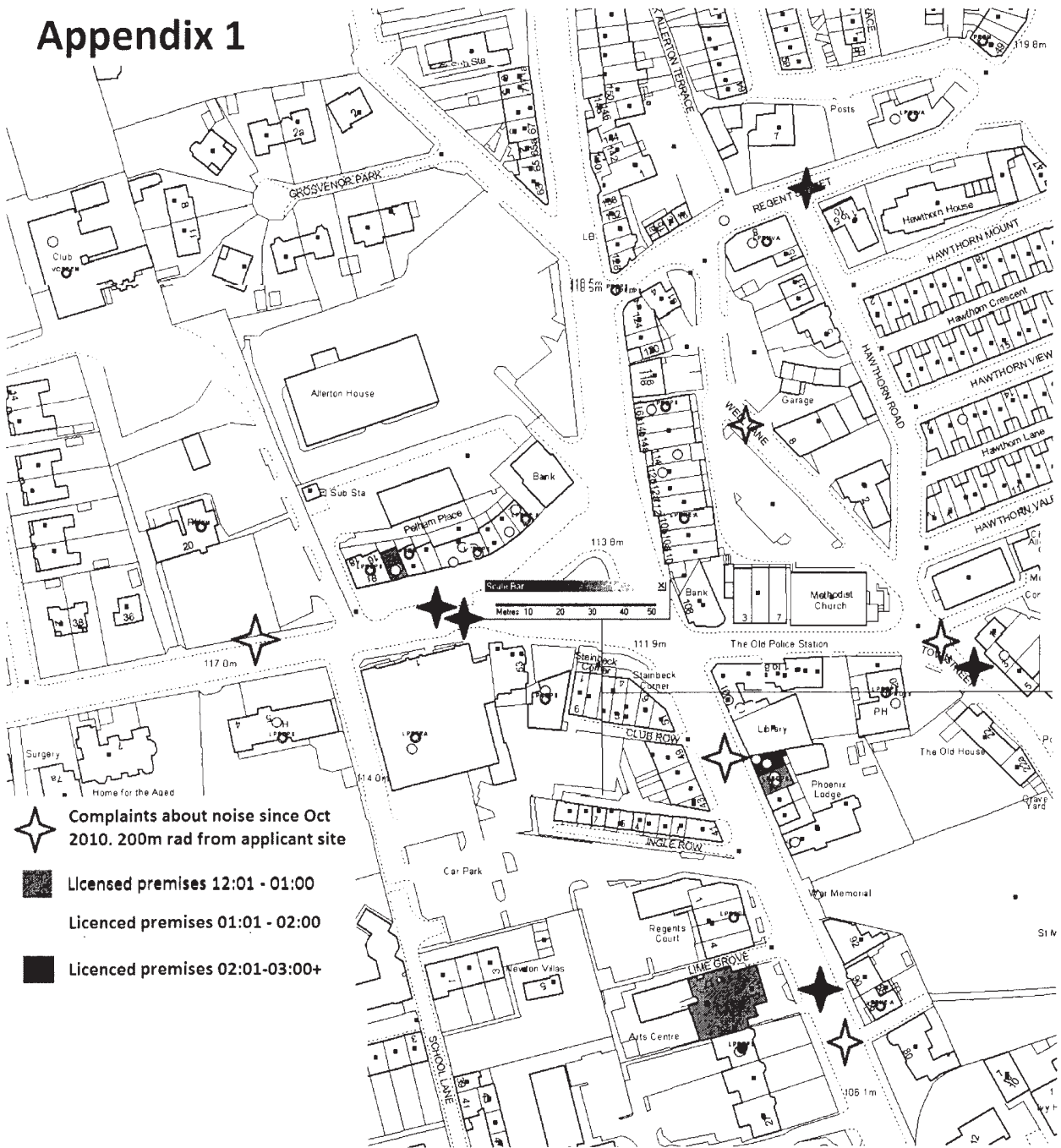
Yours faithfully



Mr Mike Ward  
Senior Environmental Health Officer

Encs

# Appendix 1



Continued



## Appendix 2

Key to colours:

