



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: Monday 21st June 2010

Subject: Application for the Variation of a Premises Licence for Lister Fisheries, 56 North Lane, Headingley, Leeds, LS6 3HU

Electoral Wards Affected:

Headingley

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for a premises situated at 56 North Lane, Headingley, Leeds, LS6 3HU, trading as Lister Fisheries.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

To advise Members of an application made under section 34. of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Lister Fisheries, 56 North Lane, Headingley, Leeds, LS6 3HU. The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

2.0 History of Premises

2.1 On 28th February 2007, an application for the grant of a Premises Licence was received by the Licensing Authority. Following receipt of objections from Responsible Authorities and members of the public, the application was referred to the Licensing Sub-Committee on 14th May 2007. At the hearing, the Licensing Sub-Committee resolved to grant the application in full, subject to the conditions agreed with LCC Environmental Health Services being placed on the Premises Licence.

An application to vary the existing Premises Licence to extend the hours of Late Night Refreshment was submitted on 2nd May 2008. The application received representations from residents, West Yorkshire Police and the Development Department. Subsequently, the application was scheduled to be heard before the Licensing Sub-committee on 23rd June 2008 and after careful consideration, the application was refused.

A further application for variation to increase the hours of Late Night refreshment was received on 10th February 2009. As above, the application was subject to representations including West Yorkshire Police, the Development Department and numerous local residents. The hearing to consider this application took place on 11th May 2009, where Members took into account all evidence presented to them. The Licensing Sub-Committee were of the opinion that granting the licence would add to the impact already being experienced in the Headingley Cumulative Impact Area and consequently the application was refused.

An application made under Section 78. of the Town and Country Planning act 1990, dated 17th April 2009, to extend the hours of operation of the premises, was refused on 19th June 2009.

An appeal against the planning decision was lodged and successful, allowing the opening hours of the premises to be restricted to 11:00 to 01:00 hours Sunday to Thursday, and 11:00 to 02:00 hours Friday and Saturday. This application to vary the Premises Licence reflects the terminal hours recently granted for planning permission.

- 2.2 The premises currently have the benefit of a Premises Licence, issued under the Licensing Act 2003 for the following licensable activities:

L Late Night Refreshment

- 2.3 The hours of operation are as follows:

Late Night Refreshment

Sunday to Thursday	23:00 – 00:00
Friday & Saturday	23:00 – 00:30

- 2.4 The hours that the premises are open to the public are:

Sunday to Thursday	11:00 – 00:00
Friday & Saturday	11:00 – 00:30

- 2.5 A copy of the existing licence (including all conditions) is attached at **Appendix A**, for members' attention.

3.0 The Application

- 3.1 The applicant is Mr. Mohammed Quadeer.

- 3.2 The location and the proximity to neighboring premises can be seen on the map provided; Members attention is drawn to **Appendix B**.

3.3 A copy of the application and operating schedule are attached as **Appendix C** to this report. For the assistance of members, the Operating Schedule shows:

i) Proposed licensable activities

L Late Night Refreshment

ii) Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Late Night Refreshment

Sunday to Thursday	23:00 – 01:00
Friday & Saturday	23:00 – 02:00

iii) Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours:

Sunday to Thursday	09:00 – 01:00
Friday & Saturday	09:00 – 02:00

iv) Steps to promote licensing objectives

The applicant proposes to take the steps identified in section “P” of the application form to promote the licensing objectives.

v) Cumulative impact policy

These premises fall within the Cumulative Impact Policy Area 2. The council’s policy on this area provides the following:-

‘It is the council’s policy on receipt of relevant representations to refuse applications in Area 2 for new premises seeking a licence to provide hot food between 11:00pm and 05:00am where food is purchased to take away from the premises as opposed to premises where the food is to be consumed on the premises and whilst patrons are seated at tables provided for that purpose.’

vi) Further Information

The decision in respect of the appeal and grant of planning permission is attached for Members perusal, at **Appendix D**.

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Interested Parties have made the following representations:

- **Members of the Public**

Members are invited to consider **Appendix E** of this report.

- **Local Ward Councillor**

Members are invited to consider **Appendix F** of this report.

