

Your Ref:

Our Ref: [REDACTED]

Date: 19 July 2018

The Entertaining Licensing Section
Leeds City Council
Civic Hall
Leeds
LS1 11UR

BY E-MAIL ONLY

Dear Sirs

Our client: [REDACTED]
Re: Industrial Brewing Co Limited /Xenios Georgiou
Objection to Application to vary a Premises Licence
Premises Licence Number PREM/03625/007

We write in response to the above matter and the Application under reference number PREM/03625/010 dated 22nd June 2018.

We are instructed by [REDACTED], the freehold proprietors of [REDACTED]. Our clients' property is adjacent to the building known as [REDACTED].

To the rear of 20-32 Bridge End lies an area of land known as the "rear yard". This land is subject to a right of way for the benefit of our clients. This right of way has caused considerable issues for our clients in the past which culminated in Court proceedings against the previous proprietor of the bar premises at 24-32 Bridge End.

An Order was made in Leeds County Court on 3rd September 2002 that, provided amongst other things, that the rear yard would be left open for use [REDACTED] and that the then proprietor of the bar premises would not obstruct or interfere with our clients' right of way over the yard at the rear of and adjacent to the properties at 20-32 Bridge End, Leeds.

Despite recent correspondence to the proprietor of Upstairs and Downstairs, Xenios Georgiou our clients continue to suffer obstruction and interference of the right of way due to the parking of vehicles owned or under the control of the proprietor of the bar or their employees. For the past few weeks the proprietor has had a car on the right of way permanently for 24 hours. We intend to take out a separate action against him on this matter.

The Application herein seeks, in very general terms, the variation of the existing premises licence "*to allow the patrons to utilise the outside area*". The "*outside area*" is not defined nor identified within the Application nor is there, within the rear yard or surrounding premises any identifiable "*outside area*" which would be suitable for patrons to occupy.

Our clients reserve the right to object further once the Applicant identifies the location and extent of any outside area.

In any event, our clients object to the variation on the following grounds:-

1. Significant proportions of the properties located at Bridge End are used as office space and have been offices for a long period of time. It is simply not appropriate for there to be patrons consuming alcohol in the rear yard; this will undoubtedly cause more noise, leave more litter, and be more of a nuisance to our clients as well as other individuals who run businesses from this area. The rear yard continues to be used by our clients for access into the building as well as being an entrance for customers and employees who are visiting the premises and it is inconceivable to think that our clients will need to pass through crowds of patrons consuming alcohol in order to reach their office.
2. The rear yard is not an open unoccupied space as it contains a car park used by our clients and at least two other companies who have offices in the same area. In the interest of public safety, it would not be safe for patrons to consume alcohol in this area whilst cars are regularly moving to and from the parking spaces. Furthermore, there is the issue of damage to vehicles; be this from litter, glass bottles, or the patrons themselves. The vehicles parked in this area do not always belong to our clients, but can be visitor's cars. Not only does this pose an extra risk to customer's parking their cars in this area but it is uninviting and unprofessional if there are patrons crossing the car parking area and blocking the road. It is not practical or safe to expect a car park and a drinking area to be located in the same place.
3. There is also the River Aire behind the rear yard which poses a risk to patrons if they are able to wander freely and consume alcohol in this area. Thought must be given to the fact that it may not be the best location for a drinking area so close to the edge of the river which poses as a further risk, besides the car park, to patrons without proper segregation or enclosure.
4. There are also a number of residential units occupying the higher floors of the building at Bridge End. Patrons who are outside drinking in the rear yard will cause a disturbance to those who live in the flats above overlooking the rear yard and who are not accustomed to the level of noise which will occur if patrons are allowed to drink outside, especially those flats that are occupied by families with children who may be more susceptible to the nuisance caused by patrons being allowed to drink outside, or if children are allowed to be in the rear yard then there is a greater risk of underage drinking in this area or the risk of a child being hurt by a vehicle due to the close proximity of the car park.
5. As above, the rear yard is subject to a right of way for the benefit of our clients. Any "outside area" provided to patrons would need to have ready access to that area from the bar and then, presumably, would be offered tables and chairs or drink stands which would obstruct or our clients' access and use of the right of way. The patrons would also cause a hazard and blockage.

Please take into account the above considerations.

Yours faithfully

A black rectangular redaction box covering the signature of the sender.