Red = Noise from people and activity outside

Orange = Noise from loud Music

Red and Orange = allegations regarding both noise from inside and outside premises

Brown = Odour

Green = Litter

Blue = Noise from deliveries

Grey = Noise from machinery

10/35300/ NOICOM	NOICOM	28/10/2010	Thursday - Sunday people standing in street outside of the pub are being very loud.
10/35819/ NOILIC	NOILIC	03/11/2010	alleges that she is experiencing noise nuisance caused by patrons utilising the front entrance to smoke
10/39483/ NOILIC	NOILIC	21/12/2010	Loud live music
11/09630/ E_LITR	E_LITR	06/04/2011	Litter issues to the rear of these properties.
11/10143/ ODOIND	ODOIND	18/04/2011	Now I know this may sound ridiculous to the vast majority of the population, but I'm afraid I need to complain about the [REDACTED]. The smell of [REDACTED] from the restaurant next door to my house has just become unbearable.
11/10833/ NOILIC	NOILIC	26/04/2011	[REDACTED] states the public house across the road has a outdoor television and speakers. The noise level is very loud and is particular bad if sporting events are showing. The customer states it hasn't been a problem before but they appear to have moved the speakers higher and the customer can now hear the noise inside his home.
11/11248/ NOICOM	NOICOM	03/05/2011	THIS IS A NON LICENSED RESTAURANT WITH A CLOSING TIME OF 11PM - IT IS GETTING INCREASINGLY NOISIER SEEMINGLY NOT BEING USED AS A RESTAURANT MORE OF KARIOKE - ON SATURDAY 30.04.11 THEY DIDN'T STOP SINGING LOUDLY UNTIL 1AM AND THEN CLEARED UP AFTER SO THE NOISE DIDNT STOP UNTIL NEARLY 2AM - QUITE OFTEN THEY ARE VERY LOUD UNTIL AFTER MIDNIGHT - THIS IS SUPPOSED TO BE A RESTAURANT NOT A BAR
11/19422/ NOILIC	NOILIC	20/07/2011	Live above the [REDACTED]. I would like to make a complaint regarding the level of noise that the bar makes in an evening. There was never a problem with noise throughout the week and there was slight noise on a Friday and Saturday which is fine as we realise living above a bar that it will be noisy at a weekend and I take this into account. Since [REDACTED] has opened on numerous occasions during the week music has been played excessively to the point where the floor boards are vibrating.
11/24186/ NOICOM	NOICOM	30/08/2011	Please see below my enquiry with the planning department regarding deliver times of the [REDACTED]. I live next to the store and am consistently affected by early deliveries 7 days a week. These are consistently around 7 and before.
11/24507/ NOILIC	NOILIC	31/08/2011	Late night opening once a month but during the bank holiday the noise and music was going on until at least 3am in the morning. Nearby residents can hear the talking and music from there apartments.
11/24804/ NOILIC	NOILIC	02/09/2011	Noise from loud music, patrons outside, sometimes until 1am
11/34140/ XNOILI	XNOILI	28/11/2011	loud music and shouting
12/00179/ NOILIC	NOILIC	04/01/2012	To Whom it may concern, I would like to make a complaint regarding [REDACTED]. On several occasions over the past month the music in the bar has been played to extremely high level. One such occasion was Friday 30th December between 12am- 2am, the music was played at such loud levels that I could hear every single word and also I could hear every single word that the DJ said. There is always going to be some noise living above a bar but I feel recently this has got out of control. In

