



CHEL TENHAM
BOROUGH COUNCIL

**Notice of a meeting of
Licensing Sub-Committee**

**Thursday, 11 November 2010
1.00 pm**

Municipal Offices, Promenade, Cheltenham, GL50 9SA

MEMBERS ATTENDING	OFFICERS ATTENDING
Councillor Garth Barnes Councillor Penny Hall Councillor Diggory Seacome	Sarah Farooqi, Regulatory Solicitor Manager Louis Krog, Senior Licensing Officer

Agenda

- 1. ELECTION OF CHAIRMAN**
- 2. APOLOGIES**
- 3. DECLARATIONS OF INTEREST** (Pages 1 - 2)
- 4. DETERMINATION OF APPLICATION FOR A PREMISES LICENCE** (Pages 3 - 126)
Chemistry, Gibson House, St. James Square, Cheltenham

Contact Officer: Rachael Sanderson
Rachael Sanderson, Democracy Assistant,
01242 264130 01242 774130

Email: democratic.services@cheltenham.gov.uk

Public Information

Emergency Evacuation Procedure at the Municipal Offices

- (i) In the event of a fire you will hear a continuous alarm.
In the event of a bomb alert the alarm will sound in repeated short bursts.
- (ii) Members, officers and the public should leave the building promptly and in a quiet and orderly fashion using the nearest available escape routes and assemble on the Promenade footway by the War Memorial.

Attendance at Meetings - Local Government (Access to Information) Act 1985

Meetings are open to the public and a limited amount of public seating is available. Copies of the agenda will also be available. You may be asked to leave the meeting if any "exempt" (confidential) business is considered. This will normally be shown on the agenda

Inspection of Papers - Local Government (Access to Information) Act 1985

We can also arrange for copies of individual decision records, reports or minutes to be supplied. If you wish to inspect minutes or reports (other than those which are exempt) relating to any item on this agenda, please contact Democratic Services. The background papers listed in a report may also be inspected. Please notify Democratic Services who will arrange with the report author for papers to be made available to you at a mutually convenient time.

All meeting information is published on the Council's Internet website at:
www.cheltenham.gov.uk.

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and we will do everything we can to meet your requirements.**

Licensing Sub Committee Procedure

Note: REPORTS FOR SUB COMMITTEE'S WILL NOT INCLUDE AN OFFICER RECOMMENDATION BUT SHALL INCLUDE LICENSING COMMENTS.

The Hearing

- 1) The sub committee will conduct the hearing in accordance with the statutory regulations on hearings and, where appropriate, the council's constitution.
- 2) Applicants / licensees will be invited to attend the sub committee and be represented if they so choose, they will be sent a full copy of the report about their application / case including all appendices and details of objections / representations. If they do not attend the committee can decide whether or not to deal with their item in their absence on the basis of the written report and the procedure as set out below.
- 3) The hearings will be held in public unless the licensing authority decides to exclude the public for all or part of the hearing because the public interest in doing so outweighs any other public interest consideration. A chair is elected who then introduces the members and officers and explains the procedure to be followed. The chair will introduce, in turn, each item on the agenda, briefly stating what it is about and inviting the parties to be seated. The chair will stress that the meeting will take the form of a discussion and that cross examination will not be permitted unless he considers it necessary for proper consideration of the matter before them.
- 4) Members who intend to vote must be present in the meeting room throughout the sub committee's consideration of an item so that they hear all of the evidence and hear / participate in the debate.
- 5) The report author or other appropriate officer presents the report, outlining the key issues and any licensing comments. This must be done in a maximum of 5-10 minutes unless the chair expressly approves otherwise. Members and the applicant / licensee/ responsible authorities / interested parties will have the opportunity of asking the officer questions.
- 6) The applicant / licensee (or their representative) will present their application and, if they choose to, call witnesses. This must be done in a maximum of 5-10 minutes unless the chair expressly approves otherwise. The applicant / licensee (or their representative) has the right to present their case without undue interruptions and when they have done so questions may be asked by members and by officers / responsible authorities / interested parties.
- 7) Responsible authorities / interested parties will be given the opportunity to make representations through their appointed spokesperson, this must be done in a maximum of 5 - 10 minutes unless the chair expressly approves otherwise. The applicant / licensee, members and officers will have the opportunity of asking the spokesperson questions.
- 8) The applicant / licensee (or their representative) will be given the final right of reply.
- 9) The sub committee will debate the application before making a decision.

10) The decision will be confirmed in writing giving reason(s) for the decision and details of any appeal rights. The decision notice / letter will be sent as soon as practicable after the meeting and any statutory time-scales will be followed.

Approved & Adopted Licensing Committee 02/02/07 (Min 9 refers)

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CHELTENHAM BOROUGH COUNCIL

Licensing Sub Committee

DATE:

DECLARATION OF INTEREST

Councillor _____

You are asked to complete this form if you intend to declare an interest in connection with any item on this agenda.

Please hand any completed form to the committee administrator at the meeting.

You are reminded that you are still required to declare your interest orally at the commencement of the committee's consideration of the matter.

Agenda item	*Personal interest	*Prejudicial Personal interest	Nature of interest

The Council's Code of Members Conduct explains what is a 'Personal Interest' and a 'Prejudicial Interest'. The Code is set out in Part 5A of the Council's Constitution.

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Cheltenham Borough Council

Licensing Sub Committee – 11 November 2010

Licensing Act 2003: Determination of Application for a Premises Licence

Chemistry Gibson House St. James Square Cheltenham Gloucestershire

Report of the Senior Licensing Officer

1. Introduction

1.1 The Licensing Act 2003 (the Act) allows applicants to apply for a premises licence at any time. In this case, an application was received on 16 September 2010 from Headline Entertainments Limited in respect of Chemistry Gibson House St. James Square Cheltenham Gloucestershire. A copy of the application is included at **Appendix A** (See pages 11-28)

1.2 The applicant has requested for a premises licence to permit:-

Sale/Supply of Alcohol	Monday to Saturday 10:00 - 02:00 On & Off
Performance of Dance	Monday to Saturday 10:00 - 02:00 Indoors
Exhibition of a Film	Monday to Saturday 10:00 - 02:00 Indoors
Performance of Live Music	Monday to Saturday 10:00 - 02:00 Indoors
Performance of Recorded Music	Monday to Saturday 11:00 - 02:00 Indoors
Prov'n of Facilities for Dancing	Monday to Saturday 10:00 - 02:00 Indoors
Prov'n of Facilities for Making Music	Monday to Saturday 10:00 - 02:00 Indoors
Late Night Refreshment	Monday to Saturday 10:00 - 02:00 Indoors

1.3 The applicant has applied for the following non-standard timings to be applied to the licence:-

1.4 The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the Cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

1.5 If this application is approved a premises licence would be issued.

1.6 Implications

1.6.1 Financial **Contact officer: Sarah Didcote**
 E-mail: sarah.dicote@cheltenham.gov.uk
 Tel no: 01242 26 4125

1.6.2 Legal

A sub committee is required to discharge its duty and determine an application with a view to promoting the licensing objectives. These objectives, which are set out in section 4(2) of the Licensing Act 2003, are: (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm.

Sarah Farooqi
E-mail: Sarah.Farooqi@tewkesbury.gov.uk
Tel no: 01684 272693

2. Application (Ref. 10/01568/PRMA)

- 2.1 Applicant: Headline Entertainments Limited
- 2.2 Agent: Maitland Walker Solicitors
- 2.3 Premises: Chemistry Gibson House St. James Square Cheltenham Gloucestershire
- 2.4 Steps to promote the four licensing objectives that are identified in this application:

- a) Maximum numbers of persons permitted: Total for Premises 665; Second Floor 100; Upper Mezzanine Floor 50; Lower Mezzanine Floor 165; Ground Floor 200; Basement 150
- b) For a continuous period commencing with the opening of business and ending thirty minutes after the premises close a minimum of four staff shall be provided to supervise the outside of the premises. Their duties shall be to control and discourage anti-social behaviour of patrons who are entering or leaving the premises. Their duties shall also include patrolling the area designated on the plan.
- c) All doors and windows, except the main entrance, are to be kept closed during any entertainment. Fire escapes shall be kept closed at all times and shall only be used to vacate the building in the event of an emergency or after the conclusion of the entertainment.
- d) Amplified music or public address shall be undertaken only through the sound system fitting with a noise limiting device. The device shall be set at a level approved by the Council's Environmental Health Officer. In addition, control measures to prevent the breakout of noise shall be present and maintained.
- e) There will be an extended winding down period commencing with slower music at a reduced volume at ten minutes prior to the terminal hour changing to walkout music at a quieter volume than before until the building is cleared.
- f) On days when the premises are open, litter shall be removed at the end of each trading session from areas to which the public have access as of right within the area designated on the plan.
- g) Closed circuit television shall be provided both inside and outside the premises to a standard approved by the Council's Community Safety Manager.
- h) In the event of a new Manager being appointed to the premise, a "handover" meeting between the Council's Public Protection Division, the existing Manager and the new Manager shall be arranged to ensure an understanding of the particular circumstances relating to the premises.
- i) After 21:00 hours, SIA registered door supervisors shall be employed at the minimum ratio of 1:100 customers (or part thereof at the premises).
- j) Active member of 'Nightsafe'.
- k) CCTV shall be maintained in good working order, and recordings shall be kept for a minimum of 28 days and be provided to Officers of the Council and police on request.
- l) Drinks shall not be served in glass 'pint' containers (beer glasses). These shall be substituted with polycarbonate/plastic 'glasses'.

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- m) A 30 minute 'drinking up' time shall be provided to allow appropriate dispersal, use of lavatories, etc.
- n) The Designated Premises Supervisor (DPS) shall maintain an active membership of the Nightsafe/Cheltenham innkeepers Association (or successor 'pubwatch' body).
- o) No discounting of alcoholic drinks (below the tariff in place for a minimum of one week) shall take place on Fridays and Saturdays after 18:00 hours.
- p) Non alcoholic and low alcohol drinks shall be promoted especially to 'designated drivers' of groups.
- q) A closed door policy will be operated with no admission or re-admission on New Years Eve from 23:30 to 04:00 hours on New Year's Day.
- r) The CCT system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 28 days (14 days for digital systems) and be provided to officers of the council and the police on request.
- s) Toughened glasses shall be used.
- t) All windows in areas where regulated entertainment takes place shall be kept closed during such entertainment.
- u) All external doors to parts of the premises where regulated entertainment takes place shall be kept shut during these activities except momentarily for the purposes of normal access and egress or in an emergency.
- v) The designated premises supervisor shall ensure effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises, to ensure that noise from such activities is inaudible inside nearby noise sensitive premises.
- w) A noise limiting device shall be used between any amplifier and loudspeaker whenever live or recorded entertainment occurs to ensure that noise from such activities is inaudible inside nearby noise sensitive premises.
- x) No music shall be generated in the upper bar area without the provision of an acoustic lobby being installed, to the satisfaction of the Licensing Authority, to the fire door to the North East of that bar area.
- y) When a DJ is present on any night he/she shall make announcements before the termination of entertainment to request consumers to leave the premises quietly and respect the peace and quiet of the local residents.
- z) Unaccompanied persons under the age of 18 years shall not be permitted on the premises other than at events that are especially organised for the youth market. At any such events the licensee's general policies and those relating to admission, child protection and the code of conduct for staff shall be adhered to.

3. Responsible Authorities

3.1 **Gloucestershire Constabulary** - No Representations Received

3.2 **Environmental Health** – There has been no objection from the Environmental Health Department but the Environmental Health Officer sought agreement on the following conditions:

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- 1) All doors and windows, except the main entrance, are to be kept closed during any entertainment, except momentarily for the purposes of normal access and egress or in an emergency.
- 2) Fire escapes shall be kept closed at all times and shall only be used to vacate the building in the event of an emergency.
- 3) A noise limiting device shall be used between any amplifier and loudspeaker whenever live or recorded entertainment occurs to ensure that noise from such activities is inaudible inside nearby noise sensitive premises. The device shall be set at a level approved by the Council's Environmental Health Officer. In addition, control measures to prevent the breakout of noise shall be present and maintained.
- 4) There will be an extended winding down period commencing with slower music at a reduced volume at ten minutes prior to the terminal hour changing to walkout music at a quieter volume than before until the building is cleared.
- 5) On days when the premises are open, litter shall be removed at the end of each trading session from areas to which the public have access as of right within the area designated on the plan.
- 6) In the event of a new Manager being appointed to the premises, a 'handover' meeting between the Council's Public Protection Division, the existing Manager and the new Manager shall be arranged to ensure an understanding of the particular circumstances relating to the premises.
- 7) The designated premises supervisor shall ensure effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises, to ensure that noise from such activities is inaudible inside nearby noise sensitive premises.
- 8) No music shall be generated in the upper bar area without the provision of an acoustic lobby being installed, to the satisfaction of the Licensing Authority, to the fire door to the North East of that bar area.

3.3 Other Responsible Authorities - No Representations Received

4. Interested Parties

- 4.1 Representations have been received from 43 Interested Parties included at **Appendix B** (See pages 29-119)
- 4.2 Interested Parties have objected on the grounds of crime & disorder, public safety, the protection of children from harm and public nuisance.
- 4.3 The concerns raised by interested parties are as follows:
 - 1) Concern over noise emanating from the premises as a result of people attending the night club, the premises itself and people smoking outside which will disturb sleep.
 - 2) Concern over crime and disorder resulting from drunken revellers such as damage to property and abusive behaviour.
 - c) A possible increase in traffic and congestion in the surrounding areas. There is also a concern that the early opening hours of the premises and the possible increase in road traffic will result in an increase risk to the safety of children attending school and nursery in the area.
 - 3) Concern over drunken behaviour such as vomiting and urinating in the streets and gardens.
 - 4) A repeat of past experiences relating to noise, nuisance and anti-social behaviour emanating from the club as a result of cars revving, fornication in the surrounding gardens and rubbish left scattered.

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- 5) Crowding outside the premises will result in people having to walk into the road to get past.
- 6) Concern over a possible increase in business insurance as a result of the potential of damage.
- 7) Concern that granting the licence will exacerbate existing problems in the area such as noise, anti-social behaviour, rubbish etc.
- 8) Concern that granting this application will damage to property prices in the area.
- 9) Neighbouring properties being subject to vibrations and the “beat” as a result of the bass.
- 10) Concern that granting this licence can effect the growth and the regeneration of the general area.
- 11) Concern that granting this licence will impact the quality of life with some residents having to get up early in the morning for work and late night noise will disturb their sleep.
- 12) Noise emanating from early morning deliveries and refuse collection.
- 13) Houses in the area are listed (i.e. St Georges Terrace) and as a result these properties cannot get permission to replace windows with double glazing which causes a problem with noise.
- 14) With the addition to several new residential blocks, the noise can no longer dissipate naturally as it did previously when the residential blocks were not there.
- 15) In addition to new residential buildings, there has also been a new Waitrose supermarket, new office blocks and attractive new walkways and cycle ways been built and the grant of this application will make the area less appealing.
- 16) There is also a school, church and day nursery in the immediate vicinity of the premises. The school, church and nursery are open early in the morning with the church staying open in the evening and being used over the weekend. There is concern over the grant of this application will encroach on the activities of schools and church.
- 17) Since the club has closed, the problems associated with the club have disappeared.
- 18) The normal opening hours for the premises has historically been associated with crime and disorder and this causes concern for the children and parents who attend the nursery during the day.
- 19) Invalid public notice by virtue of it not listing the applicant’s head office address and address of the applicant.
- 20) Town Centre has reached saturation point and there are plenty of other premises who offer the same experience.
- 21) South side of St James Sq is outside the sight of club security stewards and CCTV. The resulting nuisance and anti-social behaviour will therefore be beyond the club’s surveillance.
- 22) Anticipated that there will be drinks promotions that will exacerbate the situation.
- 23) Planning permission has been granted by Cheltenham Borough Council for additional flats which imply that it wishes to turn the area into a primarily residential area.

24) The North Gloucestershire Education Improvement Partnership, Burton House St. James Sq has expressed concern that the grant of this application will have a negative effect on their students and operations. There is concern that the students will have access to alcohol and cigarettes and there is a possibility that the students will come into confrontation with customers from the premises. There is also concern that noise emanating from the premises will affect classes and exams.

25) The Monkey Puzzle Day Nursery, Ivanhoe House St. James Sq has expressed concern that the grant of this application will affect the operation of the nursery. Historically, the early opening of the premises has resulted in crime and disorder issues which will have an effect on the use of the nursery during the day. The nursery also expressed concern for the safety of their equipment left outside over night and the possibility of theft and vandalism.

26) Concern has been raised over the fact that older properties such as Gibson House do not have effective sound insulation which will have an effect on noise levels.

27) Finally, there are a high number of elderly residents living in the area. Granting this application will cause them to be fearful of going out during the operating hours of the premises.

5. Local Policy Considerations

5.1 The 2003 Act introduces a unified system of regulation which through two new types of licenses: the premises licence and the personal licence (club premises certificates for qualifying clubs). The Borough Council, as the licensing authority, is responsible for licensing all outlets in the borough that sell or supply alcohol or carry out any other ‘licensable activities’; public entertainment, theatre, cinema, or late night refreshment.