5.0 Matters Relevant to the Application

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

In making their decision, Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

6.0 Options Available to Members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule
- Reject or vary whole or part of the application

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy



**Schedule 12
Part A**

**Premises Licence
Leeds City Council**

Licence Issued By:

On: 14th May 2007

N
25

Jackson

Nicole Jackson

Assistant Chief Executive (Corporate Governance)

Halpern 22/10/08

Premises Licence Number

PREM/02403

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Lister Fisheries
56 North Lane
Headingley
Leeds
LS6 3HU

Telephone number 0113 289 9666

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Sunday to Thursday	23:00 - 00:00
Friday & Saturday	23:00 - 00:30

The opening hours of the premises

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 00:30
Saturday	11:00 - 00:30
Sunday	11:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Not Applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Mohammed Quadeer
56 North Lane
Headingley
Leeds
LS6 3HU

Premises Licence Holder Telephone Number 07795 097 799

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

Annex 1 – Mandatory conditions

Not Applicable

Annex 2 – Conditions consistent with the Operating Schedule

The prevention of public nuisance conditions agreed with Environmental Health Services

Noise and vibration

1. Noise shall be inaudible at the nearest noise sensitive premises after 23.00 hours. In order to meet this condition:
 - a. The rear door shall be kept closed, except for emergencies, after 23.00 hours.
 - b. The staff shall take any breaks at the front of the premises.
 - c. All deliveries shall be made from the front of the premises.
2. Ensure that no nuisance is caused by noise or vibration emanating from the premises.
3. Ensure that noise from plant and machinery is inaudible at the nearest residential premises during the operating of the plant. Plant and machinery shall be regularly serviced and maintained to continue to meet this requirement.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 – Plans

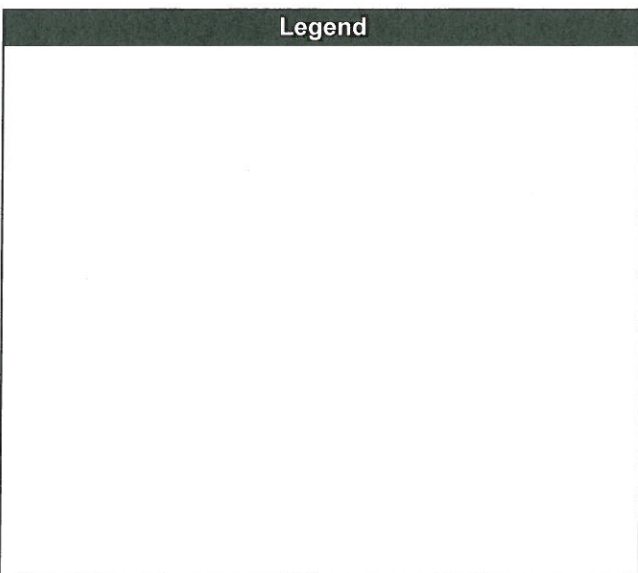
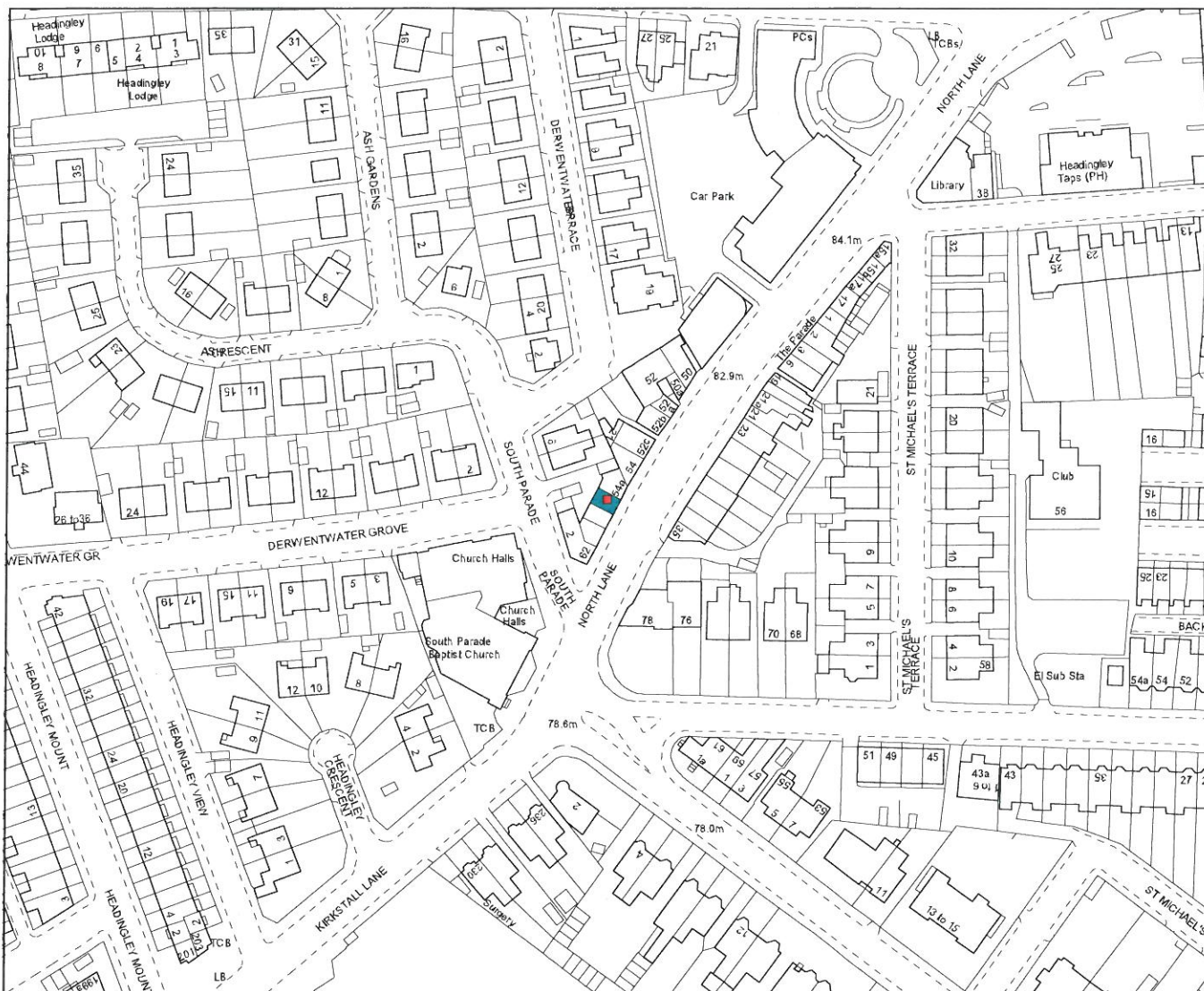
The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council Licensing Authority.