			<p>addition to this there is often a live band which plays on a Sunday evening which again the bass is so loud that the room shakes.</p> <p>I have spoken on several occasions to the manager of bar who does turn the music down when asked but then the same thing happens again the next week. Myself and other residents in the complex have previously complained about this matter before but there has been resolution.</p> <p>If I do not see any improvement I will be in contact with my local Councillor and I will ask my neighbours to do the same. I expect to hear from you shortly.</p>
12/23508/ XNOILI	XNOILI	30/06/2012	Loud music
12/34099/ NOICOM	NOICOM	10/09/2012	Customer is reporting that every weekend the noise from this pub is beyond a joke. He has called the out of hours team a few times but it's either been engaged or not had enough staff to attend. The noise has got worse since decking was erected at front of the pub. Customer believes this has been done illegally as planning notices are always going up then the pub withdraws. He also stated that the winding down time of the pub is usually 3 hours after closing time. Noise diary sent.
13/16346/ NOICOM	NOICOM	24/04/2013	Customer called to report noise from people playing very loud music from their cars in the car park. This is happening on weekends and whenever the weather is sunny. Affecting all residents in the area. On-going for many years, many calls made to the pub but still nothing done.
13/18140/ XNODOM	XNODOM	07/05/2013	Loud music every Friday and Saturday night
13/19652/ NOILIC	NOILIC	20/05/2013	Again there is loud music coming from the venue made worse by the doors being left open regularly.
13/25809/ NOICOM	NOICOM	02/07/2013	Noise from some sort of machinery at the rear of the building, every 30-60 seconds, youths also congregating in the car park.
13/26883/ XNOILI	XNOILI	06/07/2013	Music
13/30456/ XNOILI	XNOILI	28/07/2013	Loud music
13/32785/ NOILIC	NOILIC	09/08/2013	Shouting and swearing
13/39291/ NOILIC	NOILIC	18/09/2013	Noise from loud talking in smoking area late at night, foul language echoes through the alleyway.

**Amin, Imtishaam**

3384/004 62

**From:** Patterson, Bob <bob.patterson@westyorkshire.pnn.police.uk>  
**Sent:** 25 October 2013 11:54  
**To:** Emma.White(GCSx); Entertainment Licensing  
**Cc:** 'licensing@hcrlaw.com'; Ward, Mike (Environmental Prote; Sanderson, Christopher; Dobson, Lynn  
**Subject:** SIAM ORIENTAL CHAPEL ALLERTON - POLICE LETTER OF REP CIP [NOT PROTECTIVELY MARKED]  
**Attachments:** 251013 CIP LETTER OF REP.pdf

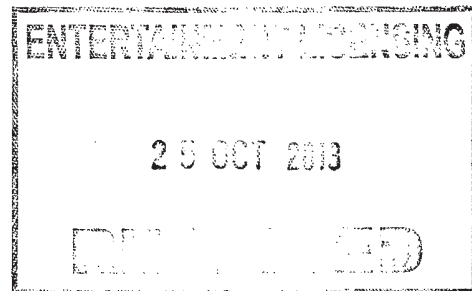
Dear Emma,

Please see attached a letter of representation from West Yorkshire Police, in relation to the new premises licence application for Siam Oriental on Harrogate Road.

You will note, a copy has also been served on the applicants representative.

Regards.

Mr. Bob Patterson  
Leeds District Licensing Officer  
Millgarth Police Station  
Millgarth Street  
Leeds  
LS2 7HX  
Tel: 0113-2414023 (24023)  
Fax: 0113-2413123 (24123)  
Email: [bob.patterson@westyorkshire.pnn.police.co.uk](mailto:bob.patterson@westyorkshire.pnn.police.co.uk)



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**WEST YORKSHIRE  
POLICE**

**Leeds District Licensing Department**

**Licensing Department**

Millgarth Police Station  
Millgarth Street  
Leeds  
LS2 7HX

Tel: 0113-2414023

Fax: 0113-2413123

Email:

bob.patterson@westyorkshire.pnn.police.uk

Website:

Your ref:

Our ref: BP/LICENSING OFFICER/SIAMORIENTAL

25<sup>th</sup> October 2013

**Siam Oriental Restaurant  
106A Harrogate Road  
Chapel Allerton  
Leeds  
LS7 4LZ**

cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR

**RE: SIAM ORIENTAL RESTAURANT 106A HARROGATE ROAD LEEDS LS7 4LZ .  
NEW PREMISES LICENCE – LICENSING ACT 2003:  
POLICE – LETTER OF REPRESENTATION – CUMULATIVE IMPACT POLICY:**

Thank you for submitting your application for the above premises, received at this address on 30<sup>th</sup> September 2013, via Leeds City Council as an 'electronic application'.