5.2 The new system is underpinned by four objectives: i) the prevention of crime and disorder; ii) public safety; iii) the prevention of public nuisance; and, iv) the protection of children from harm. The licensing authority must promote these objectives in carrying out its functions.

5.3 The Councils adopted licensing policy statement (Council 10/12/07) includes the following:
 i) **Each objective is of equal importance** and the licensing authority has developed policies relating to each objective. The objectives are the only matters to be taken account in determining applications and applying conditions. **(Paragraph 1.2)**

ii) The licensing authority will only apply terms and conditions to licences which promote one or more of the licensing objectives and are relevant to the individual circumstances of the application. Conditions may be drawn from those set out in Appendix B and / or tailored to particular circumstances and they will be focused on matters within the control of the individual licensees and others granted relevant permissions. **(Paragraph 2.4)**

iii) The licensing authority will expect all individual applicants to address the licensing objectives in their operating schedule having regard to the premises, the licensable activities to be provided, the operational procedures, the nature of the location and the interests of the local community. The licensing authority expects that any conditions that are necessary will, in the first instance, be identifiable from prospective licensees or certificate holders’ risk assessments.

iv) Applicants will have to translate their assessments into measures which promote one or more of the licensing objectives and record them in their operating schedule. **(Paragraph 2.5)**

v) The licensing authority will not impose any conditions unless, following the receipt of relevant representations, it has used its discretion at a hearing and been satisfied of the validity of those concerns. **(Paragraph 2.5)**

vi) The licensing authority will consider every application on its individual merits with regard to this policy statement and to the Licensing Committee's Probity Code (available at www.cheltenham.gov.uk under 'L' in the A-Z of services). The licensing authority will seek to balance the needs of the wider community, local community and commercial premises and activities, against those who may be concerned about adverse impacts from licensed premises. The views of vocal individuals or groups will not necessarily prevail over the general interests of the community. In every case the licensing authority will focus on disproportionate or unreasonable impacts of the licensable activities on people living, working and sleeping in the vicinity. **(Paragraph 2.7)**

vii) Cheltenham Borough Council, in its role as a licensing authority, wishes to do all in its power to protect the amenity of residents and businesses in the vicinity of licensed premises, and for these purposes 'vicinity' is taken to mean the immediate area around licensed premises. As the council is fully aware of the importance of the licensed trade in terms of the local economy and its culture and leisure aspiration, it will seek to work in partnership with all interested parties to ensure a mutual and productive co-existence. **(Paragraph 7.2)**

viii) When considering licence applications, the licensing authority will take into account the location of the premises and the type and construction of the building as well as the adequacy of measures proposed to deal with the potential for nuisance and / or antisocial behaviour having regard to all the circumstances of the application. **(Paragraph 7.4)**

ix) The licensing authority will consistently seek to ensure that its judgements about what constitutes public nuisance are balanced, as are decisions about any conditions that are considered necessary to prevent it. **(Paragraph 7.5)**

x) In reaching a judgement on the individual merits of applications, the licensing authority will have regard to the implications for nuisance generation and the impacts on residents that are posed by operating hours and types of regulated entertainment. The licensing authority will take into account requests for terminal hours in the light of the:-

- environmental quality,
- residential amenity,
- character or function of a particular area,
- nature of the proposed activities to be provided at the premises.

Consideration may, however, be given to imposing stricter controls on noise and disturbance from particular licensed premises, such as those in mainly residential areas. **(Paragraph 10.6)**

xi) Consideration may, however, be given to impose stricter controls on noise and disturbance from the particular premises, such as those in mainly residential area. **(Paragraph 10.6)**

6. National Guidance

6.1 Guidance has been issued under Section 182 of The Licensing Act 2003.

6.2 Para 2.32 of the Guidance states "The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable, The issues will mainly concern noise nuisance, light pollution, noxious smells and litter."

- 6.3 Para 2.33 of the Guidance states “Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.”
- 6.4 Para 2.35 of the Guidance states “As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. But as stated earlier in this Guidance, the approach of Licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.”
- 6.5 Para 2.36 of the Guidance states “Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping in certain circumstances, conditions maybe necessary.”
- 6.6 Para 2.37 of the Guidance states “Measures to control light pollution will also require careful thought. Bright lighting outside premises considered necessary to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, Licensing authorities and responsible authorities will need to balance these issues.”
- 6.7 Para 2.38 of the Guidance states “In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives.”
- 6.8 Para 9.8 of the Guidance states “A representation will only be relevant if it is likely to effect the grant of the licence on the promotion of at least one of the licensing objectives.”
- 6.9 Para 10.9 of the Guidance states “The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required by the Act itself.”
- 6.10 Para 10.11 of the Guidance states “The licensing authority may not impose conditions unless its discretion has been engaged following relevant representations and it has been satisfied at a hearing of the necessity to impose conditions. It may only then impose conditions that are necessary to promote one or more of the licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute.”
- 6.11 Para 10.13 of the Guidance on proportionality states “The Act requires that Licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned. This rules out standardised conditions which ignore these individual aspects. It is important that conditions are proportionate and properly recognise significant differences between venues.”

- 6.12 Para 10.15 of the Guidance states with regard to duplication with other statutory provisions that “Licensing Authorities should only impose conditions which are necessary and proportionate for the promotion for the licensing objectives. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties.”
- 6.13 Paragraph 10.20 of the Guidance states there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.

7. Licensing Comments

- 7.1 This application must be determined on its individual merits and in view of promoting the licensing objectives, which are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 7.2 A plan of the location of the premises is attached **Appendix C** (See page 120).
- 7.3 The plan of the proposed premises is submitted with the application is attached at **Appendix D** (See page 121-122).
- 7.4 The premises has been closed for a number of years and on its individual merits, Members must decide what weight to add to comments relating to problems associated with the premises when it was last in operation.
- 7.5 Members are to note that the area referred to under points 2.4 (f) covers the following:
- Ambrose Street as far as the start of the bowling green,
Clarence Street as far as the (farthest) East side of St Gregory's church,
St James Square as far as the mini-roundabout at the junction with Jessop Avenue,
Knapp Road as far as the far (West) side of Somerset House,
The un-named road alongside the club (that leads to St Gregory's School) as far as the start of the school.
- 7.6 The concerns over a possible increase in traffic and congestion will only be relevant to this application where this is likely to have an effect on the promotion of the licensing objectives.
- 7.7 Cheltenham Borough Council does have powers under the Environmental Health Protection Act to deal with the problem of rubbish and litter.
- 7.8 A possible increase in business insurance and the impact this application will have on property prices are not relevant to this application by virtue of the fact that neither has any bearing on the promotion of the licensing objectives.
- 7.9 Members are to note that the public notice displayed outside the premises was in accordance with the relevant regulations.

- 7.10 Members are to note that there are two CCTV cameras situated in the vicinity of the premises, one on the roundabout at St James Sq & Jessop Ave and the other on the roundabout on the corner of St James Sq Knapp Road & Clarence Street. There are also CCTV cameras fixed to the exterior of the premises covering all external areas.
- 7.11 There have been no comments from Cheltenham Borough Council's Planning Department made on this application and as a result, the speculation relating to the intention of the Planning Department to turn the area into a primarily residential area is not relevant.
- 7.12 In light of the fact that there has been no objection from either the Planning or Environmental Health Department, the comments relating to the age of the property and the fact that the property does not have sufficient sound insulation will only be relevant if Members feel that this will have an adverse effect on the promotion of the Licensing Objectives. Members are to note that the conditions sought by the Environmental Health Officer, in addition to the operating schedule, does address the concern over noise pollution.
- 7.13 Members are to note that the comments relating to the deteriorating effect the grant of this application will have on the growth, desirability and development of the area will only be relevant to this application insofar as the grant of the application is likely to adversely affect the licensing objectives.
- 7.14 The Committee must have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives which can include:
- Granting the application as requested;
 - Modifying the conditions attached to the licence; or
 - Rejecting all or part of the application.

Background Papers

Service Records

Licensing Act 2003

S.182 Amended Guidance issued under section 182 of the Licensing Act 2003

Cheltenham Borough Council's Licensing Act 2003
Licensing Policy Statement Approved by Council
30 March 2009

Report Author

Contact officer: Mr Louis Krog
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 775004

10/01568/PRM/A

Insert name and address of relevant licensing authority and its reference number (optional)	Cheltenham Borough Council Promenade Cheltenham Gloucestershire GL50 1PP	
	Cheltenham Borough Council Public Protection	
	PASSED TO	
	REC'D	16 SEP 2010
	Date of receipt	Type of response
	Initials of applicant	File

Application for a premises licence to be granted 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.

~~XXXX~~ HEADLINE ENTERTAINMENTS LIMITED
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Chemistry Gibson House St James Square	
Post town Cheltenham	Post code GL50 3QG

Telephone number at premises (if any)

Non-domestic rateable value of premises £

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick Yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Please tick Yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name HEADLINE ENTERTAINMENTS LIMITED
Address Pillar House 113-115 Bath Road Cheltenham Gloucestershire GL53 7LS
Registered number (where applicable) 01701525
Description of applicant (for example partnership, company, unincorporated association etc) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)
 Licensed premises over four floors and mezzanine, formerly operating as a nightclub, providing various facilities for the supply of alcohol, music and dance, and refreshment.

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick Yes

Provision of regulated entertainment

- 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 for:

- 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)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3) Video screens for the showing of e.g. pre-recorded films and music	Both	
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) PLEASE SEE CONTINUATION SHEET 1		
Sat	10:00	02:00			
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur					
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat					
Sun					

E.

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3) Occasional live music by way of solo artistes, duos or bands both amplified and accoustic	Both	
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) PLEASE SEE CONTINUATION SHEET 1		
Sat	10:00	02:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3) Provision of recorded music normally by way of DJ	Both	
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) PLEASE SEE CONTINUATION SHEET 1		
Sat	10:00	02:00			
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3) For the spectating of dance	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) PLEASE SEE CONTINUATION SHEET 1		
Sat	10:00	02:00			
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon					Outdoors
Tue			Both		
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing The provision of an in-house music system for both recorded and, on occasions, live music		
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
				Outdoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	02:00	PLEASE SEE CONTINUATION SHEET 2		
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)		
			Indoors	✓	
			Outdoors		
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing Provision of dance floors within the premises		
Mon	10:00	02:00	Please give further details here (please read guidance note 3)		
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	02:00	PLEASE SEE CONTINUATION SHEET 2		
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	02:00	<u>Please give further details here</u> (please read guidance note 3) Provision of hot food and hot drink at the management's discretion		
Tue	23:00	02:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	23:00	02:00			
Thur	23:00	02:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23:00	02:00	PLEASE SEE CONTINUATION SHEET 2		
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00	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) PLEASE SEE CONTINUATION SHEET 2		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun					

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	MICHAEL GIBSON.....
Address	The Brambles, Cock Bevington, Salford Priors, Evesham, Worcestershire
Postcode	WR11 8SJ.....
Personal Licence number (if known)	0009996.....
Issuing licensing authority (if known)	Stratford upon Avon.....

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)

None

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) PLEASE SEE CONTINUATION SHEET 2
Mon	10:00	02:30	
Tue	10:00	02:30	
Wed	10:00	02:30	
Thur	10:00	02:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun			

P Describe the steps you intend to take to promote the four licensing objectives:

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

PLEASE SEE CONTINUATION SHEETS 3 and 4

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature Michael Parrott for Maitland Walker

Date 15th Sept 2010

Capacity SOLICITORS AND AUTHORISED AGENTS FOR THE APPLICANT

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

Maitland Walker LLP (Michael Parrott)
19 Imperial Square
Cheltenham, Gloucestershire

Post town Cheltenham

Post code GL50 1QZ

Telephone number (if any) 01242 246006

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

michael.parrott@maitlandwalker.com

CONTINUATION SHEET: 1**APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003:****APPLICANT: HEADLINE ENTERTAINMENTS LIMITED****PREMISES: CHEMISTRY, GIBSON HOUSE, ST JAMES SQUARE, CHELTENHAM, GLOUCESTERSHIRE GL50 3QG****Provision of Regulated Entertainment:****Continuation of Section B: Films - Non Standard Timings**

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

Continuation of Section E: Live Music - Non Standard Timings

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

Continuation of Section F: Recorded Music - Non Standard Timings

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

Continuation of Section G: Performances of Dance

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

CONTINUATION SHEET: 2**APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003:****APPLICANT: HEADLINE ENTERTAINMENTS LIMITED****PREMISES: CHEMISTRY, GIBSON HOUSE, ST JAMES SQUARE, CHELTENHAM, GLOUCESTERSHIRE GL50 3QG****Provision of Entertainment Facilities****Continuation of Section I: Provision of Facilities for Making Music - Non Standard Timings**

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

Continuation of Section J: Provision of Facilities for Dancing - Non Standard Timings

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

Continuation of Section L: Provision of Late Night Refreshment - Non Standard Timings

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

Continuation of Section M: Sale of Alcohol - Non Standard Timings

The approved non standard hours (Mondays to Saturdays) were 08:00 - 02:00 during the cheltenham Gold Cup Festival Week; an additional hour to the standard and non-standard times when British Summertime commences; New Year's Eve, from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day; and, alcohol sales and late night refreshment in connection with the screening of international sporting events subject to a maximum of 12 days per year, with 21 days prior written notice to the licensing authority and the police and hours limited to one hour either side of the official start and finish times of the event (the decision of the licensing authority as to what constitutes international sporting events and official start and finish times of such events will be final).

CONTINUATION SHEET: 3

APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003:

APPLICANT: HEADLINE ENTERTAINMENTS LIMITED

PREMISES: CHEMISTRY, GIBSON HOUSE, ST JAMES SQUARE, CHELTENHAM, GLOUCESTERSHIRE GL50 3QG

Continuation of P : Steps you intend to take to promote the four licensing objectives:

a) GENERAL - all four licensing objectives (b, c, d, e)

a) Maximum numbers of persons permitted: Total for Premises 665; Second Floor 100; Upper Mezzanine Floor 50; Lower Mezzanine Floor 165; Ground Floor 200; Basement 150

Second Schedule Conditions:

b) For a continuous period commencing with the opening of business and ending thirty minutes after the premises close a minimum of four staff shall be provided to supervise the outside of the premises. Their duties shall be to control and discourage anti-social behaviour of patrons who are entering or leaving the premises. Their duties shall also include patrolling the area designated on the plan.

c) All doors and windows, except the main entrance, are to be kept closed during any entertainment. Fire escapes shall be kept closed at all times and shall only be used to vacate the building in the event of an emergency or after the conclusion of the entertainment.

d) Amplified music or public address shall be undertaken only through the sound system fitting with a noise limiting device. The device shall be set at a level approved by the Council's Environmental Health Officer. In addition, control measures to prevent the breakout of noise shall be present and maintained.

e) There will be an extended winding down period commencing with slower music at a reduced volume at ten minutes prior to the terminal hour changing to walkout music at a quieter volume than before until the building is cleared.

f) On days when the premises are open, litter shall be removed at the end of each trading session from areas to which the public have access as of right within the area designated on the plan.

g) Closed circuit television shall be provided both inside and outside the premises to a standard approved by the Council's Community Safety Manager.

h) In the event of a new Manager being appointed to the premise, a "handover" meeting between the Council's Public Protection Division, the existing Manager and the new Manager shall be arranged to ensure an understanding of the particular circumstances relating to the premises.

i) After 21:00 hours, SIA registered door supervisors shall be employed at the minimum ratio of 1:100 customers (or part thereof) at the premises.

j) Active member of 'Nightsafe'.

k) CCTV shall be maintained in good working order, and recordings shall be kept for a minimum of 28 days and be provided to Officers of the Council and police on request.

l) Drinks shall not be served in glass 'pint' containers (beer glasses). These shall be substituted with polycarbonate/plastic 'glasses'.