PREM/02403/V03 - Lister Fisheries

56 North Lane, Headingley, Leeds, LS6 3HU



GIS by ESRI (UK)



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Organisation	Not Set
Department	Not Set
Comments	
Date	03 June 2010
SLA Number	Not Set

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mohammed Quadeer

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PREM/02403
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Lister Fisheries 56 North Lane Headingley			
Post town	Leeds	Post code	LS6 3HU

Telephone number at premises (if any)	0113 289 9666
Non-domestic rateable value of premises	£5700

Part 2 – Applicant details

Daytime contact telephone number	07795 097799		
E-mail address (optional)			
Current postal address if different from premises address	29 Conway Street Harehills		
Post Town	Leeds	Postcode	LS8 5JF

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day			Month			Year		

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To extend the hours to provide a service to customer needs and to ensure serving of late night refreshments doe's not breach regulations as set out in the 2003 Licensing Act.
Also to bring into line with other outlets offering late night refreshments.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) To supply late night refreshment in the form of hot meals for the consumption off the premises		
Mon	2300	0100			
Tue	2300	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	2300	0100			
Thur	2300	0100	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	2300	0200			
Sat	2300	0200			
Sun	2300	0100			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

Not Applicable

FOA. BARRY.

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0900	0100	
Tue	0900	0100	
Wed	0900	0100	
Thur	0900	0100	
Fri	0900	0200	
Sat	0900	0200	
Sun	0900	0100	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
 We do not seek to remove any conditions, we seek only to extend the hours of licensable activities in the form of late night refreshments.

