



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Licensing Sub-Committee

Thursday, 9 January 2014
10.00 am

Municipal Offices, Promenade, Cheltenham, GL50 9SA

Membership	
Councillors:	Charles Stewart, Pat Thornton and Jon Walklett
Reserve Councillor:	Andrew Chard
Officers:	Phil Cooper, Licensing Officer, Peter Lewis, Head of Legal Services

Agenda

1.	ELECTION OF CHAIRMAN	
2.	APOLOGIES	
3.	DECLARATIONS OF INTEREST	
4.	DETERMINATION OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE-ST JAMES HOTEL, AMBROSE STREET, CHELTENHAM Report of the Licensing Officer	(Pages 1 - 42)

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Licensing Sub Committee – 9 January 2014

Licensing Act 2003: Determination of Application for a Variation of a Premises Licence

St James Hotel, Ambrose Street, Cheltenham

Report of the Licensing Officer

1. Introduction

- 1.1 The Licensing Act 2003 (the Act) allows applicants to apply for a premises licence or a variation of a premises licence at any time. In this case, an application for a variation of a premises licence was received on 13 November 2013 from the licence holders, Arkell's Brewery. A copy of the application is included at **Appendix A**. (See pages 9-26)
- 1.2 A copy of the existing premises licence is at **Appendix B**. (See pages 27-29)
- 1.3 The variations being sought are as follows:

- 1. To add licensable activities and / or to alter the times at which licensable activities are authorised:

Licensable activities	Dates and times authorised by existing Premises Licence	Dates and times applied for by way of variation of the Premises Licence
Sale / supply of alcohol	Mon – Sat 10:00 – 23:00 Sun 10:00 – 23:00 Unrestricted to hotel guests	Mon – Sat 10:00 – 00:00 Sun 12:00 – 23:00 Unrestricted to hotel guests
Performance of live music	None	Mon – Sat 10:00 – 00:00 Sun 12:00 – 23:00
Performance of recorded music	None	Mon – Sat 10:00 – 00:00 Sun 12:00 – 23:00
Performance of dance	None	Mon – Sat 10:00 – 00:00 Sun 12:00 – 23:00

- 2. To remove the following conditions from the licence:

<p>2(a) Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends, bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him, either on the premises or with a meal supplied at, but to be consumed off, the premises</p> <p>2(c) There shall be afforded in the premises for persons provided with board and lodging for reward, adequate sitting accommodation in a room not used or to be used for sleeping accommodation, for the service of substantial refreshment or for the supply or consumption of intoxicating liquor.</p>
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1.4 Representations have been received from a local resident and from a representative of the nearby Parish Church. Their objections are summarised at paragraph 4 of this report and are reproduced in full at **Appendix C**. (See pages 31-40)

1.5 Implications

1.5.1 Financial

Contact officer: Sarah Didcote
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Tel no: 01242 26 4125

1.5.2 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.

Contact officer: Fiona Samuda
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Tel no: 01684 272693

2. Application (Ref. 13/02058/PRMV)

2.1 Applicant: Arkell's Brewery

2.2 Premises: St James Hotel, Ambrose Street, Cheltenham, Gloucestershire, GL50 3LH

2.3 The applicant has volunteered to take various steps to promote the four licensing objectives, which are as follows. These will become conditions on the licence if the variation is granted.

(a) The Designated Premises Supervisor (DPS) shall maintain an active membership of the Nightsafe / Cheltenham Innkeepers' Association (or successor 'pubwatch' body).

(b) Six colour CCTV cameras will be installed covering the internal and external areas of the premises.

(c) The CCTV system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 14 days and be provided to authorised officers of the council and police on request.

(d) A 30 minute 'drinking up' time shall be provided to allow appropriate dispersal, use of lavatories etc.

(e) Suitable notices shall be posted inside and outside the premises to request patrons to leave the premises quietly and behave in ways that respect the interests of neighbours.

(f) Use of the outdoor area will cease at 23:00 everyday.