CONTINUATION SHEET: 4

APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003:

APPLICANT: HEADLINE ENTERTAINMENTS LIMITED

PREMISES: CHEMISTRY, GIBSON HOUSE, ST JAMES SQUARE, CHELTENHAM, GLOUCESTERSHIRE GL50 3QG

Continuation of P : Steps you intend to take to promote the four licensing objectives:

a) GENERAL - all four licensing objectives (b, c, d, e)

Annex 2: Conditions consent with the Operating Schedule

- a) A 30 minute 'drinking up' time shall be provided to allow appropriate dispersal, use of lavatories, etc.
- b) The Designated Premises Supervisor (DPS) shall maintain an active membership of the Nightsafe/Cheltenham Innkeepers Association (or successor 'pubwatch' body).
- c) No discounting of alcoholic drinks (below the tariff in place for a minimum of one week) shall take place on Fridays and Saturdays after 18:00 hours.
- d) Non alcoholic and low alcohol drinks shall be promoted especially to 'designated drivers' of groups.
- e) A closed door policy will be operated with no admission or re-admission on New Years Eve from 23:30 to 04:00 hours on New Year's Day.
- f) The CCT system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 28 days (14 days for digital systems) and be provided to officers of the council and the police on request.
- g) Toughened glasses shall be used.
- h) All windows in areas where regulated entertainment takes place shall be kept closed during such entertainment.
- i) All external doors to parts of the premises where regulated entertainment takes place shall be kept shut during these activities except momentarily for the purposes of normal access and egress or in an emergency.
- j) The designated premises supervisor shall ensure effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises, to ensure that noise from such activities is inaudible inside nearby noise sensitive premises.
- k) A noise limiting device shall be used between any amplifier and loudspeaker whenever live or recorded entertainment occurs to ensure that noise from such activities is inaudible inside nearby noise sensitive premises.
- l) No music shall be generated in the upper bar area without the provision of an acoustic lobby being installed, to the satisfaction of the Licensing Authority, to the fire door to the North East of that bar area.
- m) When a DJ is present on any night he/she shall make announcements before the termination of entertainment to request consumers to leave the premises quietly and respect the peace and quiet of the local residents.
- n) Unaccompanied persons under the age of 18 years shall not be permitted on the premises other than at events that are especially organised for the youth market. At any such events the licensee's general policies and those relating to admission, child protection and the code of conduct for staff shall be adhered to.



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

**On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk**

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Contact details (of person completing form)

Name:	Mr Singh
Name of the organisation/body/person you represent. (if appropriate)	Monkey Puzzle Day Nursery
Your full Postal Address or that of the organisation or body you represent	Ivanhoe House St James Square Cheltenham
Post Code	GL50 3QG
Daytime contact telephone number	01242 577728 01242 577728
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	
Name of Applicant for Licence (if known)	
Postal Address:	
Post Code:	

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
Noise - residential area not suitable for a business of this nature Disturbance - as above (please note schools & nurseries in area). Disorder - Inevitably a business of this nature will bring an element of disorder. The town centre is policed on the weekends specifically for this reason, it would not be fair to bring these issues into a residential area.

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	✓

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	50.
---	-----

Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

The immediate area is made up of residential housing, offices, childrens day nurseries and a school. I do not feel the location is suitable for a night club.


My specific concern is the daytime operation which would conflict with the operating hours of the childrens nurseries and the school.

From experience, the opening of this club, particularly during morning hours will bring an element of crime & disorder to the area. With children playing in the area at that time - I think the sanctioning of this club would be extremely irresponsible.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

I do not think this location is suitable for this kind of business. There are plenty of empty bars in the town centre - which is where a business of this nature should be located.

For the safety of children & parents in the area, the club should only be allowed to operate outside of morning hours. That being said, I do not feel its fair for local residents to suffer also.

Signature: 

Capacity: DIRECTOR.

Date: 11/10/10.



North Gloucestershire
Education Improvement Partnership

Burton House
St James' Square
Cheltenham
GL50 3QG

Telephone: 01242 570077 Fax: 01242 221833

PASSED TO		Cheltenham Borough Council Public Protection	
REC'D	06 OCT 2010		
Date of Response	Krog		
Initials of Responder	Cheltenham Borough Council Municipal Offices		
Response	The Promenade		
Cheltenham	Type of Response	File	Ref.
Glos			

PASSED TO		Cheltenham Borough Council Public Protection	
REC'D	- 6 OCT 2010		
Date of Response			
Initials of Responder	Type of Response	File	Ref.

Dear Mr Krog

Our concerns about the licence application for Chemistry Nightclub are as follows:

1. The Club opens at 10am for the sale of alcohol and there would be an opportunity for students to gain access to the alcohol purchased.
2. Students will see adults smoking outside. Many of our students have a serious smoking habit and there would be a high risk of them approaching customers for cigarettes or lighters. This would be an opportunity to chat with strangers who may pose risks to their safety and health.
3. Our students are vulnerable. Many of them have experienced abuse and the opportunity for them to be groomed would be increased dramatically by the presence of this club. We already have to complete risk assessments for many of our students when they come here. For those on child protection plans I do not think that I could guarantee their safety.
4. There would be a huge increase in the amount of noise during the day from the music and from the street conversations of smokers and others which will take place almost underneath our windows. In summer we have students who are sitting exams from May to the end of June and doing mock exams during December and January. This would have a deleterious affect on exam outcomes.
5. During race week our students are already more at risk and last year one was assaulted by a drunk outside a pub close to our centre. The high numbers of people who would use this nightclub during that week would make teaching them here not only extremely difficult, but extremely risky.
6. Currently we allow our students a lunch break of 15 minutes outside the centre. The risk of them coming into contact and possibly confrontation with customers at the nightclub would be too much of a risk for me to continue

allowing them out. The break for many of them is the only break they get in a 5 hour day.

7. When the premises next door were last used as a nightclub staff working here said there was a considerable amount of litter, used condoms and other material that we would not want anyone to come into contact with, let alone students.

Please would you inform me of the date of the hearing that will be decided on October 14th.

Yours sincerely



Jane Hamshere
Centre Manager



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

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e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Contact details (of person completing form)

Name:	Jane Hamshere
Name of the organisation/body/person you represent. (If appropriate)	Burton House PRC
Your full Postal Address or that of the organisation or body you represent	Burton House Skire Hall St James Sq & Westgate St GL50 3QG GL1 2TP
Post Code	GL50 3QG GL1 2TP
Daytime contact telephone number	01242-570077 jch@cleeveschool.net
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	CHEMISTRY NIGHTCLUB
Name of Applicant for Licence (if known)	HEADLANDS ENTERTAINMENT?
Postal Address:	
Post Code:	

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
The protection of children from harm.

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	
The prevention of Public nuisance		The protection of children from harm	✓

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	3 metres.
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Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

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Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.

(Please continue on a separate sheet if necessary)

<p>There are no conditions we could accept for withdrawal of our objections.</p> <p>The company applying for the license is well aware of our presence and the usage of the building but has chosen <u>not</u> to inform us of the application.</p>

Signature:	Jane Hamohere
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Capacity:	Head of Centre.
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Date:	14.10.10.
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3

4 St James Square
Cheltenham
GL50 3PR

Mr L Krog
Planning Officer
Cheltenham Borough Council Municipal Offices
The Promenade
Cheltenham

12th October 2010

Dear Sirs

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	14 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Planning Application – Chemistry Night Club

I am writing to object to the Planning Application detailed above. I live at 4 St James Square and throughout the Summer months I have been consistently woken at night by loud 'party goers' leaving local clubs and using St James Square as a short cut to other residential areas of the town. Furthermore, I have made two reports to the Police of items being stolen from the front garden of my property including pots and lights. I have seen fights and aggressive behaviour outside my property and this is without the proposed club being given permission to operate.

The residents of the Square speak regularly about the lack of Police presence in our area. If this Planning Application were to proceed, it would make matters significantly worse. The position of my property is such that no security measures at the Club would prevent crime and violent behaviour whilst under the influence, because we are around the corner from the Night Club. We are out of sight of CCTV cameras and security staff.

Furthermore, the Square is a brick construction with no (or little) soft material to absorb sound such as grass and trees. Therefore, sounds travel and rebound significantly and conversations, shouting and screeching from people currently at night (let alone those using the nightclub) are enhanced to loud levels and disrupt sleep considerably at present. To re-open a night club around the corner would be terrible news for all residents wishing to sleep during the hours the night club would be operating.

The area is made up of residential and commercial use. There is one restaurant (No 7) and one bar (The Bayshill) in the immediate vicinity. These are not places that draw in loud 'party goers' and so we do not experience any problems from these businesses. A large Club offering late night drink, music and Dance is unacceptable to the residents and will be a nuisance for both Police and ourselves and will disrupt daily life too significantly for this application to be accepted.

Yours faithfully,

Louise D.

Ms Louise Drew



13 27 2010

Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP. e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	CASEY NORMAN
Name of the organisation/body/person you represent. (if appropriate)	Genie Toys
Your full Postal Address or that of the organisation or body you represent	Genie House ST James SG Cheltenham
Post Code	GL50 3QG
Daytime contact telephone number	01242 236322
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	chemistry Nightclub.
Name of Applicant for Licence (if known)	
Postal Address:	ST JAMES SQ Cheltenham
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
MESS DISORDER - CRIME -

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	5m
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Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

clients of chemistry trespassing
on my property & safety.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.

(Please continue on a separate sheet if necessary)

Signature:

C. Davis

Capacity:

Date:

14 / 10 / 10

3

Message

Page 1 of 2

Krog, Louis

From: Internet - Licensing
Sent: 14 October 2010 08:00
To: Krog, Louis
Subject: FW: Liquor licence for Gibson House St. James Sq - Objection

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

From: Keith [mailto:keith@keithnoble.com]
Sent: 13 October 2010 23:36
To: Internet - Licensing
Cc: keith@keithnoble.com
Subject: Liquor licence for Gibson House St. James Sq - Objection

FAO : Mr. L. Krog (Licensing)
 Borough Council Office
 Promenade
 Cheltenham

My Name: Keith Noble

Address:
 Apt. 20 North,
 1, St. James Sq.
 Cheltenham
 Glos.
 GL50 3PY

Contact details:
 Daytime phone: 01242 221491 x36442
 e-mail : keith@keithnoble.com

Name of premises: GAS-Chemistry (Gibson House, St. James Sq. Cheltenham GL50 3Q)
 Name of applicant: Headline Entertainment Ltd
 Address of premises : Gibson House, St. James Sq. Cheltenham GL50 3Q

Representation concerning: Crime & Disorder, Public Nuisance.

Distance between my property and the premises subject to my representation: Approximately 50M

My concerns:

Granting this licence will result in significant public nuisance and petty crime and disorder to the residents in St James Sq, Knapp road and adjacent streets. Granting any part of this licence will result in a nightclub operating in St James Sq, with attendant vehicular and pedestrian traffic; noise before, during and after operation both from the people attending the nightclub, and from the nightclub itself; drunken behaviour such as vomiting and urinating in the streets and gardens around the premises, petty damage to property and loud and abusive behaviour and the general disorder seen so frequently around all the other nightclubs operating in Cheltenham now. The last thing Cheltenham needs is another nightclub for the Police to have to 'manage'. Please refuse this application.

14/10/2010

Chemistry	Page 41 of 123	Last updated 04 November 2010
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Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

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Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Contact details (of person completing form)

Name:	JANET KIM.
Name of the organisation/body/person you represent. (If appropriate)	Number Seven Restaurant No. 7 ST. JAMES S/Q CHELTENHAM GL50 3PR
Your full Postal Address or that of the organisation or body you represent	
Post Code	GL50 3PR
Daytime contact telephone number	01242 227900.
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	AS ABOVE.
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	Formally known as 'GAS CLUB' & 'CHEMISTRY CLUB'
Name of Applicant for Licence (if known)	Headline Entertainments
Postal Address:	GIBSON HOUSE ST. JAMES 5/6 CHELTENHAM
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about
(eg crime, disorder, noise, disturbance etc)

- Drunken Disorder, Noise pollution & disturbance
- Drunken vandalism, - Drunken violence.

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:

200 metres.

Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

We are concerned the repeat of past experience i.e. damages to our plants, removal of our table & chairs, throwing rubbish on to our forecourt e.g. empty cans, takeaway boxes, plastic cups etc.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

[Empty box for suggestions]

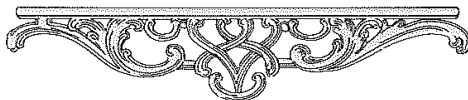
Signature: 

Capacity: proprietor

Date: 13/oct/10

11th October 2010**CAMBRAY**

PROPERTY MANAGEMENT LIMITED



The Licensing Team
Public Protection Division
Cheltenham Borough Council
PO Box 12
Cheltenham
GL50 1PP

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	14 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Dear Sirs,

**Re: Chemistry Nightclub
Headline Entertainments Limited
St James's Square, Cheltenham**

As Company Secretary for St James's Court (Cheltenham) Limited, the freeholder of St James' Court in Knapp Road, Cheltenham, GL50 3QQ, we have been asked by the residents of St James' Court to write to you to stress our objection to the renewal of the licence for the above premises.

Our objections are in regards to the issues of public nuisance and personal disturbance.

The area surrounding St James Square is largely residential and with the recent development of further blocks of flats has become increasing so. The residents of St James' Court are largely of retirement age and are vulnerable. They are extremely concerned that renewing the existing licence will impact greatly on their lives and create a great deal of personal disturbance.

Many of the residents of the property owned flats in the development when Gas Nightclub operated from the same site and these same residents were disturbed by late night noise particularly, but not limited to, the early hours of the morning when revellers left the club, and general levels of public disturbance.

Residents have advised that previously the noise levels of clubbers entering and leaving the club were substantial and disturbing, thus creating a significant disturbance to the residents of St James' Court and the surrounding area.

The residents of St James' Court are also now concerned that with the advent of non-smoking legislation within the club itself there will be considerable noise outside the club as smokers are forced outside. Where will these smokers congregate? Whether it is on the street outside the club or indeed in an allocated position within the

Walmer House · 32 Bath Street · Cheltenham · Gloucestershire · GL50 1YA

Telephone: 01242 253830 · Fax: 01242 578262

Email: info@cambraypropertymanagement.co.uk · Web: www.cambraypropertymanagement.co.uk

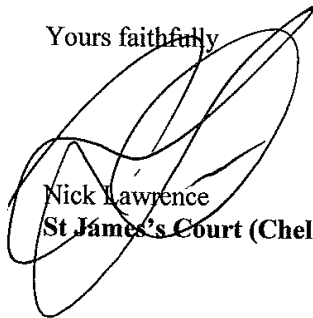
Registered Office as above · Registered in England No: 2836061 · VAT Registration No: 890 9534 82

curtilidge of the property itself this area has to, by definition, be outside and therefore the noise into the early hours of the morning could be considerable.

It was noted previously that clubbers leaving the nightclub were caught urinating or fornicating in the private grounds of St James' Court, all of which is both a public nuisance and a personal disturbance on the lives of the residents of the property.

We would urge you to reject this application.

Yours faithfully



Nick Lawrence
St James's Court (Cheltenham) Limited



Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	14 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

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e mail: licensing@cheltenham.gov.uk**

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Contact details (of person completing form)

Name:	R COOK
Name of the organisation/body/person you represent. (If appropriate)	
Your full Postal Address or that of the organisation or body you represent	6, ST JAMES COURT KNAPP ROAD CHELTENHAM
Post Code	GL50 3QQ
Daytime contact telephone number	
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

1

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	CHEMISTRY NIGHTCLUB
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENTS LIMITED
Postal Address:	GIBSON HOUSE ST JAMES SQUARE CHELTENHAM
Post Code:	

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about
(eg crime, disorder, noise, disturbance etc)
Public Nuisance and Personal Disturbance

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation **must** relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick <input type="checkbox"/> for Yes	Licensing Objective	Please tick <input type="checkbox"/> for Yes
The prevention of crime and disorder		Public safety	
The prevention of Public nuisance	<input checked="" type="checkbox"/>	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	60 METRES
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Part 2 continued

What are your concerns?

**Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)**

The area around the nightclub is an increasingly residential area where several new blocks of flats have been built since the nightclub closed.

Concern with regard to the increased noise levels as a result of:

- drawing the nightlife from the centre of town into a residential area
- groups of people going to and leaving the nightclub
- increased volumes of traffic – including door slamming and revving of engines

All the above were experienced late at night/early hours of the morning on a regular basis when the nightclub was previously open causing considerable personal disturbance.

Further concerns arising from:

- Groups of people lingering outside the premises to smoke (not an issue when the nightclub was previously open as smoking was permitted inside then)
- Sale of alcohol outside

The above would also increase noise levels in a residential area causing public disturbance and nuisance.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.

(Please continue on a separate sheet if necessary)

Councillor Barbara Driver will speak on my behalf at the licensing hearing.

Signature:	R. Cook.
-------------------	----------

Capacity:	RESIDENT
------------------	----------

Date:	12/10/2010
--------------	------------



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

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e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name	<i>Zainab Ahmed</i>
Name of the organisation/body/person you represent. (If appropriate)	
Your full Postal Address or that of the organisation or body you represent	<i>64, Clarence Street - Flat upstairs Cheltenham</i>
Post Code	<i>GL50 3LE</i>
Daytime contact telephone number	<i>01242-710036</i>
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	Previously called Gas + Electricity Clubs.
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENT
Postal Address:	St James Square Cheltenham
Post Code:	GL50 3LE

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about.
(eg crime, disorder, noise, disturbance etc)

Noise, Safety.

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:

80 meters

Part 2 continued


What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
 (Please continue on a separate sheet if necessary)

Sleep less night, noise, damage to property

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
 (Please continue on a separate sheet if necessary)

No Condition

Signature: 

Capacity: Resident

Date: 13-10-2010



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name	SAHAR MUNIR
Name of the organisation/body/person you represent. (if appropriate)	
Your full Postal Address or that of the organisation or body you represent	64, CLARENCE STREET CHELTENHAM
Post Code	GL50 3LE
Daytime contact telephone number	01242-710036
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	Previously called Gas & Electricity Club.
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENT
Postal Address:	St James Square, Cheltenham.
Post Code:	GL50 3LE

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about
(eg crime, disorder, noise, disturbance etc)

Disorder, damage to property, Noise.

