

JJA

PREM/04457/001
(100)



Interested Party Representation (Form IPR1)



Section 1 – Licence application details

ENTERTAINMENT LICENSING

Please indicate as appropriate :

- I wish to object to the following application: PREM/04457/001
- I wish to support the following application:

14 JAN 2020

RECEIVED

Applicant name (if known): J D Wetherspoon

Applicant premises name and address: Former Elinor Lupton Centre Leeds LS6 1BX

Section 2 – Your personal details

NB : If you are acting as a representative, please go to Section 3.

Title

[REDACTED]

Surname

[REDACTED]

First name(s)

[REDACTED]

Address (incl postcode):

[REDACTED]

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

Section 3 – Representative details

If you are representing someone else please complete details below

Name of Representative/
Organisation

Friends and Residents of Orville Gardens (FROG)

Full postal address
(incl postcode)

c/o address above

Please indicate capacity :

- Representative of Residents Association
- MP
- Ward Councillor
- Trade Association
- Parish Council
- Other (please specify) _____

Section 4 – Representation grounds

The representation is relevant to one or more of the following licensing objectives:

Please tick relevant box(es)

Prevention of crime and disorder	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>
Public safety	<input checked="" type="checkbox"/>

Please select :

I object to the application being granted at all

I object to the application being granted in its current form*

*If you choose this option remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

We, the members of the Friends and Residents of Orville Gardens (FROG), object strongly to this application on the grounds that granting the proposed licence would not only fail to promote the four licensing objectives, but would actually undermine them. This absolutely remains the case even though the location is no longer covered by the Cumulative Impact Policy (CIP), and is the fundamental reason why this application must be refused.

The history of this site of course is that a previous and essentially identical application by the same applicant was refused by the Licensing Sub-Committee in 2016, a refusal which was upheld when the applicant's appeal was rejected by the District Judge in 2017. Both the Licensing Sub-Committee and the District Judge rejected the applicant's case not primarily because of the CIP but because granting the licence sought would undermine the licensing objectives, in particular the prevention of crime and disorder and prevention of public nuisance, as well as public safety.

Orville Gardens, where we live, is a small street directly opposite the premises on the North side of Headingley Lane. We can therefore say with the certainty of direct experience that there has been no reduction in the levels of public nuisance and disorder on Headingley Lane arising from the consumption of alcohol, over the period since the previous application was refused; in fact our experience is that if anything it has got worse. This is due in general to the reputation of Headingley as a centre for drinking and in particular the negative impacts of the Otley Run, which is more widely-known than ever before and now attracts not just the traditional crowds of students in fancy dress, but also stag and hen parties and other organised groups; these come not only from elsewhere in Leeds but from outside the city entirely. This has led the Council to propose a Public Spaces Protection Order to cover the area, to address problems of drinking and anti-social behaviour of various types.

Moreover the applicant is keen to attract large numbers of drinkers from the local area in addition to those who come to do the Otley Run. In its planning application the applicant forecast the numbers of drinkers that the pub would draw in - 1,500 drinkers every day, with 3,000 on Saturdays. These are vast numbers and it is simply not credible to claim that there would be no issues of crime and disorder, public nuisance or public safety from a huge new pub of the size proposed, in this location halfway between the pubs in Headingley and Hyde Park corner; it is bound to draw the crowds of drinkers doing the Otley Run as well as the many students living in the catchment area described in the planning application.

The problems that will be caused can be simply outlined:

- crime and disorder will include damage to property, including to bins and cars, as experienced in other streets in Headingley that fall on the Otley Run, as well as possible crimes of violence, assault and theft by and between people who have drunk too much
- public nuisance – 1,500 drinkers every day, and 3,000 on Saturdays, will congregate at the pub. Such

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huge numbers of people will generate noise in any event, and people leaving pubs after drinking heavily do not generally leave quietly; those that are doing the Otley Run will not arrive quietly either, as local residents know all too well. The Otley Run, especially when undertaken in large groups, whether in fancy dress or not, is a proven cause of public nuisance through noise, intimidating behaviour, broken glass and litter, and public vomiting and urination. Opening this proposed pub in this location can only make this worse. There will also be nuisance caused by the noise from, and the behaviour of drinkers using, the large numbers of taxis and private hire vehicles that customers will use to get to and from the premises

- public safety - yet more drunks on Headingley Lane and the side streets would be a real danger, both to themselves and others on foot, and to the often fast-moving traffic on Headingley Lane.

FROG members unfortunately have the routine experience of being jostled by large groups of drinkers on Headingley Lane and often being forced off the pavements. Residents have been abused by people behaving in unacceptable and anti-social ways in and at the end of our street, and in all cases this has been by people who have been drinking and have clearly been doing the Otley Run. There is absolutely no way that this licence, or any others that may contribute to more of this type of behaviour, should be granted.

We also believe that granting a licence would be contrary to the objective for the protection of children from harm. There are two primary schools close to the premises and FROG members with children have to pass the premises daily on our way to and from school. Our children, along with all others living in the area, will be detrimentally affected by, and potentially exposed to harm from, the negative behaviours described above if this licence is granted.

For all these reasons we urge the Sub-Committee to reach the only decision that would be sensible in the circumstances and consistent with its previous decision, and to REFUSE this application.

If nevertheless the Sub-Committee is minded to a grant a licence, then we urge the imposition of the strictest possible conditions in order to mitigate as far as possible the inevitable negative impacts on local residents. While the proposed conditions visible on Public Access are welcome, it is not clear that they are strict enough or how they will be implemented – for example:

- how will the condition on refusing entry to participants on the Otley Run be enforced when there may not be door supervisors on duty, and how will participants be identified?
- a noise management plan is welcome of course but why is there no condition stipulating a wider premises management plan as offered under the applicant's planning application?
- more generally, it is noticeable that other similar premises in the area, for example The Box, appear to have more detailed conditions attached to their Premises Licence – why is this?

You need to complete this box as fully as possible. If you do not the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary – please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

Signed:

[Redacted Signature]

Date: 14/01/20