ENTERTAINMENT LICENSING
 21 MAY 2010
 RECEIVED

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

All four Licensing objectives are set out in detail below.
We feel the objective for crime and disorder can be fully met as the premises have no known convictions relating to crime and disorder due to how well the premises have been run in the past.
The operator has trained staff fully on issues relating to public safety and again this is demonstrated in our detailed Public Safety Objective.
In relation to Public Nuisance the premises are in a commercially populated area which includes similar business's some of which operating legitimately within the 2003 Licensing Act and some that may not be, however our applicant wishes to be able to compete lawfully, local residents are to the rear of the premises and this dealt with in our detailed objective.
Protection of Children from Harm we feel during the hours of late night refreshment not to be a serious issue; however the applicant will always act responsibly where children are concerned

b) The prevention of crime and disorder

The Premises are very good exterior lighting,
Staff have training and are qualified in First Aid
Sign's are displayed stating that abusive people will not be served
Sign's are displayed asking people to behave in an orderly manor once they have left the premises.
CCTV is in operation both inside and outside the premises, signs are displayed and recordings are kept for 30days for any authority which may wish to inspect them

c) Public safety

Internal and external bins are provided
All floorings are in good condition and non-slip mats are supplied
Staff are also trained to periodically check the outside of the premises and clean away any rubbish or waste food
Fire extinguishers are maintained and are available to all staff
A fire risk assesment is on the premises
All Gas and Electrical appliances are checked in compilence with health and safety guide lines
A member of staff who is First Aid trained will be on the premises whilst the premises is open.
An accident book is available, and a stocked and maintained first aid kit is available

d) The prevention of public nuisance

The Rear doors shall be kept closed, except for emergencies after 23.00hrs
All staff breaks will be held at the front the premises
All deliveries shall be made from the front of the premises
We will ensure that no nuisance is caused by noise or vibration emanating from the premises.
We will ensure that no noise from plant or machinery is inaudible at the nearest residential premises during the operating of the plant.
Plant and Machinery shall be regulary serviced and maintained to cotinue to meet this requirement.
Notices will be displayed asking customers to act in a quiet and orderly manor in the vacinaty of the premises.

e) The protection of children from harm

It is envisaged that during the hours of late night refreshment any minor will be accompanied by an adult


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	23 April 2010
Capacity	Licensing Agent

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

M P Maguire ABII
Licence Trade Consultants
Upper Floor Reception Buildings
Waterloo Mill
Waterloo Road

Post town	Leeds	Post code	LS28 8DQ
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Telephone number (if any)	0113 2909 686
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Appeal Decision

Site visit made on 2 March 2010

by **Leslie Coop BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
23 March 2010

Appeal Ref: APP/N4720/A/09/2116873 56 North Lane, Headingley, Leeds LS6 3HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr M Bashir against the decision of Leeds City Council.
- The application Ref P/09/01666/FU, dated 17 April 2009, was refused by notice dated 19 June 2009.
- The application sought planning permission for the change of use of a shop to a hot food takeaway without complying with a condition attached to planning permission Ref 26/85/96/FU, dated 31 July 1997.
- The condition in dispute is No 2 which states that: *the use hereby permitted shall not be open to customers outside the following times:-*
 - a) 0800 to 2330 hours Monday to Saturday
 - b) 1900 hours to 2300 hours Sundays.
- The reason given for the condition is: *to safeguard the residential amenities of neighbours.*

Procedural matters

1. The hot food takeaway was allowed on appeal (T/APP/N4720/A/97/279326/P8, dated 31 July 1997) and is now in operation. Subsequently, in 2008, the Council approved a variation of condition No 2 (Ref. 07/05838/FU) which allowed the premises to be open between 11.00 hours to midnight Sunday to Thursday and 11.00 hours to 01.00 hours on Friday and Saturday. The appellant now wishes to open the business between the hours of 11.00 to 01.00 the following morning Sunday to Thursday and between the hours of 11.00 and 02.00 the following morning on Friday and Saturday.

Decision

2. I allow the appeal and grant planning permission for the change of use of a shop to a hot food takeaway at 56 North Lane, Headingley, Leeds LS6 3HU in accordance with the application Ref P/09/01666/FU dated 17 April 2009, without compliance with condition number 2 previously imposed on planning permission Ref 26/85/96/FU dated 31 July 1997 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:-

The opening hours of the premises shall be restricted to 11.00 hours to 01.00 hours the following morning Sunday to Thursday and 11.00 hours to 02.00 hours the following morning on Friday and Saturday.