The application relates to premises which fall within one of the areas of Leeds currently subject to a policy of cumulative impact, as detailed in the present Statement of Licensing Policy 2011-2013, issued by Leeds City Council as the licensing authority.

Therefore, in line with the said policy and the current statutory guidance issued by the Secretary of State under Section 182 Licensing Act 2003, West Yorkshire Police make representations based on the cumulative impact policy of the area concerned and highlighted above, where the licensing objectives and particularly the prevention of crime and disorder and prevention of public nuisance objectives, are being adversely affected.

The area concerned in this particular case is currently Area 4 Chapel Allerton.

The Chapel Allerton cumulative impact policy (CIP) first became effective in Leeds on 11<sup>th</sup> January 2006.

In 2007, with the issue of the first revised version of the policy, it was determined that the CIP for this particular area would remain unchanged both in wording and area.

NOT PROTECTIVELY MARKED



## NOT PROTECTIVELY MARKED

A second review of the policy took place in Leeds in 2010 and a 3<sup>rd</sup> edition was issued by Leeds City Council in early January 2011.

The policy of cumulative impact for Chapel Allerton changed with this 3<sup>rd</sup> edition of the document, by:-

- adding takeaways to the policy for the 1<sup>st</sup> time, and
- also adding variation applications within the scope of the policy for the first time.

A third review of the Statement of Licensing Policy is currently being undertaken.

With regards to the Chapel Allerton CIP, subject to what may materialise after the consultation period has ended, the intention now is to leave this area unchanged, because, as it has been recorded before and again now, the CIP policy seems to have had the desired effect in this area, with new and variation applications being in the minority since its introduction in 2006.

The premises subject of this application actually traded up until July of this year as the "Old Police Station".

The premises were first issued with a justices' licence in December 2002 granted under Licensing Act 1964.

As part of the transitional provisions of Licensing Act 2003, in August 2005, the holder of the justices licence at the time, applied to Leeds City Council to convert to a premises licence.

On 2<sup>nd</sup> September 2005, Leeds City Council issued PREM/01706, to have effect from 24<sup>th</sup> November 2005.

Based on the hours of the previous licence, together with additional certificates which applied separately to the basement and ground floor parts of the premises, the total extent of the hours for the premises as a whole were midnight Monday to Saturday and 23-30 on a Sunday, which remained unchanged until the licence lapsed on 29<sup>th</sup> July 2013.

From a police perspective, there were no significant problems with regard to the Old Police Station specifically, over the years that it traded.

This application for a new premises licence described as a "restaurant and bar", is for licensable activities including the supply of alcohol from 1200 to 0300 every day of the week, with an additional ½ hour added until the premises actually close.

Therefore, not only are the hours applied for well in excess of the hours previously issued to these particular premises, they are also well in excess of hours currently in force for premises supplying alcohol clustered in this immediate area.

As we are told by the licensing authority in the policy, few applications to extend the already granted hours in established premises in this area, is one of the reasons why the area has benefited from the existence of the CIP since 2006, granting the hours applied for to these premises, would probably reverse the favourable effect the policy has had over the last 7 years plus.

Further, and directly in relation to the Chapel Allerton CIP, it is the view of West Yorkshire Police, if the applicant successfully tries to argue that they are not strictly speaking a 'new' premises because of the existence of the previous licence now lapsed, these hours applied for would then amount to a variation of that premises licence.

Therefore either way, this application implicates the CIP for Chapel Allerton.