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:

80 metres

Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

As a Student, I work and study.
Disturbing Sleeping hours.
Loud Noise at night time.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

No Condition.

Signature: 

Capacity: Resident.

Date: 13/10/10.



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	MR H M KAPADIA
Name of the organisation/body/person you represent. (If appropriate)	
Your full Postal Address or that of the organisation or body you represent	62 CLARENCE ST CHELTENHAM
Post Code	GL50 3LE
Daytime contact telephone number	01242 - 573172
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	Previously called Gas & Electricity clubs St James square Chelt GL50 3QB
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENT
Postal Address:	ST JAMES SQUARE CHELTENHAM
Post Code:	GL50 3QB

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
DISORDER, NOISE, URINATING IN DOORWAY DAMAGE TO PROPERTY

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	Approx 80 m
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Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

ABUSIVE LANGUAGE WITHEN GOING AND COMING FROM CLUB - WE HAVE YOUNG FAMILY AND WOULD LIKE TO ENSURE THEY DO NOT COPY OF THIS DRUNKEN BEHAVIOUR + NOISE WE ALL WORK GET UP EARLY IN THE MORNING AND WOULD LIKE TO SLEEP UN-DISTURB. WHICH WAS EXPERIENCE ON LAST CLUB

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

THERE IS NO CONDITION FOR ME TO CHANGE - EXCEPT CLUB IS ALCOHOL FREE

Signature: 

Capacity: RESIDENT.

Date: 13/10/00



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name	JULIE RAY
Name of the organisation/body/person you represent. (If appropriate)	IMAGES PLUS LTD
Your full Postal Address or that of the organisation or body you represent	60 CLARENCE ST. CHELTEMHAM
Post Code	GL50 3LE
Daytime contact telephone number	01242 570766
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	GIBSON HOUSE
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENT
Postal Address:	ST. JAMES SQUARE CHELTENHAM
Post Code:	GL50 3QG.

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
DISORDER - LATE NIGHT/EARLY MORNING DRUNKS URINATING IN SHOP DOORWAY. POTENTIAL DAMAGE TO SHOP FRONT WINDOWS AND SUBSEQUENT THEFT. CAUSING FURTHER INSURANCE INCREASES - ALWAYS HIGH FROM PREVIOUS C INDUSTRY OPENING

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	75 m.
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Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

THE HORROR STORIES OF FORNICATION AND URINATING ALONG WITH EXCESSIVE ROWDINESS WHEN THE CLUB CLOSED BEFORE WHICH ENSURED ITS COMPLETE CLOSURE AND THE FACT THAT OUR BUSINESS INSURANCE IS ALREADY HIGH BECAUSE OF THE POTENTIAL DAMAGE TO PROPERTY IS OF GREAT CONCERN. DURING THE LAST FEW YEARS THIS AREA HAS BECOME POPULATED WITH PEOPLE FROM QUALITY APARTMENTS - NONE OF US NEED DISRUPTION.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

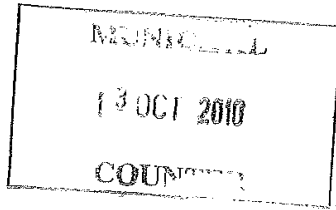
THERE ARE ABSOLUTELY NO CONDITIONS THAT WOULD CAUSE ME TO RESCIND MY REPRESENTATION

Signature: Julie D. Ray

Capacity: BUSINESS OWNER

Date: OCT 12 2010

B514/10



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	MRS LYN GUY
Name of the organisation/body/person you represent. (If appropriate)	Residents of St. GEORGES TOWER, LN2 ST GEORGES PLACE AND CLARENCE STREET
Your full Postal Address or that of the organisation or body you represent	17 St Georges Tower Chelsea Square, St Georges Place, Cheltenham
Post Code	GL50 3PW
Daytime contact telephone number	01242 220173
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	/
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	Previously called "Gas & Electricity" Clubs. St James Square, Cheltenham GL50 3AB
Name of Applicant for Licence (if known)	Headline Entertainment Ltd
Postal Address:	St James Square Cheltenham
Post Code:	GL50 3AB.

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
Disorder Noise Disturbance

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	100 metres.
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Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
 (Please continue on a separate sheet if necessary)

- ① SEE Attached Sheet
- ② Signatures of Residents making application also attached.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
 (Please continue on a separate sheet if necessary)

(Empty box for suggestions)

Signature: Dr Guy

Capacity: Representing Residents of ST GEORGES TOWER

Date: 13-10-2010

Attachment No. 1

What are your concerns?

As the location of St Georges Tower is on the corner of Clarence Street and St. Georges Place, we currently experience a great deal of disturbance late at night and in the early hours of the morning. For example: yelling, screaming, loud singing and general rowdiness.

By granting this licence these types of disturbances will only exacerbate these existing anti-social problems in an area that has increasingly become more residential.

Louise Krog
Cheltenham Borough Council Municipal Offices
The Promenade
Cheltenham
GL50 9SA

Tuesday 12th October 2010

FAO Louise Krog, Licensing Department

Dear Sirs

I am writing to raise my formal objection to the licensing application which has been submitted in respect of Chemistry Night Club in Gibson House, St James Square.

I am a leaseholder in the block of flats named St James North and whilst I enjoy living just a short walk from the centre of town, I do not wish to be faced with the possibility that a nightclub may open on my doorstep.

I purchased my flat in May 2006 and certainly would not have done so had I thought that there was any possibility that the nightclub would re-open.

Whilst this area may have in the past been more largely associated with business, there are now many residential properties on St James Square and the adjoining roads. There is also a school, day nursery and church which all give the Square a more family feel. Doubtless, a nightclub would therefore not be viewed as a welcome addition by those who frequent these community establishments as well as by those who call the Square their home.

Allowing a nightclub to open would cause great damage to the surrounding property prices (in an already uncertain market) and would also leave the Square exposed to a high risk of anti-social behaviour, vandalism and street crime as a result of the hoards of drunken youths who would be leaving the nightclub in the early hours of the morning.

Many of the current residents of St James Square can recall the problems caused by the nightclub's clientele when it was last open for business and no doubt should this licensing application be granted and the nightclub re-open, residents would again be subjected to extreme noise and disturbance on a nightly basis.

Taking into account all of the above, I would kindly request that the licensing application be refused.

I am informed by my ward councillor, Barbara Driver, that a hearing date will be fixed shortly and I look forward to receiving these details in due course.

Yours faithfully



Laura Langley

Apartment 19, St James North, St James Square, Cheltenham, Gloucestershire GL50 3PY



MUNICIPAL
13 OCT 2010
COUNTER

Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	R BOYAL
Name of the organisation/body/person you represent. (if appropriate)	
Your full Postal Address or that of the organisation or body you represent	MAYVILLE HOUSE ST James Sq Cheltenham
Post Code	GL50 3QG
Daytime contact telephone number	01242 583745
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	chemistry nightclub
Name of Applicant for Licence (if known)	
Postal Address:	St James Sq Cheltenham
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about	
1) (eg crime, disorder, noise, disturbance etc) safety, we feel intimidated by drunks	
2) Noise - only being one building away we hear loud music + vibrations the whole time music is being played. Also screaming + shouting of revellers at time of arrival + departure.	
3) DISORDER People being sick + vomiting outside our gates and also inside people urinating inside our gates and on pavements	
DISURBANCE cars being parked outside our gates + not being moved until they sober up + collect it. Next afternoon, stopping us from getting to work !!	

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	7m
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Part 2 continued

What are your concerns?

**Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)**

When the chemistry nightclub was open before, we had people vomiting & peeing in our garden & driveway, leaving their cars parked outside our gates (stopping us from getting to work etc) feeling intimidated by a whole queue of people (a lot of them quite drunk) music disturbing us into the early hours of the morning! screaming & shouting at 3 or 4 AM, so we often woken up & looking to see if people were fighting & should we call police or ambulance.

**Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)**

When the builders repairing this building wanted access through our garden & driveway to put up scaffolding, they told us that the building was going to be turned into flats, so they wanted to carry out some tidying up. Now we find out an application for nightclub licence has been put in!

Signature: 

Capacity: owner

Date: 13/10/10



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	DEBBIE HARRIS (SENIOR MEMBER OF STAFF)
Name of the organisation/body/person you represent. (If appropriate)	MONKEY PUZZLE DAY NURSERY MANAGER - AMANDA KIHARA
Your full Postal Address or that of the organisation or body you represent	IVANHOE HOUSE ST JAMES SQUARE, CHELTEMHAM GL50 3QG
Post Code	SEE ABOVE
Daytime contact telephone number	01242 517779
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	CHEMISTRY NIGHTCLUB
Name of Applicant for Licence (if known)	
Postal Address:	ST JAMES SQ CHELTENHAM
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
our nursery has toys & parapanels outside, children using our nursery would be disturbed by damage & vomit etc.

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	
The prevention of Public nuisance	✓	The protection of children from harm	✓

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	25m
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Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
 (Please continue on a separate sheet if necessary)

MESS AND OTHER DEBRIS FROM PEOPLE USING NIGHT CLUB
 AROUND PREMISE CHILDREN USE AND PLAY IN AND AROUND

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
 (Please continue on a separate sheet if necessary)

Signature: 

Capacity: MANAGER

Date: 12/10/10



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	Mr + Mrs. BARRY SCOBLE
Name of the organisation/body/person you represent. (If appropriate)	AS ABOVE
Your full Postal Address or that of the organisation or body you represent	Ground floor APT. ASH BURN VILLA ST. JAMES SQUARE CHELTEMHAM
Post Code	GL50 3QG
Daytime contact telephone number	01242 - 529640
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	N/A
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	CHEMISTRY NIGHT CLUB
Name of Applicant for Licence (if known)	UNKNOWN
Postal Address:	ST JAMES SQ
Post Code:	

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)

ALL of the preceding. We have had as residents been through this before when the premises were a nightclub. We vehemently will protest by all manner of means eg, verbal protests and whatever we can legally do to stop this becoming a nightclub!

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	✓

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:

15 METRES

Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

I object strongly to this club opening again. This area is even more residential now since new apartments were built here only 25 yards away from this club. Previously when chemistry was here we had problems with unsocial behaviour, police being called out, club goers urinating in our drives, cars revving up and doors slamming in the early hours of the morning, and this was three to four nights a week then, never mind six. My wife suffers from A.S. and this is the last thing she needs as this club opening again. As for during the daytime this road becomes congested with traffic coming to St James offices, St Gregorys junior school and the day nursery arriving and departing.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

[Empty box for suggestions]

Signature: Mrs P. Scobie
P. Scobie

Capacity: Residents of the Square

Date: 12th October 2010



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

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e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	JEREMY SULLIVAN
Name of the organisation/body/person you represent. (if appropriate)	GARDEN
Your full Postal Address or that of the organisation or body you represent	GARDEN FLAT ABUBUKU VILLA ST JAMES SQ, CHELTENHAM GLOS
Post Code	GL50 3QG
Daytime contact telephone number	
Email address - If you would prefer to correspond via email, please enter your email address. (optional). JES2.SULLIVAN@BTINTERNET.COM	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	CHEMISTRY
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENTS LTD
Postal Address:	CHEMISTRY GIBSON HOUSE ST JAMES SQUARE CHELTENHAM GLOS
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
PREVIOUS EXPERIENCE OF THIS PREMISES HAS SHOWN NOISE, AND SLEEP DISTURBANCE WHILST IT IS OPEN AT 2.A.M ON A WEEK DAY. WITNESSING PUBLIC DISORDER & SUFFERING PUBLIC NUISANCE IS NOT A PLEASANT EXPERIENCE

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	APPROX 25 METERS
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Part 2 continued

What are your concerns?


**Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)**

THIS AREA IS BOTH A CONSERVATION & RESIDENTIAL AREA. HAVING LIVED HERE FOR 10 YEARS THE AREA IS NOW ESTABLISHED AS A PLEASANT RESIDENTIAL PART OF CHELTENHAM. PREVIOUS EXPERIENCE OF 'CHEMISTRY' NIGHT CLUB HAS SHOWN DESPITE THE CONTROLS PUT IN PLACE AT THE TIME THE AREA SUFFERED FROM NOISE (BOTH PUBLIC & MUSIC) AND A DEGRADATION OF QUALITY OF LIFE (SLEEP DEPRIVATION). HAVING TO ASK PERMISSION TO WALK DOWN THE STREET FROM A 'BOUNCER' IS VERY OPPRESSIVE.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.

(Please continue on a separate sheet if necessary)

LIMITED OPENING HOURS i.e. NOT DURING WEEK DAYS.
NO MUSIC DURING WEEKDAYS OR SUNDAY NIGHTS.
NO DRINK PROMOTIONS.
A TRIAL PERIOD OF OPENING.
EXISTING CONTROLS ENHANCED.

Signature: 

Capacity: HOMEOWNER

Date: 12/10/10



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.
e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Contact details (of person completing form)

Name:	Miss F. M. FILDES
Name of the organisation/body/person you represent. (If appropriate)	Ms. S. DODSON, Miss F.M. FILDES Mrs. J. CATTERMOLLE, Mrs M. O'HANLON
Your full Postal Address or that of the organisation or body you represent	17 SOMERSET HOUSE KNAPP ROAD CHELTENHAM
Post Code	GL50 3QQ
Daytime contact telephone number	01242 512533
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	Ms. S. DODSON
Full Postal Address of the person/organisation or body making representation	18 SOMERSET HOUSE KNAPP ROAD CHELTENHAM
Post Code	GL50 3QQ
Daytime contact telephone number	01242 245645
Email address - If they would prefer to correspond via email, please enter their email address. (optional). <i>doddie.dodson@gmail.com</i>	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	"CHEMISTRY"
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENT LTD
Postal Address:	GIBSON HOUSE ST JAMES SQUARE CHELTENHAM
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
CRIME AND DISORDER NOISE AND DISTURBANCE PUBLIC SAFETY

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	✓
Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk .			

Please indicate the distance (in metres) between your address and the premises subject of your representation:	35 METRES
--	-----------

Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

AS ATTACHED SHEET (1)

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.

(Please continue on a separate sheet if necessary)

AS ATTACHED SHEET (2)

Signature:

F. M. Fildes

Capacity:

PERSON COMPLETING FORM

Date:

13th OCTOBER 2010

SHEET 1 : "Chemistry", Gibson House, St James Sq. Cheltenham

As signatories to the attached 'Representation Form (Interested Party)', we write to present our views with reference to a licensing application for the 'Chemistry' nightclub. From recent and considerable experience of the presence of 'Gas', subsequently 'Chemistry', the following points are raised:-

Prevention of Public Nuisance

It is proposed to sell alcohol inside and *outside* Gibson House. What does this actually mean? Seating provisions for the 'outsiders' who wish to smoke and drink at the same time? Previously the smoking laws enabled alcohol and smoking *inside*. How is passing vehicular and pedestrian traffic to cope? St. Gregory's Church (the main Catholic church for the town) and its Priory and Presbytery, are in constant use. The Priory is open to all groups of an evening. Church services are during the day, evening and on special occasions at night. There is a certainty of weddings and funerals. There is also a Synagogue and a Christadelphian Hall. So, if the nightclub is open from 10.00am to 2.30am the following morning and there is no additional, specific sound insulation, then as before, the nuisance value to residents and businesses will be considerable. From personal experience of one of the signatories, it is not only the volume of sound but the vibration/resonance that continues until the final egress. Meanwhile no one sleeps. There is already enough noise here at night.

Public Safety

The streets around are used by residents, small businesses, parents and children. There are three nurseries: one attached to the junior school. We already have a problem with illegal car parking, broken bottles, general litter, fast food containers, discarded needles etc. There are children playing around the specified area, and also general traffic of the disabled to church activities.

Prevention of Crime and Disorder

Somerset House has already been broken into (a young person fuelled by alcohol). People try to open-up our gates and urinate, vomit or have intention to sleep within the grounds. The proposed licensing hours stated are very long and it is a recognised fact that when people are intoxicated, caution, discretion and any thought for others is over-ruled. A safety disaster is waiting to happen.

Protection of Children

Burton House, next door to 'Chemistry' is an educational facility for younger people. There are, as previously mentioned, three nurseries and one junior school, with all the vehicular and pedestrian traffic that obviously ensues.

Finally, there are four pubs within the immediate area of proposed licensed premises (St. George's Place; St. James' Square; Clarence Street; Knapp Road), two restaurants, various small businesses, a care home, a retirement warden-controlled block of flats (Somerset House) and three new, large areas of residential flats. Above small businesses, there is residential accommodation: there is other private housing in this defined area.

The first signature on the attached Representation, has lived here on-and-off for twenty-two years by virtue of looking after a relative. This is a quiet residential area with some small commercial development, but our lives are already constantly disturbed by noisy egress from drinking establishments and continual noise and vibration resonance from music. Old buildings, such as Gibson House, do not have adequate sound insulation.