Main issue

3. The main issue is the effect of the variation of the hours of opening on the occupiers of nearby dwellings in terms of noise and disturbance.

Reasons

4. The appeal premises are located on the north-west side of North Lane within a designated S2 shopping centre in the Leeds Unitary Development Plan (Review 2006) (UDPR). Both sides of North Lane consist mainly of shops and commercial premises including a significant number of takeaways, restaurants, cafes and sandwich shops.
5. Before granting planning permission for the extended hours of opening of the appeal premises in 2008, the Council gave a temporary consent (Ref 06/05215/FU) for a period of one year to monitor their impact. During this time, there was no demonstrable effect that the extension of opening hours had resulted in significant harm to the amenity of local residents.
6. There are dwellings in the areas around the shopping centre and although reference has been made to residential accommodation on North Lane itself, the only such accommodation that has been specifically identified is a flat above No. 33 on the opposite side of the road. The appellant has produced a noise report and has taken readings outside No.33 and the next nearest dwelling at 2 South Parade which indicate that the ambient noise climate on North Lane is dominated by road traffic and pedestrian activity. The centre is in a student area and has a strong night-time economy. The measurements show that the night-time ambient noise levels are in the order of 55-56 dB, reducing to 53 dB by 2.05 hours. The figures have not been disputed by the Council and are within the 3 dB tolerance that suggests that the extension of hours requested by the appellant would not have a significant impact on residential amenity.
7. There is no doubt concern from local residents relating to noise and disturbance late at night as a result of activities in the shopping centre and they have made reference to a Cumulative Impact Policy for the area. However, I am not aware of what it is or its status. I do not have any specific evidence of noise and disturbance arising from the operation of the appeal premises and given the conclusions from the appellant's noise report, I am satisfied that the proposed extension of opening hours would not add significantly to any levels of noise and disturbance that might currently exist.
8. I conclude that the extension of hours as requested would not lead to significant additional levels of noise and disturbance and would not be contrary to saved UDPR policies GP5 and S15 which amongst other things aim to protect the amenities of residents.
9. In the event that the appeal is allowed, the Council has suggested an additional condition requiring a litter bin to be placed outside the premises whilst they are in use. However, condition 5 of the original planning permission covers this matter and is still subsisting and capable of taking effect.
10. I note that the appeal premises are located in the Headingley Conservation Area. This has not been referred to as an issue in the appeal but, in any event,

I am satisfied that the extension of opening hours would not affect its character or appearance.

Leslie Coop

INSPECTOR

①

Nelson, Matthew

From: Martin Cook [martincook@yips.co.uk]
Sent: 17 May 2010 21:35
To: Entertainment Licensing
Cc: Nelson, Matthew
Subject: Lister Fisheries - 56 North Lane LS6 3HU

Dear Sir/Madam,

Thankyou for your observations on my earlier letter which I would now like to replace with the following:

I wish to object to the application by Lister Fisheries, for an entertainment licence to cover late night refreshment take aways. The premises are on a main road close to the homes of many of the hundreds of residents who contributed to the Strategy Document, "Headingley Renaissance", and on whose behalf I write.

This extension in scope of licensable activities is discouraged by the CIP for Headingley which specifically aims to limit new premises from opening in Headingley, and is supported not only by local councillors but also by all the members of Headingley Network Community Association.

It is our contention that this application, if granted, will threaten:

To increase crime and disorder - by becoming yet another of the many alcohol & take away food outlets on our high street which are frequented by young, often inebriated, people who participate in pub crawls followed by "take-aways-on-the-run" on a regular basis, not only at weekends and in evenings but at all times of the day and all days of the week. We, the long-term residents of Headingley suffer already from excessive criminal damage to vehicles and property (wing mirrors kicked off, flower pots broken etc). An increase in "night time economy" provision at this point will make matters worse.

To increase public nuisance - by the increase of noisy pedestrian and traffic activity on the street. Residents are already woken on a regular basis by people shouting as they leave noisy venues in Headingley - they take a while to readjust to the quiet - and these premises being so near residential housing it is likely to make matters worse. Other public nuisance issues will be the increase in binge-drinking related the inducement to eat food late at night, followed by vomiting, rubbish etc, and the increase in the already flourishing rat population.

