

Appendix B7

From: FCP - [REDACTED]
Sent: 24 July 2022 23:06
To: Licensing <Licensing@leicester.gov.uk>
Cc: [REDACTED]
Subject: 27 Avenue Road - Vicky's Chippy

Hi Licensing,

Re. Vicky's Chippy, 27 Avenue Road Extension – application no. 145039 for a Premises Licence to provide Late Night Refreshment until 01:00 Sun-Thu and 02:00 Fri-Sat.

FCP has serious concerns about the hours applied for, so must **object** to this application on the grounds that it is likely to create **public nuisance** in the form of noise nuisance.

Hot Food Takeaways

There are numerous premises operating as hot food takeaways in Clarendon Park, including:

- Queens Road: Kebab Master (no. 57B), Chicken Ville (no. 68), Wicked Burgers (no. 70), Indian Rooster (no. 80), Subway (no. 82), Pavlos Kebabs (no. 88), and Oshen Poke (no. 92)
- Clarendon Park Road: TJ's Burgers (no. 131), Peri Hot Flames (no. 146), Veggie Master (no. 161), and Clarendon House (no. 198)

Of these hot food takeaways, only two are licensed for Late Night Refreshment:

- TJ's Burgers is licensed Sun-Thu to 00:00 and Fri-Sat to 01:00 (LEIPNA0090)
- Pavlos Kebabs is licensed Mon-Sat to 23:30

Despite being licenced to open later, both TJ's Burgers and Pavlos Kebabs actually close at 23:00.

Restaurants & Cafés

In addition to the dedicated hot food takeaways there are many restaurants and cafés, including:

- Queens Road: Grounded Kitchen (no. 50), Barceloneta (no. 54), Christopher James (no. 60B), Fingerprints (no. 65), Verandah (no. 71), Costa Coffee (no. 80A), Port & Nata (no. 93), Halcyon (no. 95), Northern Cobbler (no. 104), and Bondade (no. 111)
- Clarendon Park Road: Martin Bros (no. 117), Skylark Bakery (no. 249)

None of these restaurants and cafés are open after 23:00.

Location

This premises is at the junction of Queens Road and Avenue Road Extension, which is outside of the main retail areas of Queens Road and Clarendon Park Road. The premises is surrounded by residential premises – Avenue Road has terraced houses on both sides of Queens Road and there are terraced houses on both sides of Queens Road

south of Avenue Road Extension. These terraced houses have no frontages, so their front doors and windows open directly on to the street. There is a flat above the premises, which would be most directly affected.

Planning

27 Avenue Road Extension received planning permission to operate as a fried fish shop in 1968 (planning application no. 16927). Previous owners of the premises, knowing the area and understanding residents need for peace and quiet during the normal sleeping hours of 23:00 and 07:00, did not apply to open beyond the standard Hot Food Takeaway closing time of 23:00.

Concerns

Allowing the premises to open beyond 23:00 would attract customers from outside the area, either on foot, by car, or by proxy via food delivery couriers, creating noise nuisance in the form of loud and shouted conversations, car engine and door noise, which is otherwise absent at this time in Clarendon Park.

Avenue Road Extension is one-way on the west side of Queens Road and is usually fully parked at night, which would result in cars circling looking for a parking space or more likely parking in the road or on double yellow line preventing access by residents and emergency services.

As a hot food takeaway, the premises would have its flue running while open, which may be less noticeable during the day when there is more background noise, but would be much more noticeable at night when there is very little in the way of background noise.

With other premises providing alcohol until 23:00 and closing at 23:30, allowing this premises to open beyond 23:00 will result in people remaining in the area after leaving premises serving alcohol, using our streets as public toilets and dumping their litter on the streets and in peoples gardens.

There is already an issue with this premises storing their commercial bins permanently on the footway on Queens Road, but even if customers did use these bins, they would inevitably cause yet more late night noise closing the bins.

Clarendon Park is a popular area to live in, partly because the community has worked to maintain an acceptable balance between the needs of businesses and those of residents, both permanent and temporary. Some other areas of the city that have not maintained this balance have become dominated by businesses operating antisocial hours resulting in many of the permanent residents moving away, destroying the balance in those communities. Allowing this premises to open beyond 23:00 would be likely to result in other similar businesses seeking later opening hours. Once the precedent is set for one business it becomes difficult to refuse it for other businesses.

Most of these issues are beyond the ability of the premises owner to manage or for licensing or planning to enforce. The only tool that can be reliably used to manage these issues is to control the opening hours.

Mediation

FCP would be prepared to withdraw this objection if the premises was required to close no later than 23:00, which would be in line with all the other hot food takeaways in Clarendon Park, although we realise that this would obviate the need for a Late Night Refreshment licence in the first place.

Best regards,

Ian Brown

Chair, Friends of Clarendon Park

FCP online

e: [REDACTED]

w: ClarryPark.org

f: [@ClarryPark](https://twitter.com/ClarryPark)

t: [@ClarryPark](https://twitter.com/ClarryPark)

Support FCP's work by becoming a member at membermojo.co.uk/clarrypark