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Environmental Protection Team  
Leeds City Council  
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Contact: Mr. Mudhar  
Tel: 0113 3951270  
Our reference: PREM/03651/001  
Date: 9 September 2015

Dear Madam

**Letter of Representation – Full Objection**

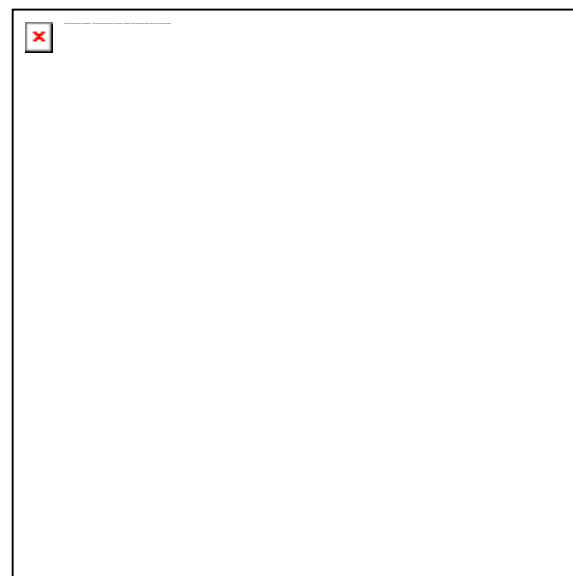
**Licensing Act 2003**

**Name and Address of Premises: Black Swan 37 Call Lane, Leeds, LS1 7BT,**

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

[www.leeds.gov.uk](http://www.leeds.gov.uk)

general enquiries 0113 222  
4444



We base our objection on the following matters:

1. The potential for noise disturbance associated with licensable activities to break out of the premises or pass through the fabric of the building to cause noise disturbance to nearby residential/business premises.
2. The potential for noise disturbance from the use of outside areas whilst smoking/drinking in the area/s provided/whilst arriving/leaving, including that from vehicles.
3. The potential for the alleged sources of nuisance described in items 1 to 2 above to continue into hours where such disturbance may adversely affect sleep and other loss of the use and enjoyment of a property.
4. That the hours of operation applied for would set a precedent in an area already served by late opening venues. If the precedent was set and other businesses granted such hours then there would be a significant added impact of noise disturbance deeper into the early morning hours to the surrounding residential premises. The existing impact includes noise from loud music and from sources outside such as from customers.

The application premises are situated within the red area of the City Centre Cumulative Impact (CIP) Policy area; where we will seek the refusal of all applications on the basis that the impact on the licensing objectives are such that the area cannot support any more premises opening or extending their hours no matter how impressive the concept.

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

### **Description of the surrounding area.**

The application premises are situated within a mixed commercial and residential part of the City Centre. It is situated amongst similar type of licenced venues and lies in close vicinity of the residential apartments (Crown Street Buildings and Regent Court). The attached map at [Appendix 2](#) shows the location of most of the residential properties (identified in green) that are situated within the Red Zone (and immediately at the edge of the red zone) together with the location of the application premises which is identified by a red triangle. It is my understanding that there are over 50 licenced venues situated within the red zone of CIP area.

### **Complaint and other history specific to the applicant premises**

The application premises have been used as a licensed venue for many years. The premises were formerly occupied by Black Pubs Limited (trading name Bar Room Bar). The premises license was later transferred (August 2014) to the current occupier, Mr. Simon Robert Ord.

Over the years we have received intermittent noise nuisance complaints the nearby residents relating to the following noise issues: ([please refer to Appendix 1](#))

- Noise from beer deliveries and commercial waste collections at unsociable hours;
- Loud music breaking out of the premises through open doors and windows;
- Noise from depositing empty glass bottles in the external bin yard at night-time;
- Raised voices by patrons in the rear beer garden.

### **Complaint history for the area around the venue**

Over the years, Environmental Health has received many public nuisance complaints, predominantly relating to regulated entertainment and shouting and screaming by revelers and occasional complaints from residents about revelers urinating outside their dwellings. Given that there are several licensed venues situated within the red area of CIP, it is often difficult for the residents to identify the problematic premises. (Refer to Appendix 1 for number of noise complaints received in respect of the licensed venues since 2012).

### **Conclusions reached**

In view of the above-mentioned concerns the extended operational hours for the licensed activities including recorded music and live music and the extended terminal hours (closing times of the premises have the potential to give rise to negative cumulative impact by undermining the prevention of public nuisance objective of the Licensing Act 2003. We, therefore recommend that the licensing Sub-Committee refuse the application.

Yours faithfully

Gurdip Mudhar  
Environmental Health Officer

**Appendix 1 Complaints History**  
**Appendix 2 Map of Surrounding Area**

# APPENDIX 1



**Noise (loud music) complaints made by residents against Licensed Venues situated in the Calls Red CIP Area**

Year	Number of Noise Complaints against various licensed premises.	Complaints specifically from the Application Premises	
		Year	Number of complaints
2012	21	2007	2
		2008	2
2013	22	2009	2
		2010	2
		2011	2
2014	22	2012	3
		2014	1
From 1 <sup>st</sup> January 2015 - 9 <sup>th</sup> September 2015	11		
<b>TOTAL</b>	<b>76</b>	<b>Total</b>	<b>14</b>

# APPENDIX 2 : CIP Red Area and Residential Properties Affected by Loud Music



**Key**

-  Residential
-  Application Premises