The Council's draft 5-year strategy has, as one of its community objectives: 'enhancing and protecting our environment' and we are all entitled to quiet enjoyment in our community, whatever our age.

Blocks of flats:

St Georges Tower , St Georges Place
 Chelsea Court, St George's Place
 St James Court, Knapp Road
 St James South, Jessop Avenue / (St James Square?)

Restaurants:

No. 7, 7 St James Square
 Thai Emerald, St Georges Place

Pubs:

'Railway Inn', New Street
 'St James Hotel', Ambrose Street
 'St Georges Vaults', 53 St Georges Place
 'Bayshill Inn', 85 St Georges Place

SHEET 2 : "Chemistry", Gibson House, St James Sq. Cheltenham

Request for the following conditions to be added to the licence (if granted) :-

- Reinstatement of all conditions that were applied to the previous licence (including provisions of security guards on the gates of Somerset House, Knapp Road).

- Measures for the control of 'Chemistry' patrons who are :-
 - (a) drinking or buying alcohol in the area immediately outside the premises
 - (b) gathering (while smoking)
 - (c) sitting (at tables?)
 - (d) obstructing pavements and highways
 - (e) causing undue noise and disturbance

ADDENDA

Please note that the signatories to the attached Representation have already added their names to a general petition signed by all residents at Somerset House, Knapp Road, Cheltenham GL50 3QQ.

This petition has already been forwarded to Cllr. Barbara Driver.

13th October 2010

Apartment 23
 St James North
 St James Square
 Cheltenham
 GL50 3PY

Mr L. Krog
 Cheltenham Borough Council
 The Promenade
 Cheltenham
 Gloucestershire

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D 13 OCT 2010			
Date of Response		Type of Response	
Initials of Responder		File Ref.	

10th October 2010

Dear Mr Krog,

Licensing application for 'Chemistry Night Club'

I understand that a licensing application has been received from the owners of the premises called the "Chemistry Night Club" in Gibson House, St James Square, GL50 3QG.

I understand that the owners of the building have applied for a "licence renewal" but due to a number of key infrastructural changes which have occurred since the premises last operated (5 years ago) I strongly believe that this is now wholly inappropriate for the area.

I wish to object to the granting of this licence on the following grounds and request that you take our views into consideration when assessing the viability of the licence application.

The immediate neighbourhood is now primarily a residential area

Although the owners are looking to renew an existing licence quoting there is "no change in circumstances" there *has* been a substantial change of circumstance in the surrounding area. Since the premises were last used as a club in 2005 the council subsequently granted permission for 48 residential apartments in the immediate vicinity of these premises – approximately 40 metres away. These were completed in 2006.

These apartments are all occupied. Occupants are a mixture of singles, couples, retired people and families with small children representing up to 150 additional people who are living on the doorstep. This has altered the nature of St James Square, it is now a residential area of considerable significance and it is felt therefore that a venue of this nature is unacceptable due to the potential for noise, nuisance and disturbance.

I feel that the council has a duty to seriously consider how appropriate it is for a business promoting music, alcohol and dancing into the early hours of the morning to operate in this residential area. The council's duty must first lie in the consideration of the rights to the residents' undisturbed enjoyment of their homes. As council tax payers, in an area which has been actively promoted as 'residential' by virtue of the council granting planning permission, they should as a minimum be entitled to a civilised neighbourhood.

Cheltenham Borough Council			
PASSED TO			
REC'D 11 OCT 2010			
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Change of UK Law since the previous licence was granted

Since the club last operated as a business, the ban on smoking in enclosed public places has been introduced (2007). As a result it is likely that there will be a significant number of people smoking as well as drinking outside the premises for the duration of opening hours. This will offer a much greater chance for nuisance or disturbance and the increased likelihood of inappropriate and anti-social behaviour being noticed by the residents of St James Square and other adjoining streets.

Change of physical infrastructure of the immediate neighbourhood

The construction of the residential St James apartment blocks has significantly changed the surrounding acoustics of the locale. The new St James North apartment block creates a physical barrier to what was previously an 'open' fourth side to St James Square. This means that noise can no longer dissipate naturally and creates a noise funnel. In normal operation this is acceptable as people walk through and chat but given there will be people outside the Chemistry Nightclub drinking (outside sale of alcohol requested) and smoking the noise levels will be unacceptable, particularly late at night. For example, vehicle movements such as taxis will be especially noticeable.

Furthermore, there is already insufficient parking in the area and this will only serve to worsen the problem and encourage people to park illegally and/or dangerously thereby undermining road safety for the local children.

The likelihood of inappropriate and anti-social behaviour

Given the past experience of trouble at these particular premises, and knowledge of the types of behaviour generally witnessed at late night drinking/music premises there is no reason to assume that this will be any different should the premises be granted licences and re-open as a club. The obvious concerns are:

- Loud music until 2.30am
- Foul and abusive language due to drunkenness
- Potentially aggressive behaviour
- Vomiting and urinating in the street
- Vandalism / damage to local property as a result of drunkenness
- Smoking and drinking outside in the daytime setting an inappropriate example to primary school children who will be leaving St Gregory's Junior School every afternoon

I trust the points above will be taken into consideration by the appropriate bodies during their review of the license renewal application and hope that a renewal will not be granted.

Yours sincerely,


C. J. Stoodley

12 North 1
 St James Square
 Cheltenham
 7th October 2010
mikeandgillbell@btinternet.com

Mr Louise Krog
 Cheltenham Council Municipal Offices
 The Promenade
 Cheltenham

Dear Mr Krog

Re: Chemistry Night Club

We have been made aware of the licensing application for Chemistry Night Club.

As the owners of an adjacent flat at 12 North 1, St James Square we wish to oppose the application.

We have been resident in Cheltenham long enough to be aware of the significant problems that this site had in the past. These included excessive noise, both inside and outside the building, parking and litter. Most significant were the serious and repeated issues of unsociable behaviour on the streets late at night and even into Sunday morning.

In view of the investment (both private and municipal) in residential flats, the Waitrose supermarket, office blocks and other businesses, attractive new walkways and cycle-ways, it would be unacceptable to allow this newly attractive part of Cheltenham to revert to a socially less appealing area.

This site is unsuitable for a night club because it is very near newly built blocks of high-quality residential flats. In addition it is directly opposite to an important and well-used church (we note the application would be until 2.30 on Sunday morning) and adjacent to a good, well maintained school.

Thank you.
 Yours sincerely,

G.L. Bell

C.M. Bell

Dr and Mrs C.M. Bell

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	13 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Krog, Louis

From: Sonia Kular [soniakular@hotmail.com]
Sent: 08 October 2010 21:57
To: Krog, Louis; Councillor Barbara Driver
Subject: Chemistry Night Club - Objection to Licence Application

Dear Louis

My name is Sonia and I live at Apartment 15, St James North 1, St James Square, Cheltenham GL50 3PY

I have been informed by Barbara about the application for Chemistry Club to re-open as a night club.

Chemistry Night Club is 100 metres from where I live and in direct line of sight and sound from my balcony. I have seen that they have already started refurbishment of the club which suggests that they will get the licence - this really worries me as I believe that it's really important that any objections by local residents need to be heard as we will be directly impacted by the application.

I strongly object to the application for Chemistry Night Club based on the following reasons:

- 1) Precedence of anti-social behaviour, the highest record of complaints versus other clubs in town - if their licence was rejected in the past I believe that the same reasons still stand. It was and would be again, totally the wrong thing in the wrong place. It is surrounded by residents on all sides, including one school, one nursery school.
- 2) Negative impact on residents' quality of life and anti-social impact to the area. Residents' quality of life will be significantly reduced as a direct result of the opening of the club 6 days and nights per week until 2.30am because of the noise pollution, increased foot fall of people to the area which will result in social congregation, increased littering, crime and likelihood of anti-social/nuisance behaviour compounded by alcohol consumption.
- 3) I am a single 25 year old woman living on my own and had always felt safe. I strongly believe that my level of safety will be compromised should the club re-open.
- 4) Reduced value of my property. I bought the property when the club was closed for the foreseeable future. If I need to sell my property I have a strong concern that the value will drop due to the proximity of the night club as it makes the property less desirable due to all of the factors as listed above.

I would like Barbara to represent and speak for me for at the hearing on October 14th and I do intend to be present for the hearing due to my strong objection. Please could you confirm the time so I can make the arrangements with my place of work.

Please do let me know if there's anything else I can do to support the objection and I want to thank you in advance for listening to my objection.

Kind Regards
 Sonia Kular
 07734 105192
soniakular@hotmail.com

8 St Georges Terrace
Cheltenham
GL50 3PT

12th October 2010

Dear Cheltenham Borough Council, Mr Louis Krog,

Re: Licence application for Chemistry nightclub - OBJECTION

I am writing to you in order to voice our strong opposition to the licence application made for the 'Chemistry the nightclub' premises.

We are a young family living in 8 St Georges terrace, and are very concerned about the impact that this would have on us directly. It is not uncommon for the children to be woken by a club goer on a Friday/Sat night, as their bedroom is at the front of the house. Our house is grade 2 listed, as are the rest in our row, we are therefore not permitted double glazing - and therefore struggle with the noise from the street below on occasion.

My main concerns about this application are firstly the noise (and how this will impact on our family life in the house) the inevitable increase in petty crime and vandalism by drunk youths and the disruption that will be caused 6 out of 7 nights a week if this is allowed to go ahead. Since Chemistry was last open, what was once mainly a commercial street has been transformed into a quiet desirable residential area. The opening of this club could potentially impact on house prices and sales in the area having a detrimental effect in the growth and residential regeneration in this area, in an already uncertain economy.

There are already plenty of alternative venues that offer similar facilities within this area: Revolutions, Thirteen, Subtones, Blush, Monty's at the Georges Hotel. All of which are the opposite side of the taxi rank on Royal Well Lane and we are therefore not affected by large crowds on their way home from these venues.

Due to the recent implementation of the No smoking indoors requirement, one can only assume that club goers would naturally spill onto the surrounding street.

Directly opposite is St Gregory's Church, next door Monkey Puzzle Day nursery, and encompassed by residential properties.

Litter/cigarettes and broken glass on pavements will increase in the surrounding area, which is part of the main route to school for local children and to nursery, the possibility of bodily fluids from contaminating local streets (vomit/urine) as club goers go home in search of toilet facilities is highly likely. (Evidence of this is already evident in the town centre early on a Saturday morning which I have observed

myself as I walk to work) Noise will not be contained and the possibility of vandalism and petty crime to these buildings would be likely. The immediate area is covered by CCTV. St Georges Terrace and St James Square, however is not - I am concerned that crime may be more likely to occur out of site and therefore on my road/to my property.

In summary our objections are based on the grounds of:

1. Disturbance of the peace/noise pollution
2. Increase of crime within the local residential vicinity
3. Increase of litter/dirt/excrement to the local residential area
4. Impact on the regeneration of this residential area as house prices will be undoubtedly adversely affected by this, if allowed to go ahead.

I would like Barbara Driver, our local councillor to represent our view on this matter, which obviously is strong opposition.

We are very disappointed that if it were not for word of mouth in the street , we would not have been aware of this potentially highly detrimental matter.

Kind regards,

Dr Rebecca Nicholson & Dr Liam Stanbury

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	11 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Apartment 10
St James North
St James Square
Cheltenham
GL50 3PY

6th October 2010

Dear Mr. Krog

Many thanks for your letter you sent us regarding the potential opening of Chemistry Nightclub at the end of St. James Square.

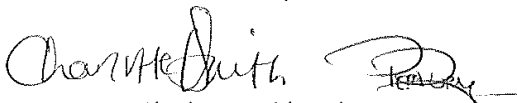
Our main concerns really are that it will most likely devalue our property, which would be devastating understandably. I think that if that was the case, then when we came to sell the apartment we would certainly look for compensation.

Another concern would be the cars parked outside of our apartment block, when there are inebriated students / teenagers hanging around that area, waiting for taxis etc.

We are all working professionals that live in the building, so by having a [night]club open 6 days and nights a week would seriously disrupt our standard of living and sleeping. As you can understand, the main reasons we moved here in the first place was because of the perfect location and also the fact that it was lovely and quiet. Therefore we would like to make a strong objection to the club opening.

I hope you will take these reasons into consideration and we look forward to hearing the outcome.

Yours sincerely



Charlotte Smith and Peter Dury

*The Reverend Jean Wilby
 Flat 2 Somerset House
 Knapp Road
 Cheltenham GL50 3QQ*

Tel: 01242 584096 Email: wilbyrevjean@tesco.net

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	12 OCT 2010		
Date of Response		Type of Response	
Initials of Reporter		File Ref.	

8th October 2010

Mr Louise Krog
 Cheltenham Council
 Municipal Offices
 The Promenade
 Cheltenham. GL50 9SA

Reference: The Application for a license renewal for the building under the name of Chemistry Night Club.

As I am sure you are aware the club was closed in 2005, I understand because of the problems arising from those premises when it was running as a nightclub. I moved into Somerset House in 2006 and am aware of the gross nuisance cause by the above venue.

Security guards had to be employed to prevent clients after using the venue, when leaving late at night, from behaving like hooligans in the grounds of the property. Creating noise, vomiting and vandalising the gardens. All this lowers the general tone of the area and is detrimental to the suitability of the flats for residents in retirement, and others who reside close by. This also affects the market value of other properties around.

This is a residential area with a school for children, from infants to eleven year olds close by. I am sure that those dealing with the granting of a license, for the above building would not want to be subjected to such gross nuisance behaviour themselves, in a place where they choose to live. Please don't do it!

Yours Faithfully,



Reverend Jean Wilby.

In December 2000, my wife became the warden/manager at Somerset House in Knapp Road, Cheltenham. There are two sets of wrought-iron gates at the front of the premises, which I normally closed each night and opened again in the morning.

However, because of problems associated with 'Chemistry' club, on most nights, management from there posted guards on the gates from about 9.00pm until 3.00am the following day. There were also several door-staff allocated to the outside of the club, plus others on the corner of Ambrose Street.

Even with all these staff, they struggled to cope with the unruly and anti-social behaviour of many of their customers. Noise from the club and its patrons outside started about 9.00pm and continued through the night, often until at least 4.00am; certainly well past when the guards finished duty.

There were frequent fights inside and outside the premises and the police attended on numerous occasions. Occasionally, there were running battles between the clientele and the police/guards.

In the morning we had the aftermath to deal with. This included vomit and broken bottles on the road and pavements, discarded needles and syringes and there was litter everywhere. Bottles, cans and other detritus were thrown into our premises and residents reported that they had seen people urinating in our grounds.

In fact, residents were afraid to go out in the evenings for social activities if this meant that they had to return home once the club had opened.

In 2005, the lives of all residents at Somerset House changed dramatically for the better when 'Chemistry' closed its doors.



October 2010



Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP. e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name	MS M. POWELL
Name of the organisation/body/person you represent. (If appropriate)	CHELSEA SQUARE MANAGEMENT LTD
Your full Postal Address or that of the organisation or body you represent	4 SHAFESBURY HALL ST GEORGE'S PLACE CHELTENHAM
Post Code	GL50 3PX
Daytime contact telephone number	01242 263647
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	<i>powell.maggie@talk21.com</i>

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	AS ABOVE
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	GIBSON HOUSE
Name of Applicant for Licence (if known)	
Postal Address:	ST JAMES SQUARE CHELTENHAM
Post Code:	GL50 3QB

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
NOISE, DISORDER & DISTURBANCE

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	
The prevention of Public nuisance	✓	The protection of children from harm	

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	100 - 150 METRES
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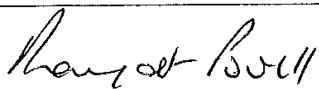
Part 2 continued

What are your concerns?

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
(Please continue on a separate sheet if necessary)

PLEASE SEE
ATTACHED SHEET

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
(Please continue on a separate sheet if necessary)

Signature: 

Capacity: DIRECTOR OF CHALSWA SQUARE MANAGEMENT LTD

Date: 9/10/2010

LICENSING ACT 2003 – REPRESENTATION FORM (INTERESTED PARTY)

Part 2 continued

Please provide full details of your concerns regarding the application:

I write on behalf of the Directors of Chelsea Square Management Ltd (the residential management company for the 84 flats and houses of the Chelsea Square development).

We have serious concerns about reopening a nightclub in a residential area.

When the earlier clubs (Gas and Chemistry) were open, we experienced very significant problems of noise and disorder in the early hours of the morning - as the club closed and its customers dispersed. This was a particular problem for those blocks of flats adjacent to Clarence Street – the main thoroughfare from the premises towards the town centre. There is always a certain amount of night-time activity in that area but it was much greater when the club was open and diminished very significantly once the club was closed.

Late-night clubs have a place in the social and business life of the town, but not so close to so many residential properties.

Maggie Powell

Director: Chelsea Square Management Ltd

Tel. no: 01242 244844
 email: rflit@blueyonder.co.uk

No. 3, Saint James' Square,
 Cheltenham.
 Glos.. GL50 3PR.
 4th October 2010.

LICENSING ACT 2003.