(g) The designated premises supervisor (DPS) shall ensure effective overall management of live and recorded entertainment, such as monitoring noise levels outside the premises, to ensure that noise from such activities does not cause a noise nuisance at the nearest noise sensitive premises.

(h) Whenever any regulated entertainment occurs past 22:00 indoors all windows and doors shall be kept shut during these activities.

(i) The 'Challenge 21' (or equivalent scheme) shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 21 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

3. Responsible Authorities

3.1 No objections were received from responsible authorities.

4. Other People

St James Hotel	Page 2 of 8	Last updated 30 December 2013
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- 4.1 Two relevant representations have been received. These are summarised below and reproduced in full at **Appendix C** (pages 31-40).

Mrs Lyn Guy (17 St Georges Tower, Chelsea Square, St Georges Place) has objected to the application on the grounds that extending the hours for music at the premises will cause a public nuisance.

Rev R. Littlewood (on behalf of the Parish of Saint Gregory's, St James' Square) has objected on the grounds that the sound levels at the premises as well as noise from customers leaving the premises will cause a public nuisance.

5. Local Policy Considerations

- 5.1 The 2003 Act introduces a unified system of regulation through two new types of licences: the premises licence (club premises certificates for qualifying clubs) and the personal licence. 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 Council's adopted licensing policy statement (Council 10th Feb 2012) includes the following:
- 5.4 The main purpose of this policy is to provide clarity to applicants, interested parties and responsible authorities on how the Council will determine applications for the sale/supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment and also to provide a basis for all licensing decisions taken by the Council over the next three years. It will also inform elected Members of the parameters within which licensing decisions can be made. (Paragraph1.3)
- 5.5 Through this policy the Council hopes that residents of and visitors to Cheltenham will be able to enjoy their leisure time safely and without fear of violence, intimidation or disorder while at licensed premises. (Paragraph1.4)
- 5.6 An effective licensing policy, alongside other initiatives, will work towards promoting the positive aspects of deregulation under the Act, such as promoting tourism, increasing leisure provision and encouraging the regeneration of the town centre as well as controlling the negative impacts such as increase in noise, nuisance, anti-social behaviour and crime and disorder. (Paragraph1.5)
- 5.7 It should be understood that this policy and the section 182 Guidance cannot anticipate every scenario or set of circumstances that may arise and as such there may be circumstances where the policy or guidance may be departed from in the interests of the promotion of the licensing objectives and where it is deemed appropriate to do so. In such cases the Council will give full reasons for departing from this policy. (Paragraph1.6)
- 5.8 The Council will carry out its licensing functions under the Act with a view to promoting the four 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. (Paragraph 4.1)

- 5.9 The aim of the licensing process is to regulate licensable activities so as to promote the licensing objectives. (Paragraph 4.2)
- 5.10 In determining a licensing application, the overriding principle adopted by the Council will be that each application is determined on its merits. Licence conditions will be tailored to the individual application and only those appropriate to promote the licensing objectives will be imposed. (Paragraph 4.3)
- 5.11 Each of the four objectives is of equal importance and will be considered in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business has on the vicinity. (Paragraph 4.5)
- 5.12 Through their operating schedule, applicants will be expected, where necessary, to demonstrate the positive steps taken to promote the licensing objectives. (Paragraph 5.3)
- 5.13 The operating schedule is a key document and, if prepared comprehensively, will form the basis on which premises can be licensed without the need for additional extensive conditions. The Council expects an operating schedule to indicate the steps that the applicant proposes to take to promote the licensing objectives. (Paragraph 5.4)
- 5.14 Applicants will be expected to propose practical measures to prevent disturbance to local residents and to indicate what action will be taken to prevent or reduce noise emanating from the premises. (Paragraph 5.6)
- 5.15 The complexity and detail required in the operating schedule will depend upon the nature and use of the premises. For premises such as a public house where public entertainment is not provided, only a relatively simple document will be required. For a major public entertainment venue it will be expected that issues such as public safety and crime and disorder will be addressed in detail. (Paragraph 5.7)
- 5.16 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events. (Paragraph 5.12)

