

Ismael Tomas  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

Contact: Vanessa Holroyd

Tel: [REDACTED]  
[REDACTED]

Our reference: PREM/04372/002  
26 February 2021

Dear Mr. Tomas

**Licensing Act 2003**

**Name and Address of Premises: Diva's Café/Restaurant, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ,**

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with the premises and the area .

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours sincerely

Vanessa Holroyd  
Senior Environmental Health Officer

## **PART 1**

### **To be completed by the responsible authority**

#### **Leeds City Council's Environmental Action Service**

#### **Proposed Controlled Measures under the Licensing Act 2003**

**Name and Address of Premises: Diva's Café/Restaurant, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ,**

The application premises is a restaurant/café located on a parade of commercial businesses several having flats above. There are many noise sensitive properties in close proximity with closest being the adjoining first floor flat 254 Dewsbury Road LS11 6JQ

The hours applied for on Friday to Sunday night's i.e. Opening hours until 02:30 hours are not typical for a restaurant/cafe business and have the potential for noise disturbance to nearby residents. Noise is likely to be from customers arriving and leaving until the early hours of the morning and from customers smoking outside.


There is also a history of recent noise complaints concerning loud music and parties. This was witnessed by police officers at 01:10 hours on 29<sup>th</sup> August 2020 which was in breach of not only the Health Protection (Coronavirus, Restrictions) ( All Tiers) England Regulations 2020 but also your existing premises licence.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

### **Noise and Vibration**

1. Closing hours for the restaurant/café shall be 23:00 hours Monday to Thursday, 00:00 hours Friday to Sunday.
2. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
3. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises at Rowland Terrace and First floor flat, 254 Dewsbury Road, LS11 6JQ.
4. The activities of persons using the external areas shall be monitored after 11 pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti-social behaviour etc when necessary.
5. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

Signed: 

Dated: 26<sup>th</sup> February 2021