Applicant: Headline Entertainments Limited.
Premises: Chemistry, Gibson House, Saint James' Square,
Cheltenham. Gloucestershire. GL50 3QG.

As residents, living on Saint James' Square, in the vicinity of the premises, we firmly object to this application on the grounds of the prevention of crime and disorder, public nuisance, noise and disturbance.

Our concerns and objections include:

1. The validity of the Public Notices, which as to that on the premises is undated and unattributed as to the Registered Office of the Applicant and the name and address of its solicitors or representatives. That in the recent Notice in the Gloucestershire Echo is attributed to "Maitland Walker."
2. A preliminary survey of the current number of nightclubs in the centre of Cheltenham shows there are already some 12 nightclubs available with premises in Saint George's Road, Imperial Lane, Imperial Square, The Promenade and the High Street. Within that same area, catering for a different but perhaps complementary need, are many more public houses and bars.
3. Since the predecessor club closed, two blocks of residential flats have been built nearby, one of these being literally across the road from the premises. Also, there are now two Children's nursery playgroup premises, very close by, which would be affected by the risk of obstruction and the danger of delivery lorries, noise and nuisance.
4. Recent legislation requires a No Smoking requirement in the premises. A significant number of the potential clubbers will be smokers. This will mean that provision will need to be made for the smokers amongst them outside the premises, until 2am and later, when the Club is open, and the application is for six nights a week. Inevitably this will be a cause of serious noise and nuisance to nearby residents.
5. Previous experience has shown and, indeed this was mentioned at the predecessor club's meetings with residents, that one of the aspects of the noise nuisance is not so much the "tune" but rather the heavy beat of the music, which carries some distance late at night.
6. Particularly concerning sound and the disturbance of nearby residents, the predecessor club admitted there was a serious noise disturbance on at least a weekly basis, as known to Cheltenham Borough Council, by the delivery of glass bottles and, much more so, by their collection at 7am on a weekday, the noise being similar to an avalanche of glass from the skip to the collection lorry.

Also, the serious risk of obstruction of accessibility to traffic to nearby residents by the lorries, noting the side access road leads to Saint Gregory's Primary School, just beyond the nearer recently built block of residential flats.

7. As residents living on the South side of Saint James' Square, we would experience the arrival and, even more so, the departure of late night clubbers.

Previously, on occasions, we had recourse to telephoning the police because of the disturbance by noise and conduct of the departing clubbers, through Saint James' Square onto Royal Well, and onward.

This side of the Square is "around the corner" and out of sight (and sound) of the club security stewards and club CCTV. This means that clubbers would be able to shout, disturb, urinate and be sick beyond the club's surveillance, sometimes in residents' gardens. The council's CCTV on the roundabout was rarely pointed in this direction at that time, despite request.

Even without the proposed club, there are regular disturbances late at night/early morning. Should the application succeed, then undoubtedly, the noise, disturbance and disorder level would increase.

8. It is anticipated that there would be various promotions including cheap drink promotions, particularly perhaps for student members.

9. Previously, there were incidents of disorder from time to time when the police were called to the premises for alcohol related offences, including violence and disorder. This would remain a strong possibility.

10. The potential threat to noise, crime and disorder is reflected in the concern of our local Ward councillor, Cllr Barbara Driver, who is making representations to you, which we endorse, on behalf of many other affected residents.

A number of the local residents are elderly &/or retired and, perhaps, are not able to write or too modest to complain.

11. At this time, we are not aware of the record of the applicant company in managing licensed club premises, which were able to hold 800 people.

It is essential to know what steps the applicants intend on to check the age of drinkers and the other requirements of recent legislation.

In the event that the Licence should be granted then, we ask, that stringent conditions are imposed &/or embedded, which are enforceable, to promote the licensing objectives, of prevention of nuisance, by protecting the amenity of residents living in the vicinity.

We wish to be notified of the date of the hearing and an opportunity of making our representations in person, if needbe.

J.R. Littlewood. F.M. Littlewood

Rev. J.R. and Mrs F.M. Littlewood

The Licensing Committee,
Cheltenham Borough Council,
Municipal Offices,
The Promenade,
CHELTENHAM.
Glos GL50 1PP

CATHOLIC PARISH OF ST GREGORY THE GREAT
WITH ST THOMAS MORE CHURCH, CHELTENHAM

Parish Office, 10 St James Square, Cheltenham, GL50 3PR
Telephone 01242 523737 Fax 01242 518194
gregchurch.cheltenham@cliftondiocese.com



5th October 2010

Mr Louis Krog
Cheltenham Borough Council
Municipal Offices
The Promenade
CHELTENHAM
GL50 1PP

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	- 7 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Dear Mr Krog

LICENSING ACT 2003

Applicant: Headline Entertainments Limited

Premises: Chemistry, Gibson House, St James' Square, Cheltenham GL50 3QG

As the parish priest of St Gregory's, resident in The Presbytery, 10 St James' Square, almost opposite the Premises, I object to this application on the grounds of public nuisance, noise and disturbance.

My concern is expressed on behalf of the whole parish community, which uses St Gregory's Church (immediately opposite the Premises) by the vicar on behalf of my resident assistant priest (Fr. Tom Smith) and myself. We need to rise early, particularly on a Sunday morning for religious service, and the anticipated nuisance will be at its height on Saturday evening/early Sunday morning, if the application is successful.

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	07 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Neither of us was living in Cheltenham at the time the Premises were open previously for similar purposes as now contemplated; but predecessors have been quick to draw to our attention the continual difficulties they encountered through noise, especially the continuous heavy beat from the music across the road.

On occasions, people using the Premises were found to have urinated against the walls of St Gregory's Church. Debris from the clubbers was also found in the church garden. These are factors which of course affect and concern all parishioners.

No club has been operating in St James' Square since the introduction of the law restricting smoking within public premises. If the application succeeds, then a significant number of the clubbers, being smokers, will no doubt congregate outside the Premises during opening hours. This will particularly be a cause of noise and nuisance to nearby residents.

2

Since the last club closed, two blocks of residential flats have been built nearby, one of them very close to the Premises. Further, there are now two Children's nursery playgroups operating from premises close by, which would most likely be affected by the presence on a regular basis of delivery lorries.

It is not as if there is any shortage of nightclubs within the centre of Cheltenham. I understand that about a dozen alternatives are currently available.

In the event that the Licence is granted, I ask that stringent conditions are imposed.

Please be kind enough to notify me of the date of the hearing and whether there will be an opportunity of making representations in person.

Yours sincerely



Canon Bosco MacDonald VF
Parish Priest & Resident

Apartment 2
 St James North 1
 St James Square
 Cheltenham
 GL50 3PY

The Licensing Department
 Attention Mr L Krog
 Cheltenham Borough Council
 Cheltenham Borough Council Municipal Offices
 The Promenade
 Cheltenham
 GL50 9SA

3 October 2010

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	- 7 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Dear Sir,

OBJECTION TO THE LICENSING APPLICATION FOR THE CHEMISTRY CLUB - ST JAMES SQUARE CHELTENHAM

Under the terms of the Borough Council's Licensing Policy Statement I wish to make a strong objection to the licensing of the premises known as the Chemistry Night Club St James Square Cheltenham. I make this objection as an Interested Party being a resident living within the close vicinity of the Night Club.

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	- 7 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

I have not been sent any notification of the proposed licensing application from the Council apart from a letter sent by my ward councillor. I therefore have to base my response on the information provided in her letter.

Cheltenham Borough Council granted planning permission for the apartments known as North 1 St James Square (which were completed in 2006). As well as this new apartment block there were already several other existing residential properties in the Square and so in granting permission the Council obviously acknowledged that they were turning St James Square into a fairly major residential area.

In addition, within close proximity to the proposed night club there are two nursery schools and one primary school. Also, across the road from the premises there is one very active church with another church on the corner of the Square.

Under the Borough Council's Licensing Objectives there are, inter alia, two very relevant statements: one concerning the issue of public nuisance, the other referring to the protection of children from harm.

There are numerous points regarding the public nuisance issue, and the Policy Statement quotes that the Council takes regard to considerations affecting the residential population and the amenity of the area in particular noise and the capacity of the infrastructure to cope with the influx of people especially at night. I do not believe that there are any measures that would mitigate the noise issue particularly as the application quotes amplified music and both inside and outside sales of alcohol. The building its self is not of modern design which would make effective sound proofing almost impossible and the fire exit (which necessitate certain types of doors) opens directly onto the Square. People going to and leaving the premises would obviously create an unacceptable noise level late at night.

In addition, under the smoke free public places legislation of July 2007 the likely location for the open area for smoking would be into St James Square which would exacerbate the noise issue.

There is a public car park in the vicinity, however, in common with those using the church on Sundays, I firmly believe that because of the lack of any traffic policing, the roads in the Square (although double yellow lined) would be used for parking. Again this would increase the noise issue, especially at closing time in the early hours of the morning.

I understand that the application is for the premises to be open between 10am and 2:30 am the next day, six days a week. With many young children using St James Square to gain access to and egress from the schools any increase in traffic would cause an increase in risk. In addition the requirement for an open area for smoking would also increase the risk to the children, as well as setting an extremely bad example.

St James Square is the wrong place to have a night club. The Council have, through its planning regime, turned the Square into a combined office, school and residential location. It is not an inner city site where few people would be troubled by the proposal but a relatively quiet backwater where many residents would have their lives ruined by the opening of a night club on their door step.

I would like my representative (Mr S Brown) to speak on my behalf at the hearing.

Yours faithfully



C Brown

Krog, Louis

From: Elizabeth Wooles [e.wooles@yahoo.co.uk]
Sent: 13 October 2010 17:43
Cc: Councillor Barbara Driver
Subject: Application of Club on St James Square.

Barbara

Thank you for the notification of the plans to re-open the premises that was 'chemistry' as a late night venue. I strongly appose these plans and would very much like to attend the hearing. As you say numbers definitely count!! Despite having emphatic views on this matter I don't believe I would be the the most eloquent when airing my view so would be very grateful if you would represent me.

My main areas of concern or points that I believe should be raised are the following:

The nature of the business.

How many 'entertainment' venues offering loud music, late night opening hours, and cheap alcohol does Cheltenham need? Bearing in mind that Chemistry was a failing club for most of the time it was trading as was 'Embassy' and 'Gas' before it. attracting the dross of society and all the antisocial behaviour that goes with it.

Other social venues which offer late night licencing till 2.30am or after are:

1. Subtone
2. Red
3. Club Thirteen
4. The Night-owl
5. Dakota
6. The Place
7. Boogie Lounge
8. The Prom Vaults
9. MooMoo
10. Fever

The make up of the locality

As we are all aware Cheltenham has changed significantly within the last 10years to accommodate the 'University' lifestyle to Cheltenham's detriment.

As a community we now spend incredible amounts tax payers money on the following:

1. Additional policing
2. Increased hospital admissions
3. Cleaning the streets of:
 - o chewing gum,
 - o urine,
 - o vomit,
 - o dis-guarded food
 - o general litter.

A substantial amount of this can be directly linked to late night revellers and not the general daytime activities. In the centre of town where there is heavy foot fall and more suitable road/flooring it is possibly appropriate steam clean the pavements, this is not the case on St James Square. Our 'throw away' society needs to be tamed not encouraged.

I and my neighbours take great pride in the town I live in therefore take umbrage in having to accept that littering and lack of consideration to people's property, privacy and general peace of mind has become 'the norm' in today's society. Better attention needs to be paid the the current solutions rather than adding to them with yet another unwanted late night venue.

15/10/2010

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In addition to these factors the locality has many areas that would be ideal for unsavoury characters to loiter and/or prey on vulnerable people worst case scenario would be sex acts (consenting and otherwise), physical attacks and intimidation. All of which if you bear witness to can be distressing and unnessecarily alarming.

St James House Car Park,
 St James House shrubbery at the main entrance,
 St Gregory's school car park,
 The Alleyway linking St James Street North to Knapp Road.
 The Alleyway linking Knapp Road to.
 St Gregory's church frontage.
 The Alleyway linking Clarence Street to Synagogue Lane

New Generation

When St James House sold off part of their car park to the developers and St James Street North was constructed in 2005/2006 the club had lain dormant for a few years and showed no sign of being re-instated as a late night social venue. If this was not the case I cannot believe that planning permission would have been granted for a residential building (containing 22 apartments). Or that any of the residents would willingly have made such a costly investment without investigating the possibility of OR in the knowledge that the venue would be re-instated. St James Street North was built on a private road (which already struggles with unauthorised use of our private parking bays) and balcony's overlooking the fire exit to the venue in question and St Gregory's church entrance. These apartments are highly sought after and have come at a cost reflecting the location and quality of the surrounding areas.

The construction of St James Street North (No.1 St James Square) means that most of the residents have no choice but to keep their windows and patio doors open to circulate air through the property, as there are no other ventilation alternatives in place making noise pollution a constant concern.

Antisocial noise levels

The area (St James House entrance) directly behind the building in question is open ground and acts as a amphitheatre to all noise in the vicinity of The Royal George Public house, St Gregory's Church and the roundabout leading to and from living on St Georges Terrace/St James Square for a period of time noise pollution from 'Chemistry' and general late night foot traffic / conversation is equally bad if not more pronounce.

All rubbish collections occur in the morning around 7am of which we have three a week in St James Street North due to the mixture of business/residential and educational buildings that have allotted collections on different days. The bus service offers a 30minute timetable which creates further disturbance throughout the day.

Summary

To put a finer point on it I do not wish to side step streams of urine, disgarded condoms/food wrapping/halfeated kebabs or pile of vomit on my way to work everyday having follwed a disturbed night sleep and being woken by the rubbish carts less than 5hours later.

I hope this echos the sentiments of neighbouring residence and businesses and will therefore make some difference in the application.

Kind Regards

Elizabeth Wooles

e.wooles@yahoo.co.uk

07870620514 (Voice-mail available)

Apt 8, St James Street North 1

15/10/2010

Chemistry	Page 106 of 123	Last updated 04 November 2010
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Krog, Louis

From: Julie Ray [logos@imagesplus.plus.com]
Sent: 12 October 2010 15:53
To: Councillor Barbara Driver
Subject: Chemistry Night Club application

To Cllr. Barbara Driver

So glad you are on the bandwagon. I have filled out a form from Images Plus our shop at 60 Clarence St. and my landlord is dropping it off at the Council Offices in good time.

I will definitely like to attend the hearing and would appreciate your taking up the baton and speaking for me. As a business so very close to the proposed club I fear for window damage, theft and urination in the doorway. I have heard many horror stories of the chaos that used to occur when the club was open previously - and my business insurance is higher to reflect these problems. so whatever you can do to STOP this application would be appreciated.

Kind regards

Julie Ray
Imagesplus
60 Clarence Street
01242 570766

15/10/2010

Chemistry	Page 107 of 123	Last updated 04 November 2010
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Part 2

LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP. e mail: licensing@cheltenham.gov.uk

Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Contact details (of person completing form)

Name:	YU ZHANG
Name of the organisation/body/person you represent. (if appropriate)	GOLDWOOD STRATEGIC SERVICES LM T/A CHELSA-SAA LADIES LEISURE CLUB
Your full Postal Address or that of the organisation or body you represent	58 CLARENCE ST. (59-58 CLARENCE ST)
Post Code	GL50 3LE
Daytime contact telephone number	01242 690970
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	<i>(This section is crossed out with a diagonal line)</i>
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	GAS/CHEMISTRY NIGHT CLUB
Name of Applicant for Licence (if known)	HEADLINE ENTERTAINMENT LTD.
Postal Address:	GIBSON HOUSE, ST. JAMES SQUARE, CHELTENHAM
Post Code:	GL50 3RB

What are you making a representation about?

<p>Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)</p> <p>THE PREVENTION OF EXCESSIVE, NOISE, DISORDER (DRUNKENNESS), LATE NIGHT DISTURBANCE, URINATION IN PUBLIC, SEXUAL ACTIVITY IN PUBLIC, CRIMINAL DAMAGE, THEFT, TRESPASS & ASSAULT & OTHER FORMS OF CRIMINAL & ANTI-SOCIAL BEHAVIOUR DURING THE PERIOD 11-00PM TO 3-00AM.</p>
--

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	✓

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	76m (NEAREST PART OF SITE)
--	----------------------------

Part 2 continued

PREVIOUS ACTIVITIES OBSERVED IN THE STREET INCLUDES FULL SEXUAL ACTIVITY TO THE MAXIMUM EXTENT. THERE ARE SEVERAL FAMILIES WITH YOUNG CHILDREN WITHIN A FEW METERS FROM OUR PREMISES AND THESE WINDOWS OVERLOOK THE DEBAUCHED NATURE OF THE NOISY LATE NIGHT ACTIVITIES & SEEING THESE ACTIVITIES WOULD HARM THESE CHILDREN SIGNIFICANTLY.