Public Nuisance

- 5.17 The Council will expect applicants to set out in their operating schedules the steps taken, or proposed to be taken, to deal with the potential for public nuisance arising from the operation of the premises. (Paragraph 5.22)
- 5.18 Applicants should identify and describe through a risk assessment how these risks will be managed. Public nuisance could include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (Paragraph 5.23)
- 5.19 The role of the Council is to maintain an appropriate balance between the legitimate aspirations of the entertainment industry and the needs of residents and other users of the town including businesses, workers, shoppers and visitors. (Paragraph 5.24)
- 5.20 Playing of music can cause nuisance both through noise breakout and by its effect on patrons, who become accustomed to high sound levels and to shouting to make themselves heard, which can lead to them being noisier when leaving premises. Other major sources of noise nuisance are vehicles collecting customers, the slamming of car doors and the sounding of horns. These noises can be particularly intrusive at night when ambient noise levels are lower. (Paragraph 5.25)

- 5.21 Where relevant representations are received, the Council may attach appropriate conditions to licences, appropriate to support the prevention of undue noise disturbance from licensed premises. Where premises remain open after midnight the licence holder, will be expected to provide facilities which are relevant to controlling noise and the patrons of those premises late at night. The Council also expects that premises which produce noise generating licensable activities are acoustically controlled and engineered to a degree where the noise from the premises when compared to the ambient noise level will not cause undue disturbance. (Paragraph 5.26)
- 5.22 Licensees and their staff are expected to have sufficient measures in place to prevent such problems arising including a suitable litter and waste management program to ensure that the area outside the premises is kept free of litter at all times. (Paragraph 5.29)
- 5.23 Where the Council receives relevant representations, or where a responsible authority or an interested party seeks a review, the Council may consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective. (Paragraph 5.30)
- 5.24 Conditions may include maximum noise levels over particular time periods, the installation of acoustic lobbies; provision of signs, publicity and dispersal policies. (Paragraph 5.31)

6. National Guidance

- 6.1 Statutory guidance has been issued under Section 182 of the Licensing Act 2003. The committee must have regard to the guidance when determining this application. Below are relevant extracts for the benefit of the committee. Emphasis added.

Licensing objectives and aims

- 6.2 The legislation provides a clear focus on the promotion of four statutory objectives *which must be addressed when licensing functions are undertaken*. (1.2)
- 6.3 The licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm. (1.3)
- 6.4 *Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times*. (1.4)
- 6.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.

They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;

- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them. (1.5)

Legal status

6.6 *Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken. (1.9)*

Licence conditions – general principles

6.7 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format. (1.16)

Each application on its own merits

6.8 *Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case. (1.17)*

Public nuisance

6.9 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate 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 the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter. (2.18)

- 6.10 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 other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health. (2.19)
- 6.11 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)
- 6.12 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area 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 appropriate. (2.21)
- 6.13 Where applications have given rise to representations, any 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 relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave. (2.22)
- 6.14 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night. (2.24)

7. Licensing Comments

- 7.1 The committee must have regard to the statutory guidance issued by the Secretary of State, the Council's adopted policy statement, the representations made and the evidence it hears when determining this application. In particular, the committee must seek to promote the four licensing objectives when determining the application.

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- 7.2 A plan showing the location of the premises in relation to the addresses of the objectors is attached at **Appendix D** (See page 41).
- 7.3 Members should take into consideration only those objections which relate to one or more of the licensing objectives, which are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- Members should disregard objections which do not relate to the licensing objectives.
- 7.4 **Other premises** – Both objectors have referred in their representations to other, nearby premises. Members are reminded that this application must be determined on its own merits and not in relation to other premises. If residents or other people have relevant complaints with regards to other licensed premises, they have the recourse of applying for a review of the licences of those premises.
- 7.5 The committee, having regard to the all of the above, must take such steps as it considers appropriate for the promotion of the licensing objectives which can include:
- Granting the application as requested;
 - Modifying the conditions of the licence; or
 - Rejecting all or part of the application.