To put public safety at risk - by the crowding of pavements at a point in the road where traffic runs quite fast and taxis queue for customers. There are already more traffic accidents relating to alcohol and late night street eating activities in Headingley than other town centres around Leeds, and this will increase the risk both to users of the premises and to those passing by and living locally.

To increase the harm suffered by the children and young people of Headingley by their exposure to the constant, high level and glitzy promotion of alcohol consumption and late night take-away venues.

Please do not assume that the community's tiredness, with having to restate its position to the Planning Dept and the Licensing Section with every new commercial application, represents any lessening of our resolve to prevent these reckless proposals.

I urge the licensing panel to take note of the risks posed to the residents of Headingley by this application and to REFUSE it, in accordance with the CIP for the area.

Yours truly,

Martin Cook
Secretary - Headingley Renaissance Group
5 Bainbrigge Road
Leeds LS6 3AD

(2)

Nelson, Matthew

From: Entertainment Licensing
Sent: 17 May 2010 10:02
To: Nelson, Matthew
Subject: FW: Lister Fisheries - 56 North Lane LS6 3HU

Mattie

1 4 U

Cheers

Barry Glover
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: barry.glover@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: Brian Unsworth [<mailto:briunsworth@hotmail.com>]
Sent: 17 May 2010 09:12
To: Entertainment Licensing
Subject: FW: Lister Fisheries - 56 North Lane LS6 3HU

Subject: Lister Fisheries - 56 North Lane LS6 3HU

Dear Sir/Madam

I wish to object to the application by Lister Fisheries, for an entertainment licence to cover extended hours late night refreshment. The premises are on a main road close to the homes of many of the hundreds of residents including mine which is very close. We all contributed to the Strategy Document, "Headingley Renaissance" which came out strongly against any such extensions.

This extension in scope of licensable activities is discouraged by the CIP for Headingley which specifically aims to limit new late night premises from opening in Headingley, and is supported not only by local councillors but also by all the members of Headingley Network Community Association.

It is my contention that this application, if granted, will threaten:

To increase crime and disorder - by becoming yet another of the many take away food outlets on our high street which are frequented by young, often inebriated, people on a regular basis, not only at weekends and in evenings but at all times of the day and all days of the

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week. We, the long-term residents of Headingley suffer already from excessive criminal damage to vehicles and property (wing mirrors kicked off, flower pots broken etc). An increase in "night time economy" provision at this point will make matters worse.

To increase public nuisance - by the increase of noisy pedestrian and traffic activity on the street. I am already by people shouting as they leave loud venues in Headingley - they take a while to readjust to the quiet - and this premises being so near my house is likely to make matters worse. Other public nuisance issues will be the increase to eat food late at night, followed by vomiting, rubbish etc, and the increase in the already flourishing rat population.

To put public safety at risk - by the crowding of pavements at a point in the road where traffic runs quite fast and taxis queue for customers. There are already more traffic accidents in Headingley than other town centres around Leeds, and this will increase the risk both to users of the premises and to those passing by and living locally.

Please do not assume that the community's tiredness, with having to restate its position to the Planning Dept and the Licensing Section with every new commercial application, represents any lessening of our resolve to prevent these reckless proposals.

I urge the licensing panel to take note of the risks posed to the residents of Headingley by this application and to REFUSE it, in accordance with the CIP for the area.

Yours faithfully,

Brian Unsworth
72 St Michaels Road
Headingley
LEEDS
LS6 3BG

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3

Nelson, Matthew

From: Entertainment Licensing
Sent: 14 May 2010 08:55
To: Nelson, Matthew
Subject: FW: Lister Fisheries - variance to license.

Matthew

For you

Bridget

Bridget Massey
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: bridget.massey@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: derek cockerham [<mailto:cockerd@googlemail.com>]
Sent: 14 May 2010 05:34
To: Entertainment Licensing
Subject: Lister Fisheries - variance to license.

Dear Sir / Madam,

We wish to object to the extension of opening hours applied for by Lister Fisheries. We live to the south of these premises and are only too aware of the impact of longer opening times has on our environment and peace.