What are your concerns? CONT →

Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it. (Please continue on a separate sheet if necessary)


WHILE THE PREVIOUS OPERATOR OF THE PREMISES WERE UTILISING IT AS A NIGHT CLUB PREMISES THE CENTRE WEST OF CLARENCE ST (WHERE WE ARE LOCATED) WAS A NOISY DRUNKEN, DEBAUCHED AREA OF VIOLENCE AND CRIMINAL DAMAGE & THEFT UPON AND ALONSIDE OUR LAND AND PREMISES. BETWEEN THE HOURS OF 1-30 AM TO 2-30 AM IT WAS PARTICULAR HAZARDOUS & UNPLEASANT TO BE EVEN IN THE VICINITY OF OUR OWN PREMISES. ON A TYPICAL WEEKEND ONE COULD EXPECT SEVERAL MALE & A FEW FEMALE URINATIONS AT OR AROUND OUR BOUNDARY FENCES AND AT LEAST TWO OR THREE TRESPASS EVENTS OVER OUR FENCE, USUALLY INVOLVING ATTRACTION THEFTS OF GARDEN FURNITURE. LOUD SHOUTING, VIOLENCE AND DRUNKEN SINGING UNTIL 2-30 AM WERE ALSO THE NORM.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.

(Please continue on a separate sheet if necessary)

1. MUSIC & ALCOHOL SERVING CEASING AT 11-00PM
2. PREDOMINANTLY DEBAUCHED ACTIVITY WITH A LOW LIMIT ON THE NUMBER OF PERSONS ABLE TO ATTEND FOR THE PURPOSE OF DANCING (SAY 100)

NOTE: THE PROVISION OF SIX OR SEVEN STEWARDS IN THE STREET FOR THE LATE NIGHT PART OF THE PREMISES USE DID NOT PREVENT THE LATE NIGHT NOISE AND DISTURBANCES SO THAT CONDITION WOULD BE INSUFFICIENT TO ABATE OR PREVENT NUISANCE.

Signature: 

Capacity: DIRECTOR

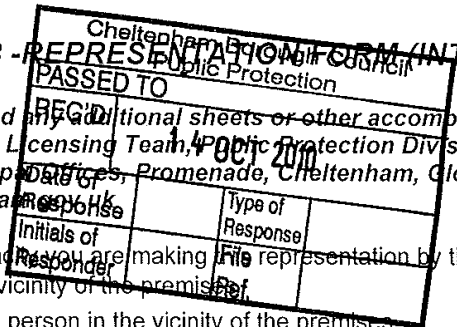
Date: 13TH OCT 2010



Part 2

LICENSING ACT 2003 - REPRESENTATION FORM (INTERESTED PARTY)

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP. e mail: licensing@cheltenham.gov.uk



Please indicate in which capacity you are making this representation by ticking a box below;

- A person living in the vicinity of the premises
- A body representing a person in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing a business in the vicinity of the premises

Contact details (of person completing form)

Name:	JOHN WEBSTER
Name of the organisation/body/person you represent. (If appropriate)	
Your full Postal Address or that of the organisation or body you represent	14 CLARKE WAY (CAROLINA SP.) GL50 3RG
Post Code	
Daytime contact telephone number	511424
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

Details of person/body making representation (if different from above)

Name of the person/organisation/body. (as appropriate)	/
Full Postal Address of the person/organisation or body making representation	
Post Code	
Daytime contact telephone number	
Email address - If they would prefer to correspond via email, please enter their email address. (optional).	

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	PREMISES KNOWN AS CHEMISTRY NIGHT CLUB, ST. JAMES' SQUARE
Name of Applicant for Licence (if known)	HARDING ENTERTAINMENTS LTD.
Postal Address:	CHEMISTRY GIBSON HOUSE ST. JAMES' SQUARE
Post Code:	GL50 3QG

What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
Anti-Social behaviour Noise Under-age drinking Nuisance

Which of the Licensing Objectives does your representation refer to?

(Note: Your representation must relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick ✓ for Yes	Licensing Objective	Please tick ✓ for Yes
The prevention of crime and disorder	✓	Public safety	✓
The prevention of Public nuisance	✓	The protection of children from harm	✓

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at www.culture.gov.uk.

Please indicate the distance (in metres) between your address and the premises subject of your representation:	100 m
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Part 2 continued

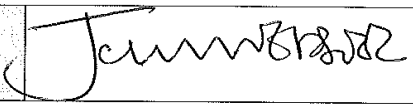
What are your concerns?

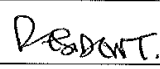
Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.
 (Please continue on a separate sheet if necessary)

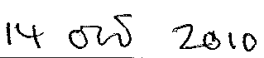
When this club was open previously there was regular nuisance & disturbance, noise problems, a.s.b & problems associated with under age drinking.

Please use the box below to suggest any suitable conditions that if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or that the committee could add to the licence (if granted) that would remedy your concern. You may also use this box to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.
 (Please continue on a separate sheet if necessary)

Early limit on closing hours.
 Proper Management of Premises.

Signature: 

Capacity: 

Date: 

Mrs Rita Peters
 Flat 22
 Somerset House
 Knapp Road
 CHELTENHAM
 GL50 3QQ

6.10.2010

Mr Louise Krog,
 CBC Municipal Offices
 The Promenade
 Cheltenham

Dear Mr Krog

Licensing Application - Chemistry Night Club, St James Sq.

I wish to object in the strongest terms to the above application. Having lived in Somerset House since 1988, I can vividly recall the noise and anti-social behaviour that accompanied the opening hours of "Chemistry": shouting, car doors banging in the early hours, drunks fighting and urinating down the side alleys, all making residents' lives a misery. This time round, with alcohol being sold outside, it can only get worse.

I urge the Council to take account of the views of elderly residents in the immediate area.

Yours sincerely,

Rita Peters (Mrs)

8 St James Ct.
 Knapp Rd
 CHERTENHAM
 GL50 3RR

Dear Mr Troy.

12-10-10

I write to object to a licence
 being awarded to "HEADLINE ENTERTAINMENT LTD"
 ST. JAMES SQ.

Living in Knapp Road I heard noise of
 cars, and loud voices when the club
 closed, this early hour of the morning!

This is a residential area, and
 not suitable for late night revelling,
 also many elderly people live near.

It is said they only want to renew
 the licence. There has clearly been
 a large area painted on the rear of
 the building!!

I would like councillor Barbara Diver
 to speak on my behalf at the
 meeting.

Yours faithfully

Rosemary Holgate.

problems for the police. When I see the stop
 already. Drinking has been allowed till very
 early in the morning. I believe till 6 AM.
 Please see the other people like myself
 going to go for a quick ride with us
 Dundee gets started/when they're taking
 coming over/going to go for a quick ride
 to go out at night.

I am very very concerned about the
 application so I might have to send up and
 more I would not have more time if
 I know this might happen. I did
 engine to the planning Dept. I had several
 last year before I brought my flat, and
 was informed that no plan was in
 place, and if that might be the
 case, would I definitely approve and
 then, I hope you may proceed in the
 area. Had the council kept it there.
 word

Yours faithfully
 W. REEVES
 W. REEVES

Cheltenham Borough Council
 Public Protection
 PASSED TO
 6 OCT 2010
 REC'D
 Date of Response
 Type of Response
 File Ref.
 Initials of Responder
 M. FOWLER KROG
 1/10/10

Evening for night club so Dundee is the
 better I strongly argued. The application on the
 grounds that the area involves many areas be
 developed and even was no experience
 gets to late night drinking in the proximity
 between Wimp's and New at our Dept. The
 includes Druggs the police have been called
 on many occasions to remove them somewhere
 at 12.30-1.00 AM. I moved here 12 months
 ago to escape the gangs making my life a
 misery in Marlton St / 32 Ave st. I was working
 focused to a quiet life in Somerset House
 as Jim was 67. I feel the case if the
 proposal might not be totally satisfactory
 as a guide. Drinking areas for the other
 citizens. There are already too many night
 clubs in Cheltenham which causes big

3, St. James Court,
Snapp Rd.,
Cheltenham.
GL50 3QQ
10. 10. 10.

Dear Sir,

My wife and I strongly object to the re-opening of The Chemistry Night Club.

Previous experience of very disturbed nights and empty alcohol containers strewn about everywhere.

We would have thought that Cheltenham was the last place to require another Night Club, especially in a very residential area with quite a few blocks of flats. We hope the Council will not agree to this proposal.

Yours Sincerely,
Margaret + Robert Elliott

Mr. Krog, Cheltenham Borough Council
 Municipal Offices Cheltenham.

Cheltenham Borough Council Public Protection			
11/10/2010			
REC'D	14 OCT 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Mrs. J. Stevenson
 Flat 10 Somerset House
 Knapp Rd, Cheltenham
 G50 3aa.

Dear Mr. Krog,

My residence is Somerset House only 25 yards from the Chemistry Night Club. After experiencing the affect the Club had on the neighbourhood I strongly object to have it opened again.

Reasons for my protest is:- Two men took it in turn to guard our property from 10.00pm - 2.30 or later, employed by the Club owner because otherwise they would come into our gardens making a mess and staying for hours making all sorts of noises.

Every morning there would be broken bottles, sickness, food and litter strewn on the pavements. It was intolerable.

All the things the owners want to do now, would make it much worse - activities all day.

PTO

Another reason I think would be unsuitable is for drinking outside, there isn't any room for tables and chairs and children from St. Gregorios have to pass there on their way home from the school which could be very dangerous for them.

I could go on but will leave the rest of complaints for our representative at the arranged meeting.

I have also signed a petition from Somerset House together with all its occupants.

I do entreat you not to agree to opening the Club, Somerset House is for retired people, anyone 60 plus would not wish to live there if a Club opened again.

Yours very sincerely,

D. Stevenson.

10/01568

5 St James Square Cheltenham GL50 3PR

Telephone – 01242 228709

Mobile – 07594 354713

27th September 2010

Dear Sir

Cheltenham Borough Council Front Line Services			
PASSED TO			
REC'D	28 SEP 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Applicant – Headline Entertainments Ltd
Premises: Chemistry, St James Square, Cheltenham, GL50 3QG

With regard to the application by the above company to use these premises for Nightclub activities, I have the following observations to make.

These premises were previously used as a Nightclub under the name *Chemistry* up until around 4 years ago, and before that the club was known as *Gas*. In recent years the property has remained empty.

During the entire period the club was in operation, my neighbours and I were affected by noise and anti-social behaviour several times a week, when the club goers emerged at 2 am and walked through the square, past our houses, towards the takeaway food premises in Royal Well, on their way home. The noise of shouting and arguing, and occasional fighting, caused us loss of sleep, and there were occasions of vandalism of parked cars and to front gardens. Since the club has remained closed, all of these problems have gone away.

We are now faced with the unwelcome prospect of more disruption and lost sleep, not to mention the possibility of bad behaviour, every night of the week except for Sundays, between the hours of 1 and 2 am, as the drunken revellers go home. In the past both *Gas* and *Chemistry* epitomised all that is wrong with the drink culture and binge drinking in this country. The club ran Student Nights in the early part of the week, when young people from the University were encouraged by the availability of cheap drink, to consume more than was good for them. The nights of Fridays and Saturdays were as bad, as this club, in common with all others, provided special drinks promotions to encourage excess consumption and binge drinking.

Chemistry is in the middle of a residential area, with houses and new flats all around, and to protect the peace and quiet that people are enjoying at present, the application should be refused. I wish to attend when the Licensing Committee meets, in order to explain just how bad the problems from these premises have been in the past. On a earlier occasion I attended Gloucester Crown Court to give evidence, when a previous proprietor of *Chemistry* appealed against an earlier refusal to renew the licence.

Yours faithfully



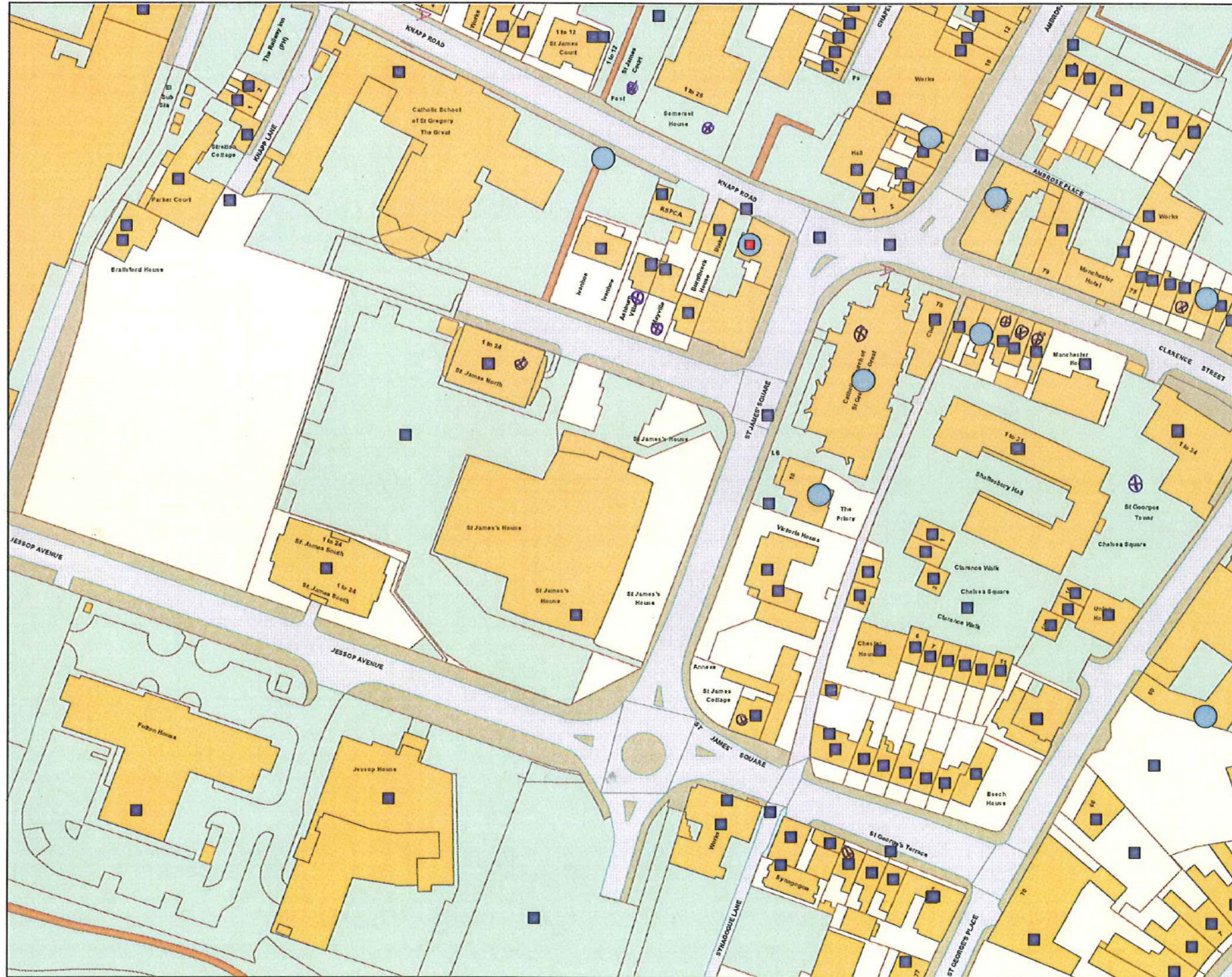
George Green

The Licensing Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham, GL50 1PP

Cheltenham Borough Council Public Protection			
PASSED TO			
REC'D	28 SEP 2010		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Chemistry