Background Papers

Service Records

Report Author

Contact officer: Mr Philip Cooper
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Tel no: 01242 775200



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Arkell's Brewery

(Insert name(s) of applicant)

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

Premises licence number

13/00710/PRMVPS

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Ambrose Street

Post town	Cheltenham	Postcode	GL50 3LH
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Telephone number at premises (if any)	01242 522860
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Non-domestic rateable value of premises	£31,500
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Part 2 – Applicant details

Daytime contact telephone number	01793 823026
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E-mail address (optional)	lesley@arkells.com
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Current postal address if different from premises address	Arkell's Brewery Ltd Hyde Road Upper Stratton		
Post town	Swindon	Postcode	SN2 7RU

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? X Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 1)</p> <ul style="list-style-type: none"> To extend the hours for the sale of alcohol to 10:00 to 00:00 Monday to Saturday & 12:00 – 23:00 on Sunday. Add the following licensable activities to the licence: <ul style="list-style-type: none"> - Live music, 10:00 to 00:00 Monday to Saturday & 12:00 – 23:00 on Sunday - Recorded music, 10:00 to 00:00 Monday to Saturday & 12:00 – 23:00 on Sunday - Performance of dance, 10:00 to 00:00 Monday to Saturday & 12:00 – 23:00 on Sunday Remove conditions: <ul style="list-style-type: none"> - Annex 2(2)(a) “Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him either, on the premises or with a meal supplied at, but to be consumed off the premises” - Annex 2(2)(c) “There shall be afforded in the premises for persons provided for persons provided with board and lodging for reward adequate sitting accommodation in a room not used or to be used for sleeping accommodation, for the service of substantial refreshment or for the supply or consumption of intoxicating liquor.”
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

- 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 late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) <u>State any seasonal variations for performing plays</u> (please read guidance note 4) <u>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</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) <u>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</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments 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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) <u>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</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10:00	00:00			
Tue	10:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	10:00	00:00			
Thur	10:00	00:00	<u>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</u> (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	12:00	23:00			

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	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	10:00	00:00						
	-----	-----						
Tue	10:00	00:00						
	-----	-----						
Wed	10:00	00:00				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	10:00	00:00						
	-----	-----						
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)					
Sat	10:00	00:00						
	-----	-----						
Sun	12:00	23:00						
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Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10:00	00:00			
	-----	-----			
Tue	10:00	00:00			
	-----	-----			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
	-----	-----			
Thur	10:00	00:00			
	-----	-----			
Fri	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
	-----	-----			
Sat	10:00	00:00			
	-----	-----			
Sun	12:00	23:00			
	-----	-----			

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	12:00	23:00			
			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)		

K

<p>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).</p>

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	12:00	23:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

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

Page 23

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

To be dropped off by DPS.

M

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

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

b) The prevention of crime and disorder

- (a) The Designated Premises Supervisor (DPS) shall maintain an active membership of the Nightsafe / Cheltenham Innkeepers' Association (or successor 'pubwatch' body).
 - (b) Six colour CCTV cameras will be installed covering the internal and external areas of the premises.
 - (c) The CCTV system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 14 days and be provided to authorised officers of the council and police on request.
 - (d) A 30 minute 'drinking up' time shall be provided to allow appropriate dispersal, use of lavatories etc.

c) Public safety

d) The prevention of public nuisance

- (a) Suitable notices shall be posted inside and outside the premises to request patrons to leave the premises quietly and behave in ways that respect the interests of neighbours.
 - (b) Use of the outdoor area will cease at 23:00 everyday.
 - (c) The designated premises supervisor (DPS) shall ensure effective overall management of live and recorded entertainment, such as monitoring noise levels outside the premises, to ensure that noise from such activities does not cause a noise nuisance at the nearest noise sensitive premises.
 - (d) Whenever any regulated entertainment occurs past 22:00 indoors all windows and doors shall be kept shut during these activities.