Still on the subject of the proposed hours, West Yorkshire Police take note, that the proposed DPS of the new premises licence application, on 24<sup>th</sup> September 2013 submitted an application for Temporary Event Notices (TEN's) at these particular premises.

The TEN's were for 3 consecutive weekly periods in October this year, from Wednesday to Sunday each week, and for hours which correspond to the hours applied for with this application.

The police had no grounds to oppose the recent TEN application, and given that the events so far appear to have passed without any concerns to the police, there will be no objections to any future TEN applications unless there are grounds to do so.

NOT PROTECTIVELY MARKED

## NOT PROTECTIVELY MARKED

In anticipation that the applicant may make mention of these recent TEN's at any scheduled hearing in support of this application, West Yorkshire Police would like to make the following observation in response.

Whilst based on the same licensing objectives, objections to TEN's by the police (& now the Environmental Protection Team also) need to be premises specific.

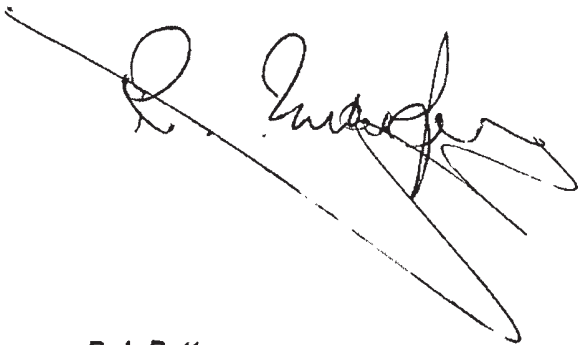
Conversely, representations to a licence application for a premises situated in an area of cumulative impact, are not based on the licensing objectives being undermined by a specific premises, but by a collection of premises in a designate area.

Applications for TEN's are not included in any of the 5 current CIP areas in Leeds, including Chapel Allerton.

On that basis, in general terms but also specific to this application, West Yorkshire Police give little if any weight at all, to the history of a premises in relation to sporadic applications for temporary events, where the extent of such activities affecting data used to formulate a policy of cumulative impact is unknown, and, which then applies for the same or similar hours in the form of a more permanent authorisation, which will undoubtedly have an effect on such a policy.

Finally, either as a restaurant, or as a bar, or both, the applicant has submitted minimal information to the licensing authority, as to why, in an area of cumulative impact, the presumption that an application would normally be refused, should be rebutted.

Therefore, in terms of location, the lack of information given for the description of the premises given and proposed trading until 03-00 / 03-30, West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Chapel Allerton in every respect.



**Bob Patterson**  
**Leeds District Licensing Officer**  
**West Yorkshire Police**

**Date: 25<sup>th</sup> October 2013**

NOT PROTECTIVELY MARKED

**White, Emma**

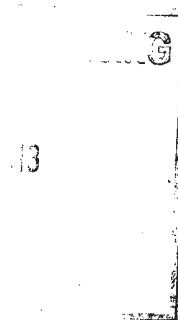
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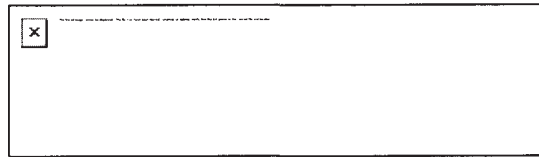
**From:** Hussell, Trish  
**Sent:** 01 October 2013 14:59  
**To:** White, Emma; Entertainment Licensing  
**Subject:** PREM/03389/001 Siam Oriental  
**Attachments:** Siam Oriental.doc

Please find attached qualified objection in respect of the above application.