We suffer already from late night noise and also see for ourselves the results of late night drinking and eating in our surrounding neighbourhood.

We support the aims of the C.I.P. and believe this would be a contravention of this policy and therefore we object to the application.

Mr & Mrs Cockerham
53 The Turnways
Headingley
Leeds
LS6 3DT.

14/05/10

14/05/2010



Nelson, Matthew

From: Entertainment Licensing
Sent: 20 May 2010 13:17
To: Nelson, Matthew
Subject: FW: Lister Fisheries - 56 North Lane, LS6 3HU

Mattie

1 4 U

Cheers

Barry Glover
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: barry.glover@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: Anne Beaumont [<mailto:annedancingqueen@hotmail.co.uk>]
Sent: 20 May 2010 13:09
To: Entertainment Licensing
Subject: Lister Fisheries - 56 North Lane, LS6 3HU

Dear Sir/Madam

I wish to object, yet again, to the application by Lister Fisheries for an entertainment licence to cover extended hours for late night refreshments.

Such applications are discouraged by the CIP for Headingley which specifically aims to limit late night openings of such premises, in Headingley and this is supported by our local councillors and members of the Headingley Network Community Association.

As a local resident who lives very close to the many takeaway food outlets on North Lane I wish to emphasise, again, that this application if granted will inevitably lead to increases in public nuisance which is already a major problem around these establishments. We are already disturbed on a nightly basis by rowdy revellers, taxi drivers who conduct themselves as if it was the middle of the day as they park outside Listers engaging in loud conversations with each other and the punters who are invariably inebriated and have absolutely no consideration for those residents who may be trying to get some sleep.

Again I feel I need to point out that there is an ongoing problem with rats in this area which flourish on the food waste and rubbish that is discarded by customers of the takeaway establishments. Often discarded, I might add, into gardens, over cars which has then to be dealt with by the long-term resident.

In addition I believe that if such an application is granted then there will be an increase in the level of crime and disorder as the establishment will attract those customers who will have already been out and about in the area, drinking. We, the long-term residents of Headingley already suffer criminal damage to cars and property -wing mirrors get ripped off on a regular basis along St. Michael's Road that I am aware of, I have replaced at least 6 on my own

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vehicle and have had car windows broken. Gardens are damaged, plants uprooted, flower pots broken.

I urge the licensing panel to take note of the risks posed to the residents of Headingley by this application and to refuse it in accordance with the CIP for this area.

Yours sincerely,
Anne Beaumont
74 St. Michael's Road
Headingley, LS6 3BG

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Nelson, Matthew

From: Nelson, Matthew
Sent: 25 May 2010 09:36
To: Monaghan, Cllr James
Subject: RE: Listers Fisheries - can't remember the reference number

Good morning Councillor Monaghan,

I kindly acknowledge receipt of your objection to the variation application for Lister Fisheries.

I can confirm that your objection will be included in the documentation produced to the Licensing Sub-Committee on the day of hearing which is provisionally booked on 21st June 2010, although further confirmation will be sent out.

If you could provide me with a postal address so further correspondence can be sent, it would be greatly appreciated.

Kind regards,

Mr Matthew Nelson
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: matthew.nelson@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our customer feedback form.

-----Original Message-----

From: Monaghan, Cllr James
Sent: 24 May 2010 14:57
To: Entertainment Licensing
Cc: Nelson, Matthew
Subject: Listers Fisheries - can't remember the reference number

Hi,

Can you please note my objection to this application?

I object on the principle that Headingley does not need any more food and drink establishments, especially in this area, which already has an overabundance of hot and cold food takeaways. The proximity of the property to residential dwellings will have a negative impact on neighbours, especially those living on North Lane and Derwentwater Terrace.

The well established link between noise nuisance and takeaways in Headingley should also be taken into account as well as the associated potential for disorder, which is common at other takeaway establishments in the area, and particularly throughout the district centre.

Given the area has a Cumulative Impact Policy to stop exactly this kind of application I request that officers or the licensing panel refuse this application.

James

--
Cllr James Monaghan
~~Executive Board Member for Environmental Services Headingley Ward Councillor Flat 21,~~
Merchat Nouse, 66 North St, Leeds, LS2 7PN