e) The protection of children from harm

- (a) The 'Challenge 21' (or equivalent scheme) shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 21 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

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

Signature	CRAIG TITCHENER
Date	12112013
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

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

Lesley Davis
Ambrose Street

Post town	Cheltenham	Post code	GL50 3LH
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Telephone number (if any)	01793 823026
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
lesley@arkells.com

Notes for Guidance

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

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



CHELtenham
BOROUGH COUNCIL

Licensing Act 2003
Cheltenham Borough Council

Premises Licence Number

13/02072/PRMVPS

Part 1 – Premises Details

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

St James Hotel
Ambrose Street
Cheltenham
Gloucestershire
GL50 3LH

Telephone number 01242 522860

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale/Supply of Alcohol	Sunday	12:00 - 22:30
Sale/Supply of Alcohol	Monday to Saturday	10:00 - 23:00
Sale/Supply of Alcohol	Unrestricted to Residents	-

The opening hours of the premises

Opening Hours Not Restricted

Non Standard Timings

Not Applicable

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

Both

Part 2

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

Arkell's Brewery
Kingsdown
Swindon
Wiltshire
SN2 7RU

Electronic Mail	arkells@arkells.com
Business Phone Number	01242 522860
Head Office Phone Number	01793 823026

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

226913

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

Mr Kevin John Grieve

Business Phone Number	01242 522860
-----------------------	--------------

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

Party Reference: 12/02395/PERA

Licensing Authority: Cheltenham Borough Council

Signature of Issuing Officer



Executive Director

Date of Issue

14 November 2013

Annex 1 – Mandatory conditions

- 1 No retail sale of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - (c) Every retail sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
 - (d) The other conditions are any conditions specified in an order under section 19A and applicable to the premises licence.

Annex 2 – Conditions consistent with the Operating Schedule

- 1 In accordance with Schedule 8 paragraph 6(6) and (8) the embedded conditions and restrictions which apply to the existing licence(s) are preserved in this licence including:
 - (a) Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals in the licensed premises
- 2
 - a) Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him either, on the premises or with a meal supplied at, but to be consumed off the premises
 - b) Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals in the licensed premises.
 - c) There shall be afforded in the premises for persons provided for persons provided with board and lodging for reward adequate sitting accommodation in a room not used or to be used for sleeping accommodation, for the service of substantial refreshment or for the supply or consumption of intoxicating liquor.

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

- 1 Not Applicable

Annex 4 – Plans

- 1 See Attached Drg No. Ark-0055



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:	MRS LYN GUY
Name of the organisation/body/person you represent. (If appropriate)	—
Your full Postal Address or that of the organisation or body you represent	17 St Georges Tower, Chelsea Square, St Georges Place, Cheltenham GL50 3PU
Post Code	GL50 3PU

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 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:	150 50-60 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)

Extending the time ~~for~~ for music will disturb the part of our property ^{furthor} as it ~~could~~ be heard ^{when played in} Also the conduct of people dispersing can be bad at times. We also hear music & roudy behaviour from St Georges Vaults after 11pm. [The landlords should show some courtesy to their residential neighbours & ask patrons to keep their roudiness in check on leaving.]

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)

Capacity:	our resident
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Date:	7/12/13.
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-----Original Message-----

Sent: 23 November 2013 12:50

To: Internet - Licensing

Subject: St James Hotel - Arkell Brewery Ltd - top corner of Clarence Street, GL50

Dear Sir/Madam

We on the opposite side of the road at Chelsea Square and our apartment faces Clarence Street.

The St James Hotel on top corner of Clarence Street has requested a change of usage. They want permission to have:

Live and recorded music Monday to Sat from 10am to midnight, then on Sunday till 11.00pm and

Performance Dance - not sure what that means but same times as the above.

Plus remove the current conditions they have on the annexe at the side - 2(2) and 2(2)(c).

Could you please advise what performance dance is and what conditions they wish removed.

We have enough trouble sometimes with the pub behind the Strozzi Palace with loud music going on beyond 11pm and their patrons shouting and yelling as they leave.