St James Square

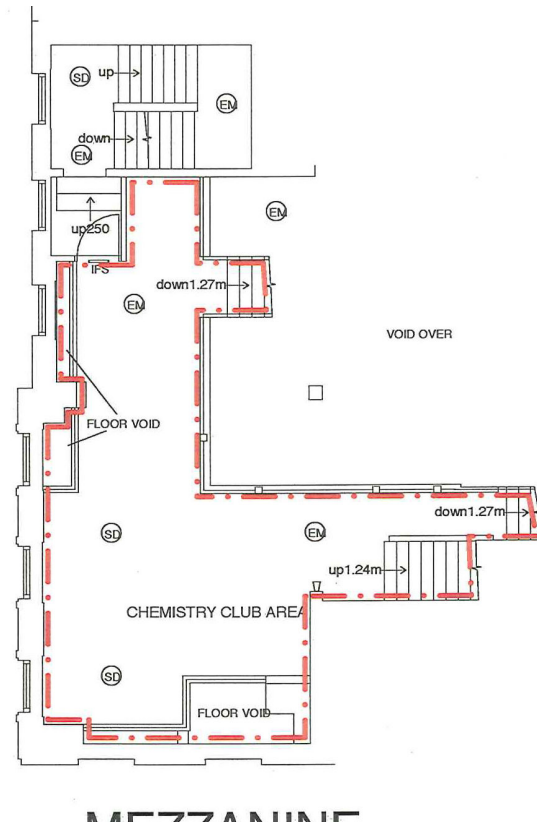


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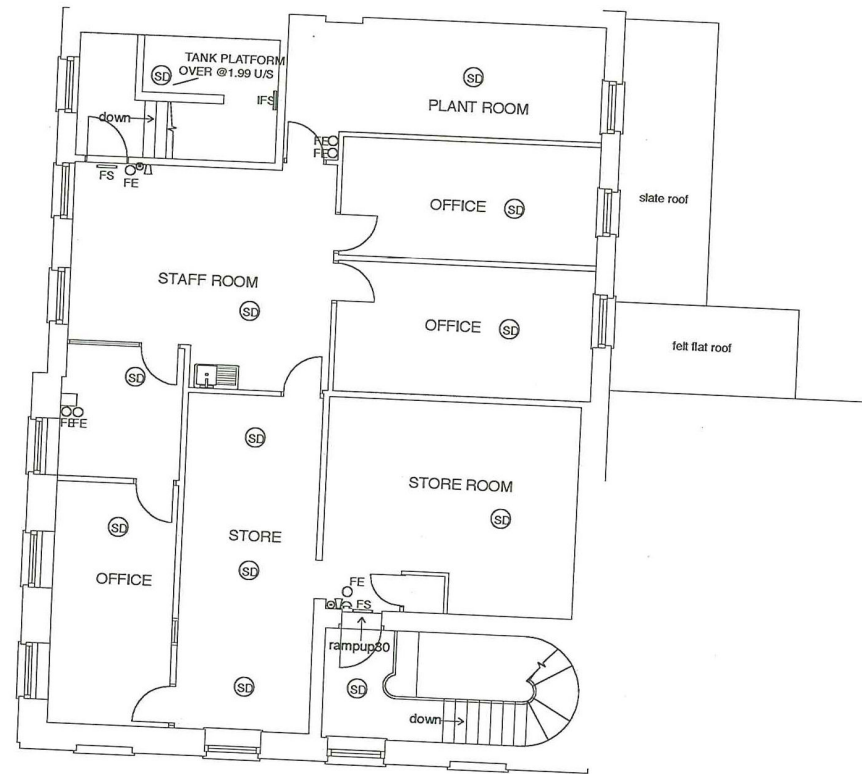
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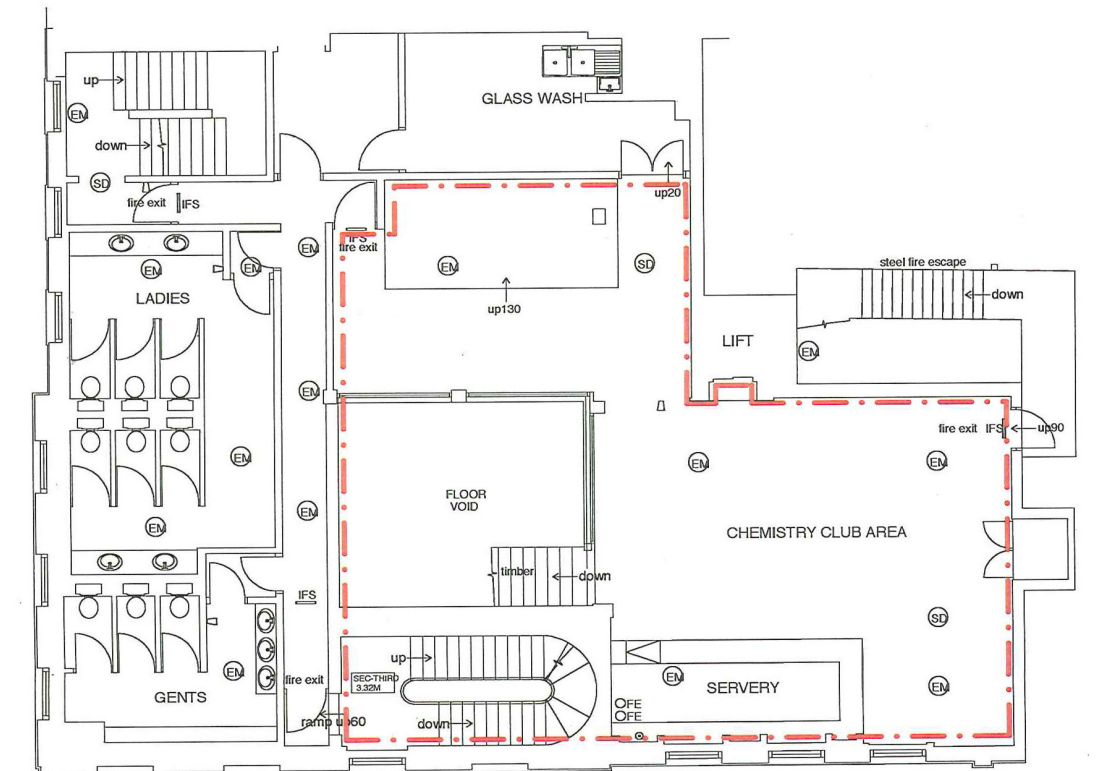
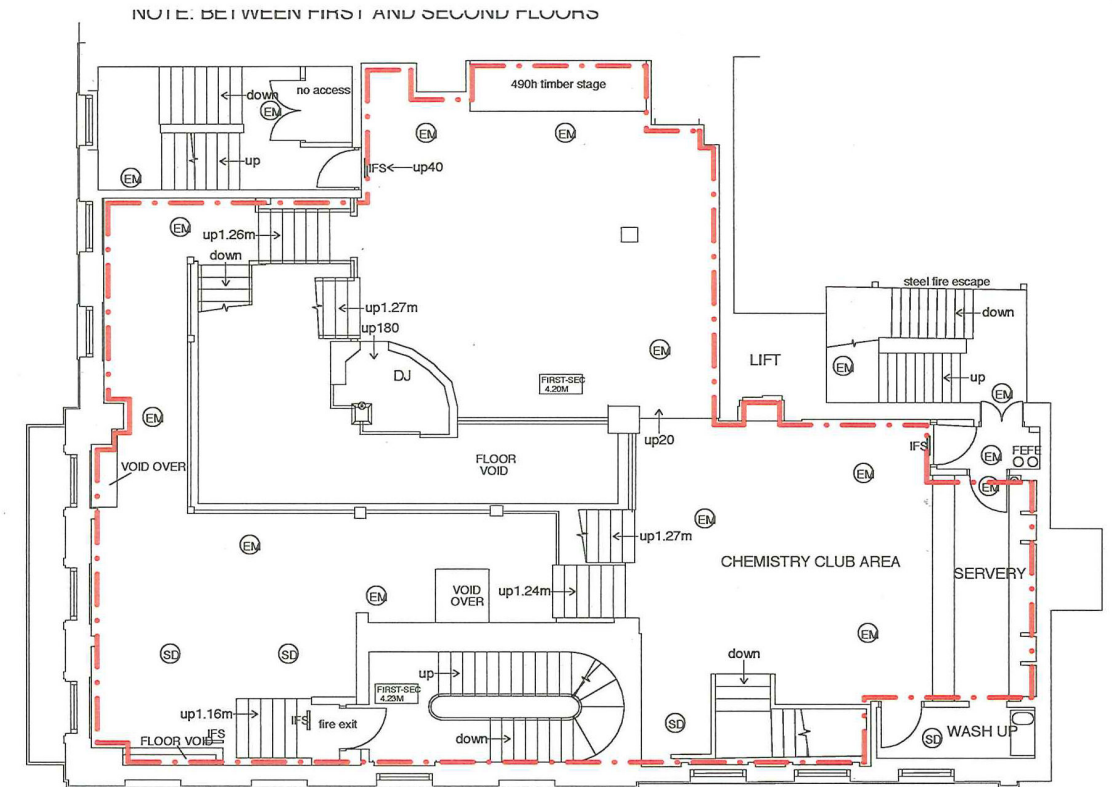
Organisation	Cheltenham Borough Council
Department	Licensing
Comments	Licensing Sub-Committee
Date	22 October 2010
SLA Number	100024384 2009



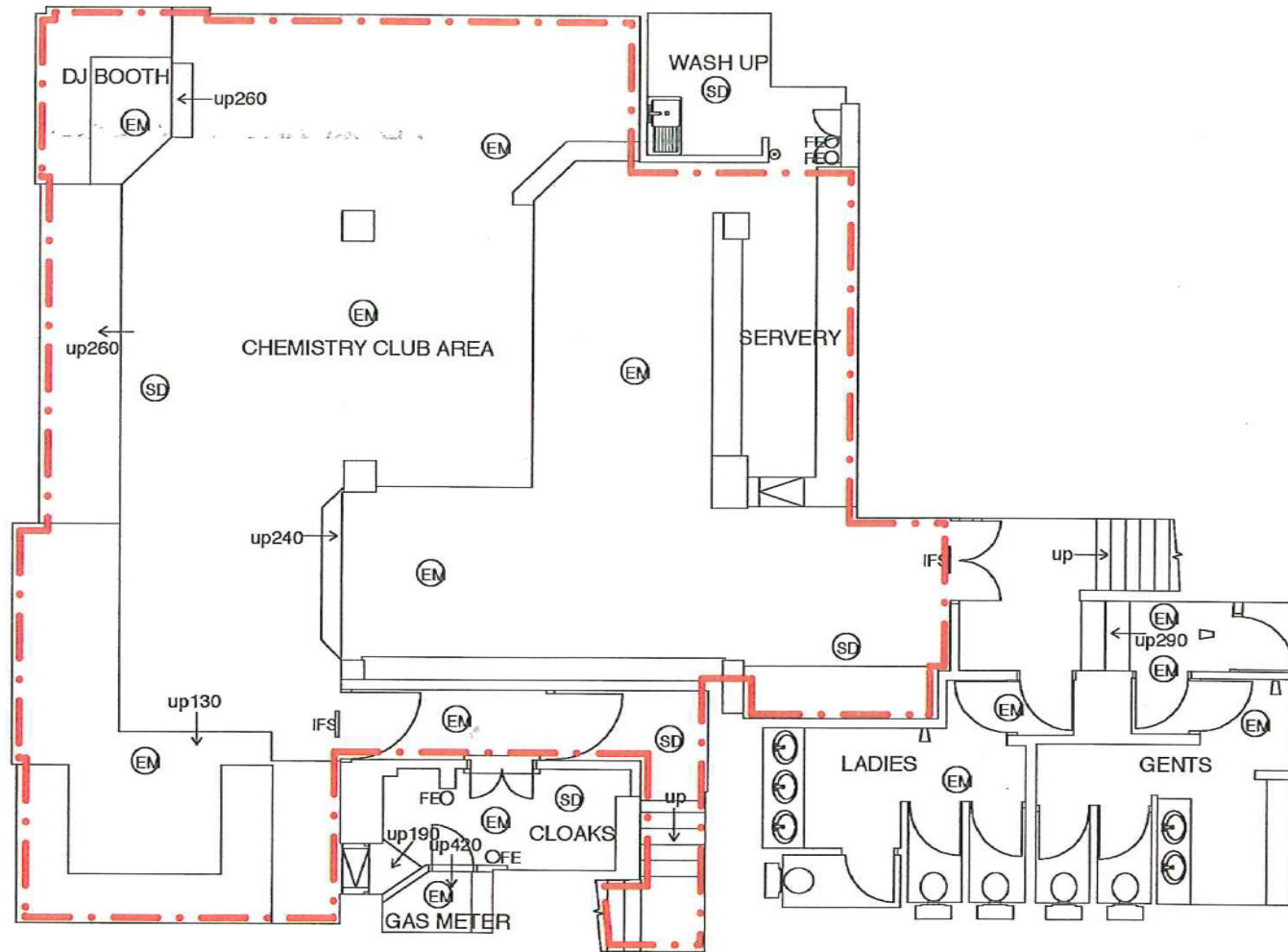
MEZZANINE



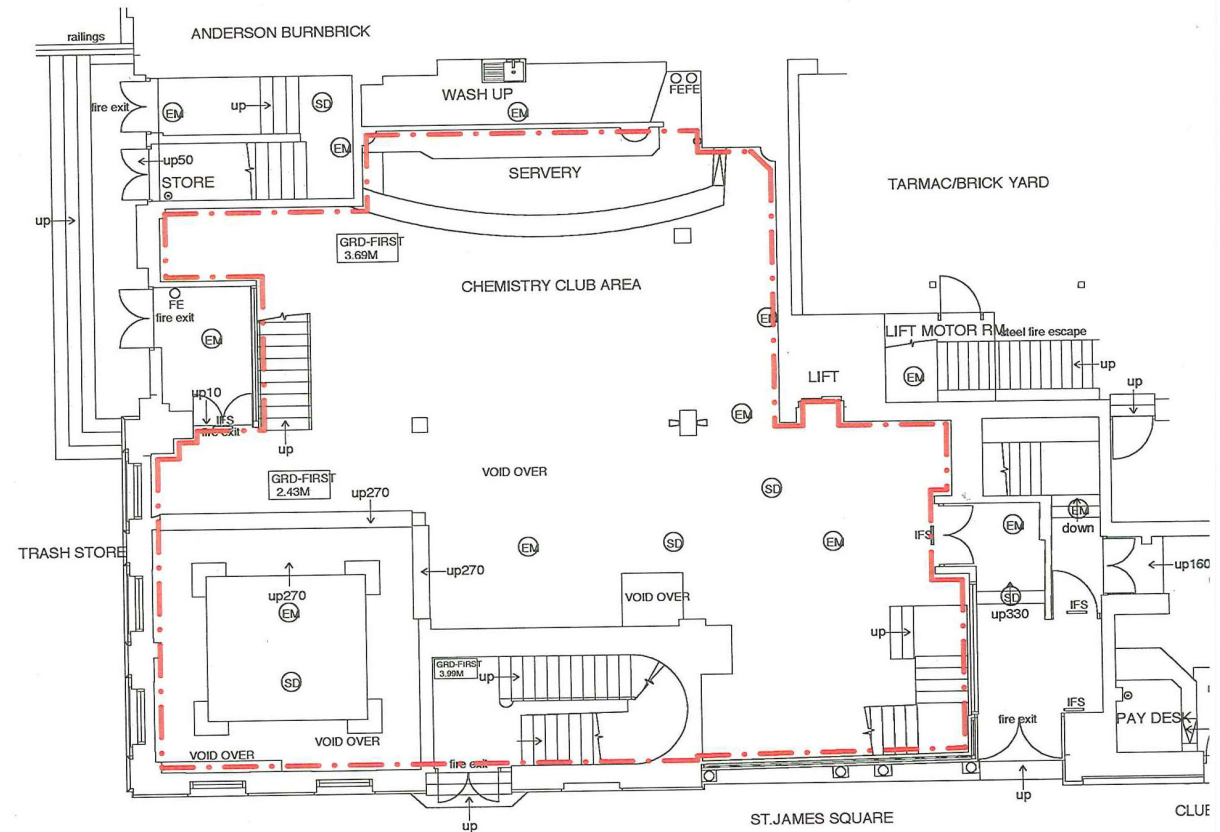
THIRD FLOOR PLAN
SCALE 1:100 @ A1



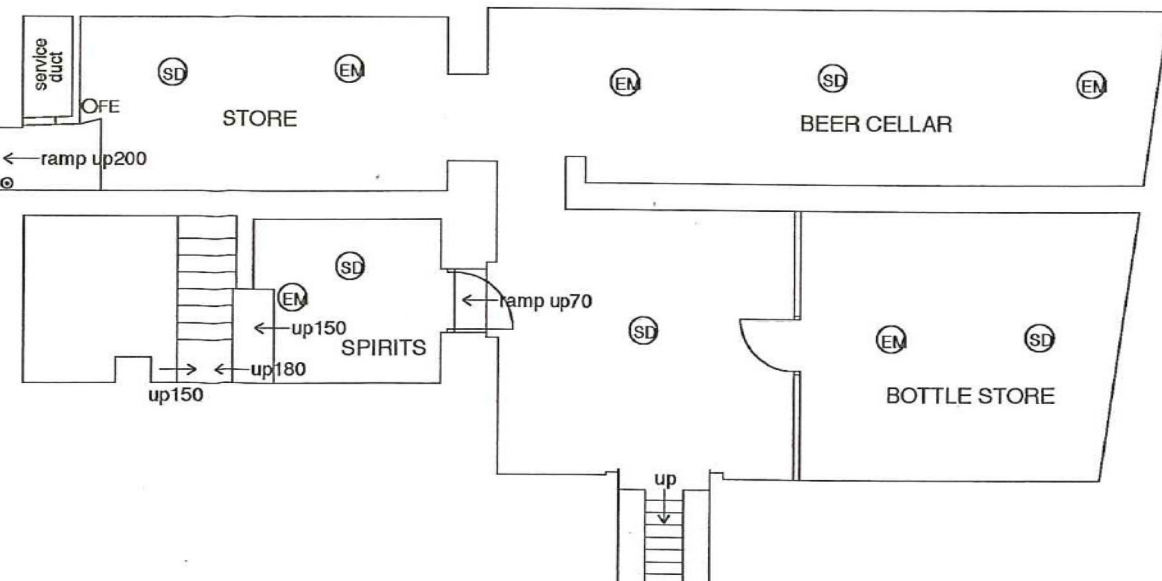
SECOND FLOOR PLAN



BASEMENT PLAN



GROUND FLOOR PLAN
SCALE 1:100 @ A1



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