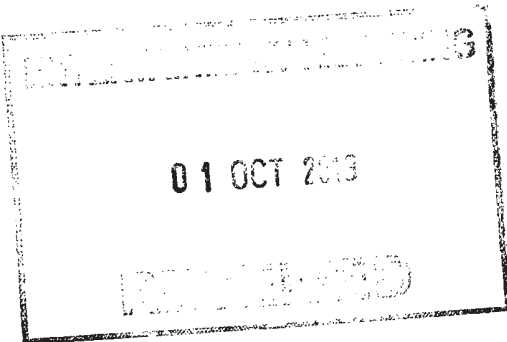
Kind regards

Trish Hussell  
Senior Environmental Health Officer  
Health and Safety Team  
Millshaw Park Way  
Leeds  
LS11 0LS  
Tel: 0113 247 6266  
Fax: 0113 247 6282





Harrison Clark Rickerbys  
5 Deansway  
Worcester  
WR1 2JG



Health and Safety Service  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS

Contact: Mrs Trish Hussell  
Tel: 0113 247 6266  
Fax: 0113 247 6282  
trish.dobson@leeds.gov.uk  
Our reference: PREM/03389/001  
1 October 2013

Dear Sir/Madam

**Licensing Act 2003**

**Premises: Siam Oriental Restaurant, 106A Harrogate Road, Moortown, Leeds, LS7 4LZ**

Thank you for submitting your application for the above premises.

Health and safety services are of the opinion that your application contains insufficient information about how you intend to meet the licensing objective/s.

We therefore confirm that we are submitting a formal representation against your application on the grounds of public safety.

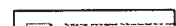
However, Health and Safety Services are of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule.

Please find enclosed a document which at Part 1 contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in **agreement** with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible, but no later than 24 October 2013.

Upon receipt of your consent at Part 2, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

Alternatively should you **disagree** with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible, but no later than the stated date.





**PART 1 - to be completed by the Responsible Authority**

**Health and Safety Service  
Proposed controlled measures under the Licensing Act 2003**

Name & Address of Premises: Siam Oriental Restaurant, 106A Harrogate Road, Moortown, Leeds, LS7 4LZ,

Having considered the application under the Licensing Act 2003 for the above premises, the Health and Safety Service considers that the following measures are proportionate and necessary in order to promote the public safety licensing objective:

Measures proposed:

No	Potential Control Measures
	<b>Public Safety 3 :- Management Arrangements</b>
	Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
	A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
	<b>Public Safety 4 :- Fire/Electrical Safety</b>
	Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
	<b>Public Safety 6 :- General Housekeeping</b>
	Safety glass that is impact resistant should be used wherever possible in all areas where the public may come into contact with it. Where it is not used in public areas, glazing should be shielded to protect it from impact.
	<b>Public Safety 8 :- First Aid</b>
	A suitably trained first aider or appointed person will be provided at all times when the premises are open.
	Adequate and appropriate first aid equipment and materials will be available on the premises.

The Health and Safety Service is satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf the applicant agrees to incorporate the proposed measures as conditions within the operating schedule for the said premises.

Upon the satisfactory completion of the declaration the health and safety service will provide notice to the licensing authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

Signed:

**PART 2 – Agreement with Proposed Measures**

**to be completed by the applicant or applicant's representative**

**Consent for proposed controlled measures under the Licensing Act 2003**

Name & Address of Premises: Siam Oriental Restaurant, 106A Harrogate Road, Moortown, Leeds, LS7 4LZ,

I / We .....

confirm that I am / we are the applicant / the applicants representative (delete as appropriate) for the premises as stated above.

In signing this document I / we agree with the measures proposed by the Health and Safety Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

Please return this document to:

**Mrs Trish Hussell  
Health and Safety Service  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS  
Fax: 0113 247 6282**

**PART 3 – Disagreement with Proposed Measures**

**to be completed by the applicant or applicant's representative**

**Proposed controlled measures under the Licensing Act 2003**

Name & Address of Premises: Siam Oriental Restaurant, 106A Harrogate Road, Moortown, Leeds, LS7 4LZ,

I / We .....

confirm that I am / we are the applicant / the applicants representative (delete as appropriate) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by the health and safety service.

In this instance we understand that the Health and Safety Service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

**Mrs Trish Hussell  
Health and Safety Service  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS  
Fax: 0113 247 6282**

EW .