Also St James previously played loud music which was intrusive and did not seem to take any notice of complaints.

We look forward to the above information in due course and before the close off period of consultation.

I am also a director of the management company at Chelsea Square so my request is both collectively on behalf of the other directors & residents as well as personal - Lyn Guy.

Yours sincerely
Lyn and Terry Guy

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

Parish Office, 10 St James Square, Cheltenham, GL50 3PR



As from:
No. 3, Saint James' Square,
Cheltenham.
Glos.. GL50 3PR.

9th December 2013

Dear Sirs,

Public Notice Licensing Act 2003
Application to vary a premises licence: reference: 13/02072/PRMVPS
Saint James Hotel, 7, Ambrose Street, Cheltenham. GL50 3LH

We are concerned to note the extensions, the additions and removal of conditions, which the applicant has set out in this application, based on an earlier previous application.

As known to the applicant's previous tenant(s)/occupiers, presumably therefore the applicant itself, Saint Gregory's church is an active church, with activities in the Church building and the adjoining Parish Hall, with an entrance and exit, literally a few metres across Ambrose Street/Clarence Street.

Over the weekend, in the Church itself, with some 900 people attending, there are services during the day and an evening service, after each of which, the Parish Hall is open and used for hospitality and various activities by a considerable number of people, including families, elderly and young people. Should there be a wedding or a funeral, then not only is the Church used but, also, the facilities of the Parish Hall.

The Parish Hall itself, is used for various parish occasions, including talks, wedding receptions, funeral wakes and usual parish activities, including family parties.

On week days, the hall is used by a variety of people, not all church orientated, including youth, elderly and the NHS, and in the evenings by Alcoholics Anonymous, Narcotics Anonymous and others.

Already known to previous tenants/occupiers, there have been disturbances from the site of the application, arising from customers spilling onto the pavement; Christmas and Easter being of concern, Gold Cup week is an anxiety. The level of sound from, particularly, as to the sound equipment, and the crowd of people outside the hotel/public house is a real concern.

We are also, certainly, mindful of the planning application/change of use application on nearby Gibson House, Saint James' Square (less than 200m from the applicant's site) and the ready availability of similar activities locally, in the centre of Cheltenham, which negate the need for the present application.

We attach a copy of our recent letter to Arkells Ltd (26.11.13) and two subsequent emails, the one from Arkells Ltd and our reply (both 4.12.13). We note Arkells' email response to our letter makes no mention of the actual need for the variations, rather it asks about our concerns, previously outlined. There has not yet been a reply to our response,

Yours sincerely,

Rev R. Littlewood
Parish Deacon and on behalf of the Parish Priest and
Parish of Saint Gregorys, Saint James' Square,
Cheltenham.

Cheltenham Borough Council,
Licensing Section,
Municipal Offices,
Promenade,
CHELTENHAM,
GL50 9SA

COPY

As from:

No. 3, Saint James' Square,
Cheltenham.
Glos.. GL50 3PR.

26 November 2013

Dear Sirs,

Your application to vary a premises licence:
Saint James Hotel, 7, Ambrose Street, Cheltenham. GL50 3LH

Would you please let us have some detail and an indication of the need for the extensions, the additions and removal of the conditions for which you are making this application. The detail included in the application, at this time, raises some concerns, which, hopefully, might be allayed.

Regards.

Yours sincerely,

Rev R. Littlewood
Parish Deacon and on behalf of the Parish Priest and
Parish of Saint Gregorys.

Arkells Brewery Ltd
Kingsdown Brewery
Swindon
SN2 7RU

Robin Littlewood

From: St Gregorys Church [redacted]
Sent: 04 December 2013 12:50
To: 'Robin Littlewood'
Subject: FW: St James, Ambrose Street, Cheltenham, Glos, GL50 3LH

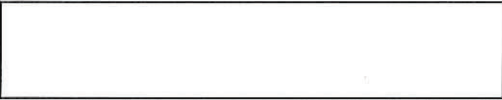
Hi Robin,

Canon Bosco has asked me to forward on to you for your info/attention.

