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Buckingham Estate Association of Residents

OBJECTION

Premises Licence Application

PREM/04457/001

Former Elinor Lupton Centre, Headingley Lane, Headingley, Leeds LS6 1BX

The Buckingham Estate Association of Residents (BEAR) objects to Premises Licence Application **PREM/04457/001** by JD Wetherspoon Plc at the former Elinor Lupton Centre, Headingley Lane, Headingley, Leeds LS6 1BX. The estate comprises Buckingham Avenue, Buckingham Drive, Buckingham Grove, Buckingham Road and upper Richmond Road, in the former grounds of Buckingham House. The Association objects that the proposed premises licence would be seriously detrimental to the licensing objectives of the prevention of crime and disorder, the protection of children from harm, protecting public safety and the prevention of public nuisance.

BEAR wishes to clarify two points, on the scale and nature of the application. First of all, the proposed public house will be a very large establishment. The applicant's Transport Statement, submitted with its planning application in 2019, estimated that "The proposed public house would generate around 1,600 person trips per day on a weekday and around 3,100 person trips per day on a Saturday" (paragraph 2.2.2). Secondly, despite the applicant's protestations, the establishment unavoidably will be a student pub. Dismissing the applicant's appeal at its previous application for a premises licence, District Judge Mallon noted "the fundamental contradiction at the heart of the Appellant's case – it does not want to be a student-pub and wants to appeal to local residents, yet two thirds of these are students" (Judgement, Leeds District Magistrates' Court, 2 October 2017). Huge numbers of students converging on a residential area would be seriously detrimental to the licensing objectives.

The prevention of public nuisance The application would increase public nuisance. First of all, the Transport Statement noted that the vast majority, nearly three-quarters (70%), of visitors to the pub would be on foot, over 1,000 every weekday and well over 2,000 on Saturdays. Plan 04 of the Statement showed where they will originate. Some will come from the streets immediately to the north, a few will come from the west or the east. But the great majority will come from the south, where indeed the Hyde Park area houses most of the local students. And these students will be able to access the proposed pub only by passing through the Buckingham estate. More importantly, these same students will be obliged to return to their lodgings back through the Buckingham estate, after a night's drinking. Residents will suffer the inevitable antisocial behaviour – loud singing and shouting, potential damage to property (damage to cars, overturned bins), evacuations (vomiting, urinating, defecating), and so on.

Secondly, the Transport Statement estimated that the 'person trips' would include nearly 250 visits by car every weekday and nearly 500 on Saturdays (Table 2.03). With only 17 parking spaces on site, these cars will have to park in the streets around the pub. What this means is that customers will be driven to use the Buckingham estate – and residents will not only find their access blocked, but they will also suffer shouting and laughing and slammed doors when pub patrons make their way home at night.

An increase in public nuisance to the residents of the Buckingham estate, and the loss of their quiet enjoyment of their homes, would be the unavoidable outcome of a premises licence at the former Elinor Lupton Centre. Indeed, a new Public Spaces Protection Order is currently in progress in Headingley, designed "to tackle anti-social behaviour in public places where problems exist" (Cllr Debra Coupar, Executive Board Member for Communities).

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The prevention of crime and disorder The application would lead to disorder. The Buckingham's have yet to experience drunk people passing through. But our neighbours in Headingley centre have direct experience. At the time of the applicant's last application in 2016, Sue Turner wrote of Bennett Road: "At times the volume of people moving down the street [from local pubs] can feel intimidating. They are often shouting and swearing. I have had people open my car door in Headingley and get in the back of my car. On one occasion a group of young men surrounded me while I was sitting in my car and for a while refused to move. These may sound trivial occurrences, but can feel threatening for myself, an older woman alone. People are often so drunk they cannot walk straight and they fall into the road. They have little regard for the danger that traffic affords them. Fortunately I no longer park my car on Bennett Road. Over the years I have lost count of the number of wing mirrors and windscreen wipers I have had to replace. Every car I have owned has been damaged by people jumping on the roof and running over the bonnet. When the wing mirrors are kicked off there is often additional damage to the side of the car. I regularly see cars parked on the road which have been damaged" (Objection Comment, 7 November 2016). Clearly, a new pub in the Elinor Lupton Centre would lead to similar disorder in the Buckingham's.

Public safety The proposed pub would bring heavy goods vehicles (HGVs) into the Buckingham's. The applicant's own Transport Statement says, "around 14 HGV service vehicles would typically require access to the site each week, spread throughout the daytime hours, ... The HGVs used for these deliveries are typically 2 axle rigid vehicles of varying size up to 12.0m in length ... In addition to the HGV vehicles servicing the site there will be regular visits by Light Goods Vehicles (LGVs) delivering post, stationery, cleaning materials, etc" (paragraphs 3.8.2-3). This represents a significant intrusion by enormous 12m vehicles into what are currently quiet residential streets, with no through traffic – thereby presenting a danger to residents, passers-by and drivers. The streets will become unsafe.

The protection of children from harm The Buckingham estate is unusual in Headingley. In the ward as a whole, students outnumber residents by two-to-one, but in the Buckingham's, the majority of homes are families. Since the applicant's last application for a premises licence, five new young families have in fact moved into the Buckingham's (in some cases, replacing student houses). Meanwhile, Buckingham Villas at the top of Buckingham Road (more or less next door to the pub) are to become a school for children with special educational needs. This means that the detrimental impacts of the proposed pub will affect children especially – the sight and sound of antisocial behaviour in the street, the effects of disorder on the streetscene (vomit, damage), disruption of sleep during the night, danger from heavy goods vehicles. Parents will be very concerned to protect their children from such harm.

The present application is of course identical to the last application at this site four years ago. The last application was rejected by the Licensing Sub-Committee, which stated in its Notice of Decision, 9 December 2016, "The Committee considered that there would be an increased impact on public nuisance and crime and disorder as a consequence of the numbers of people who would be attracted to this area ... and subsequently dispersed, including via the surrounding residential areas, at least some of whom would in all probability be intoxicated ... The unanimous decision of the Committee was to refuse the application." In her Judgement of 2 October 2017, District Judge Mallon stated, "the sub-committee considered the original application on its merits ... and reached a decision with which, having heard further evidence, this Court entirely agrees. The Appeal is accordingly dismissed."

Buckingham Estate Association of Residents respectfully requests the Licensing Sub Committee to uphold its original decision, and to refuse the present application PREM/04457/001 for a premises licence at the former Elinor Lupton Centre.

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