3389/001

**Amin, Imtishaam**

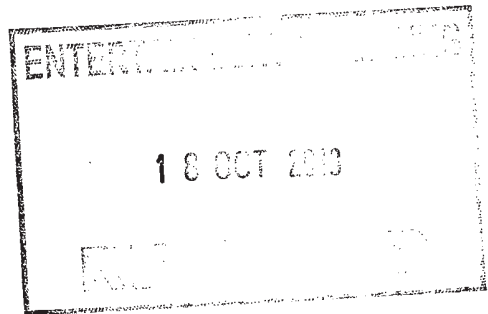
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**From:** Sanderson, Christopher  
**Sent:** 18 October 2013 16:16  
**To:** Entertainment Licensing  
**Cc:** Ward, Mike (Environmental Prote; bob.patterson@westyorkshire.pnn.police.uk  
**Subject:** Licensing application at Siam Oriental Restaurant, 106A Harrogate Road, Leeds 7  
**Attachments:** Siamoriental.doc; Siamoriental1.doc

Colleagues,

I enclose Planning Services objection to the above application.

Chris Sanderson  
Principal Compliance Officer  
Compliance Services  
Tel. No. 0113 2478216



Siam Square (Leeds) Ltd  
c/o Calverley Square  
Leeds  
LS1 3DA

**Planning Services**  
The Leonardo Building  
2 Rossington Street  
LEEDS  
LS2 8HD

Contact: **Chris Sanderson**  
Tel: 0113 2478216  
Fax: 0113 2478230

Your Ref:  
Our Ref: Licence Applications

Date 18<sup>th</sup> October 2013

Dear Sir/Madam,

**Subject: APPLICATION FOR PREMISES LICENCE**

**PART A**

Thank you for submitting your application for licensed activities at:

Name of venue:- Siam Oriental Restaurant

Address:- 106A Harrogate Road, Leeds, LS7 4LZ.

We write to inform you we shall be objecting to your application and a copy of this letter will be sent to the Licensing Authority.

The premises were granted planning permission for change of use & extension to part of former police station to form restaurant and bar in July 2001 reference number 34/37/01/FU subject to a condition restricting the hours of use of the premises. The proposed hours of use set out in your Premises License application exceed those hours allowed by the planning permission.

Planning Services objects to the granting of a Premises License in the terms as applied for due to noise and disturbance being caused to nearby residential occupiers as a result of the comings and goings of customers and their motor vehicles and from activities within the building and customer congregating outside the building. It is considered that the opening hours applied for at these premises would conflict with the Licensing objective of preventing public nuisance.

Planning Services considers that the extended opening hours proposed are unlikely to be acceptable and that a Premises Licence should not be granted outside the hours specified in the existing planning permission unless and until an express planning permission or a Certificate of Lawful Development is obtained by the operator of the premises to extend those operating hours.



If you are willing to amend your application to the hours as specified in the existing planning permission, details of which are contained in Part B, then we shall withdraw our objection.

**PART B**

Licensing Act 2003 – Application for Premise Licence

On behalf of :

Siam Oriental Restaurant

For the premises known as and located at :

106A Harrogate Road, Leeds, LS7 4LZ.

I am the applicant / representative authorised by the applicant (delete as appropriate)

In signing this document I request that the Licensing Authority accept this letter signifying my wishes to amend the application to reflect the hours as detailed in the existing planning consent, as follows :

Planning permission has been granted for the change of use & extension to part of former police station to form restaurant and bar (permission ref 34/37/01/FU dated 17-07-2001) subject to the following condition:

THE OPENING HOURS OF THE PREMISES SHALL BE RESTRICTED TO 09.30 HOURS TO 0030 HOURS MONDAY TO SATURDAY AND 1000 HOURS TO 2230 HOURS ON SUNDAYS.

THE REASON FOR THE CONDITION WAS IN THE INTERESTS OF AMENITY OF NEARBY RESIDENTS.