Many thanks.

Mary C

St Gregorys Church
1 The Landings, Upper St. James, Cheltenham, Glos, GL50 3LH



Clifton Catholic Diocesan Trustees Registered Charity No. 252592
Registered Office: St Ambrose, North Road, Leigh Woods, Bristol, BS30 7FW

From: Lesley Davis [redacted]
Sent: 04 December 2013 [redacted]
To: [redacted]
Subject: St James, Ambrose Street, Cheltenham, Glos, GL50 3LH

Good afternoon,

I am writing with reference to your letter regarding the variation of the St James hotel, our intention is to change the times of opening from 11.00pm to 12.00pm.

Please let me know of any concerns you have and we can answer your questions.

Many thanks.

Lesley Davis
Tied Trade Secretary
Arkells Brewery Ltd
Hyde Road
Upper Stratton
Swindon
SN2 7RU

Telephone: [redacted]
Fax: [redacted]
E-mail: [redacted]

Robin Littlewood

From: Robin Littlewood [redacted]
Sent: 04 December 2015 17:26
To: [redacted]
Subject: St James Hotel, Ambrose Street, Cheltenham, Glos, GL50 3LH

Good evening

Our concern is the actual need for longer hours, the addition of Live and Recorded music, Dance and the removal of the Conditions in Annex 2.

Your company is already aware of the established use of our premises, both as an active Church and community, with daily services, attended at weekends by some 900 or so people and the many activities in the Parish Hall directly opposite and across the road from the St James Hotel, again during the week in the daytime and evenings.

Those using our premises include families, young people and children. A number of the established users of the premises may be considered as vulnerable.

We are concerned that perhaps not sufficient thought and care has been taken in the course of making the application to your premises and those nearby.

Late night activities, at the site of the application have been a cause of complaint, as known to your tenants and customers at the time.

The application is therefore a concern, which needs to be allayed.

Regards
(Rev) Robin Littlewood

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

Parish Office, 10 St James Square, Cheltenham, GL50 3PR



23rd December 2013

Dear Mr Cooper,

Public Notice Licensing Act 2003

**Application to vary a premises licence: reference: 13/02072/PRMVPS
Saint James Hotel, 7, Ambrose Street, Cheltenham. GL50 3LH**

In reply to your letter of the 12th December, I confirm:

1. We are objecting to the application, as outlined in my letter of the 9th December.
2. We had hoped that it would have been possible to allay our concerns over the Application for the variation of times and additional activities set out.
We have exchanged emails with the Applicant, which only asked us for a note of our concerns, which were supplied, but it has still left outstanding our request to detail the need for the Application, and its component parts. The reason our representations/objections were only received by you on the last day was because, we had hoped, it would be possible to have a response to our request but, even now, we remain without a reply. (A copy of the emails was attached to our letter to you with our representations of the 9th December.)
3. Our concerns include:
 - a. a threat to the level of noise, nuisance and amenity, with the longer hours (10.00am-midnight/11pm), the additional licensable activities and removal of conditions.
 - b. the protection of the elderly, vulnerable and young, who use our premises, particularly the Old Priory Hall, which is let out during the week, either up &/or downstairs, during the day and evenings and also at weekends, again during the daytime and evening.
 - c. there is a current application for Listed Building Consent and Change of Use (from nightclub to include flats, restaurant and function room etc) on very nearby Gibson House and Burton House, St James Square, which negates the need for the current application. Indeed, there are also other nearby premises providing similar facilities to those sought by the Applicant.
4. I intend to attend the hearing, presuming there have been sound objections for the hearing to have been allocated.

