

APPENDIX C



Tony Clarke
JMC Licensing Consultants



Environmental Protection Team
Seacroft Ring Road Depot
Seacroft
Leeds
LS14 1NZ

Contact: Miss Elizabeth Hebbert
Tel: [Redacted]

Our reference: 23/011911/EPLA01
1st March 2023

Dear Mr Clarke,

Licensing Act 2003

Name and Address of Premises: Sam's Mini Market, 112 - 112A Dib Lane, Roundhay, Leeds, LS8 3AY

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 Sam's Mini Market, 112 - 112A Dib Lane.

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.

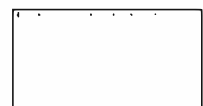
If you agree with the measures, please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form, we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the license. If you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

Miss Elizabeth Hebbert
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: Sam's Mini Market, 112 - 112A Dib Lane, Roundhay, Leeds, LS8 3AY

The application premises is situated on a parade of commercial premises, in a mixed commercial-residential area. The nearest residence adjoins to the premises at 114 Dib Lane. Other nearby residences are located on the same parade at 116 and 118A Dib Lane, opposite the application premises at 81, 83, and 85 Dib Lane, and adjacent to the application premises at 110 Dib Lane.

Nearby late-opening premises include:

Pizza Pizza, 124 Dib Lane – Open until 23:00
Dragon Pearl, 126 Dib Lane – Open until 23:00
Jay's Desserts, 128 Dib Lane - Open until 23:00
Captain Thornton's, 132 Dib Lane – Open until 23:00
Springfield's Convenience Store, 122 Dib Lane – Open until 22:00

We base our qualified objection on the potential for noise nuisance arising from the following:

- Delivery vehicles coming and going from the premises, car doors clamming, and music from vehicles.
- Customers coming and going from the premises or gathering outside of the premises, late at night.
- The potential for the sources of nuisance described above to continue into hours where such disturbance may adversely affect sleep and other loss of the use and enjoyment of nearby residences, in an area that is predominantly residential and where there are few commercial premises open past 23:00.

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 license:

- Prevention of public nuisance

Timings of licensable activities to be restricted to:

- Sale by retail of alcohol: 07:00 – 23:00, Monday to Sunday

Additional conditions

1. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
2. No deliveries will be made to or from the premises between 10 pm and 7 am

Signed:



Dated: 1st March 2023

PART 2

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: Sam's Mini Market, 112 - 112A Dib Lane, Roundhay, Leeds, LS8 3AY

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's Environmental Action Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

PART 3

Name and Address of Premises: Sam's Mini Market, 112 - 112A Dib Lane, Roundhay, Leeds, LS8 3AY

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's Environmental Action Service.

In this instance we understand that Leeds City Council's environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

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

From: [Hebbert, Elizabeth](#)
To: [Entertainment Licensing](#)
Subject: FW: PREM/05075/001 - Sam's Mini Market, 1120112A Dib Lane
Date: 06 March 2023 11:25:40

Hello,

The applicant's agent has confirmed their acceptance of the measures proposed in our qualified objection to PREM/05075/001 - Sam's Mini Market, 112-112A Dib Lane, and consequently I'd like to withdraw EP's objection.

Kind regards,

Elizabeth Hebbert

Environmental Health Officer
Environmental Protection Team
Leeds City Council
[REDACTED]

From: Tony Clarke [REDACTED]
Sent: 06 March 2023 11:21
To: Hebbert, Elizabeth [REDACTED]
Subject: Re: PREM/05075/001 - Sam's Mini Market, 1120112A Dib Lane

PREM/05075/001 - Sam's Mini Market, 1120112A Dib Lane

Hi Elizabeth,

I am writing to inform you that my client **has agreed** to the additional conditions you have proposed.

- That the sale by retail of alcohol will be restricted to 07:00 – 23:00, Monday to Sunday
- That the following conditions are added to the premises license:
 - Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
 - No deliveries will be made to or from the premises between 10 pm and 7 am

Kind Regards

Tony Clarke
JMC Licensing
[REDACTED]

On Wed, 1 Mar 2023 at 16:54, Hebbert, Elizabeth [REDACTED] wrote:

| Good afternoon,

We have considered the new premises license application for Sam's Mini Market, 112-112A Dib Lane and would like to raise a qualified objection on the ground on public nuisance concerns – please find attached a letter detailing this. Our qualified objection is based on your acceptance of the following changes, which we consider are appropriate for the prevention of public nuisance issues. These changes are as follows:

- That the sale by retail of alcohol will be restricted to 07:00 – 23:00, Monday to Sunday
- That the following conditions are added to the premises license:
 - Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
 - No deliveries will be made to or from the premises between 10 pm and 7 am

I would be grateful if you could respond either via reply email or returning the form attached to the qualified objection letter, to confirm whether or not you are prepared to accept the changes we have suggested.

Kind regards,

Elizabeth Hebbert

Environmental Health Officer
Environmental Protection Team
Leeds City Council
Tel: [REDACTED]

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