Signed :

Dated :

Please return this document to :

Planning Services  
Planning Compliance Service  
The Leonardo Building  
2 Rossington Street  
LEEDS  
LS2 8HD

Yours sincerely

Chris Sanderson  
Principal Compliance Officer

Harrison Clark Rickerbys  
5 Deansway  
Worcester  
WR1 2JG

**Planning Services**  
The Leonardo Building  
2 Rossington Street  
LEEDS  
LS2 8HD

Contact: **Chris Sanderson**  
Tel: 0113 2478216  
Fax: 0113 2478230

Your Ref:  
Our Ref: Licence Applications

Date 18<sup>th</sup> October 2013

Dear Sir/Madam,

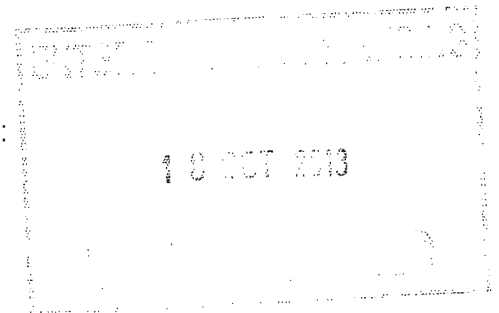
**Subject: APPLICATION FOR PREMISES LICENCE**

**PART A**

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Address:- 106A Harrogate Road, Leeds, LS7 4LZ.



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Planning Services objects to the granting of a Premises License in the terms as applied for due to noise and disturbance being caused to nearby residential occupiers as a result of the comings and goings of customers and their motor vehicles and from activities within the building and customer congregating outside the building. It is considered that the opening hours applied for at these premises would conflict with the Licensing objective of preventing public nuisance.

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**PART B**

Licensing Act 2003 – Application for Premise Licence

On behalf of :

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THE REASON FOR THE CONDITION WAS IN THE INTERESTS OF AMENITY OF NEARBY RESIDENTS.

Signed :

Dated :

Please return this document to :

Planning Services  
Planning Compliance Service  
The Leonardo Building  
2 Rossington Street  
LEEDS  
LS2 8HD

Yours sincerely

Chris Sanderson  
Principal Compliance Officer



JA

Appendix E

3389/001

Radford, Victoria

**From:** Pentelow, Neil  
**Sent:** 16 October 2013 10:38  
**To:** Entertainment Licensing  
**Cc:** Dowson, Cllr Jane; Rafique, Cllr Mohammed; Taylor, Cllr Eileen  
**Subject:** PREM/03389/001 - Siam Oriental Restaurant, 106A Harrogate Road, LS7 4LZ.

**This email has been sent on behalf of the Chapel Allerton Ward Councillors. Please ensure you include them in any response.**

Dear Sir or Madam

We refer to the licence application for the above premises and write to officially register our objection.

Operating until 3am is completely unsuitable for the area with many residences nearby. The hours are in excess of any other licensed premises in the area and are more akin to that of a night club. If granted, the late opening will cause noise disturbance to surrounding homes and put people on the streets of Chapel Allerton at a far later hour, increasing the opportunity for public nuisance and disorder.

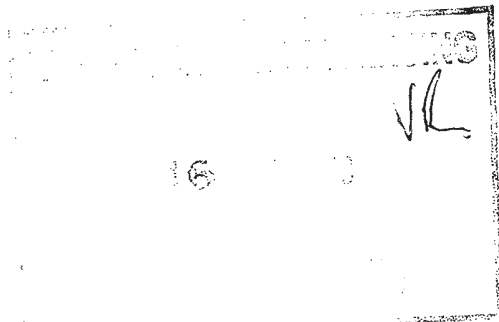
We would like to think that an area with a Cumulative Impact Policy in place would not have premises which serve alcohol operating until the early hours of the morning. We strongly object to the requested hours and trust that our comments will be taken into account when considering this application.

Yours Sincerely

Cllr Jane Dowson

Cllr Mohammed Rafique

Cllr Eileen Taylor



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