Yours sincerely,

Rev Robin Littlewood

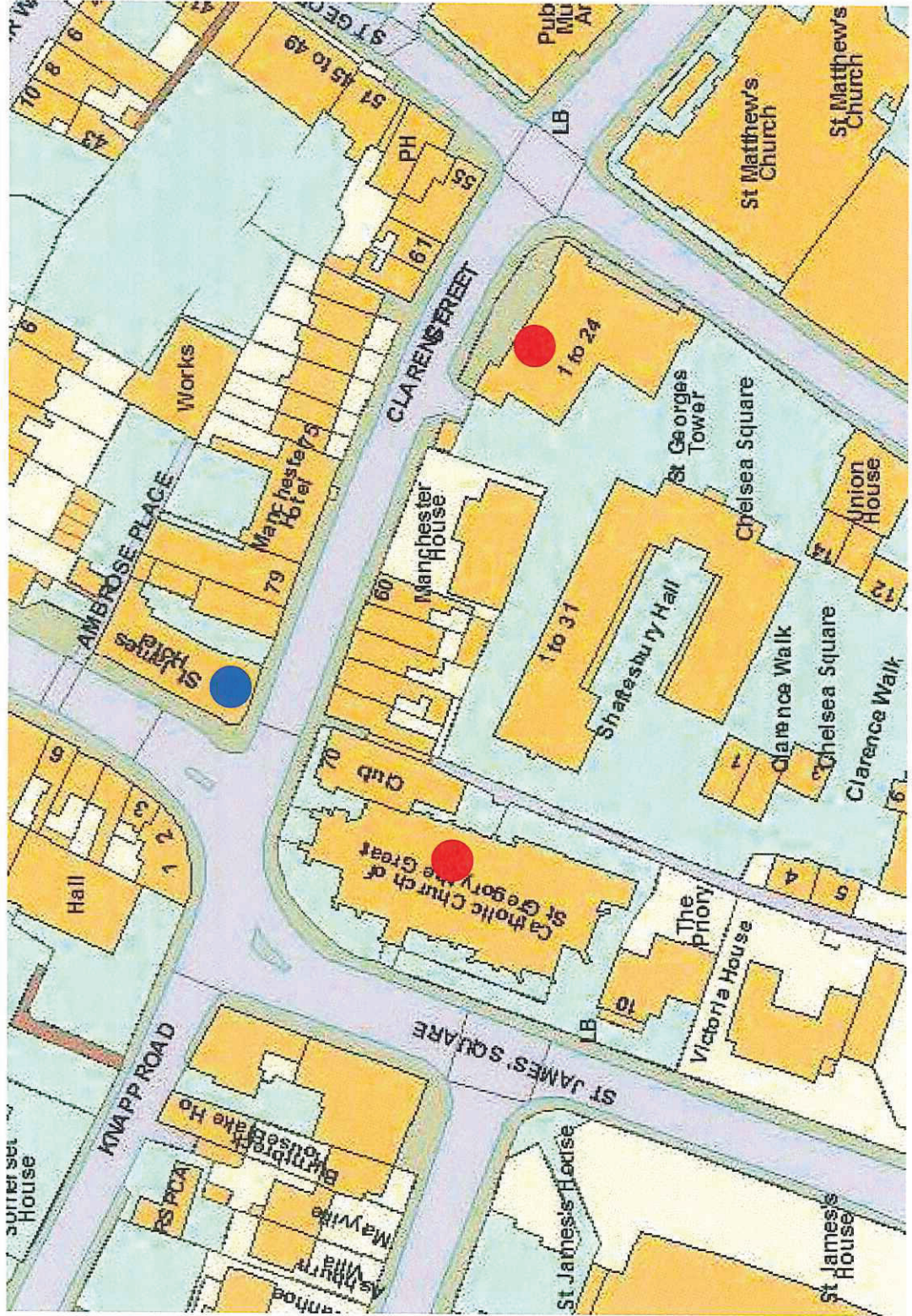
Parish Deacon and on behalf of the Parish Priest and Parish of Saint Gregorys.

Mr Philip Cooper, Licensing Officer, Cheltenham Borough Council,
Licensing Section, Municipal Offices, Promenade, Cheltenham. GL50 9SA

St James Hotel, Ambrose Street, Cheltenham, Gloucestershire, GL50 3LH

● Location of premises:

● Location of objectors:



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