



**Notice of a meeting of
Licensing Sub Committee-Alcohol and Gambling**

**Thursday, 7 November 2019
2.00 pm
Pittville Room - Municipal Offices**

Membership	
Councillors:	Diggory Seacome, Mike Collins, and Paul McCloskey
Officers:	Vikki Fennell and Louis Krog

Agenda

1.	ELECTION OF CHAIR	
2.	DECLARATIONS OF INTEREST	
3.	THE ALCHEMIST, UNIT 8, THE BREWERY QUARTER, HENRIETTA STREET, CHELTENHAM Report of the Licensing Team Leader	(Pages 3 - 36)
4.	ANY OTHER ITEMS THE CHAIRMAN DETERMINES TO BE URGENT AND WHICH REQUIRES A DECISION	

Contact Officer: Sophie McGough, Democracy Officer,
Email: democratic.services@cheltenham.gov.uk

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Cheltenham Borough Council

Licensing Sub Committee – 7 November 2019

Licensing Act 2003: Determination of Application for a Premises Licence

The Alchemist, Unit 8, The Brewery Quarter, Henrietta Street, Cheltenham

Report of the Licensing Team Leader

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 13 September 2019 from The Alchemist Bar & Restaurant Limited in respect of The Alchemist, Unit 8, The Brewery Quarter, Henrietta Street, Cheltenham. A copy of the application is included at **Appendix A**.

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

Sale by Retail of Alcohol - Sunday	09:00 - 01:00 Both
Sale by Retail of Alcohol - Monday to Wednesday & Sunday	09:00 - 01:00 Both
Sale by Retail of Alcohol - Thursday to Saturday	09:00 - 02:00 Both
Exhibition of a Film - Sunday	09:00 - 01:00 Indoors
Exhibition of a Film - Monday to Wednesday	09:00 - 01:00 Indoors
Exhibition of a Film - Thursday to Saturday	09:00 - 02:00 Indoors
Performance of Recorded Music - Sunday	09:00 - 01:00 Indoors
Performance of Recorded Music - Monday to Wednesday	09:00 - 01:00 Indoors
Performance of Recorded Music - Thursday to Saturday	09:00 - 02:00 Indoors
Late Night Refreshment - Sunday	23:00 - 01:30 Indoors
Late Night Refreshment - Monday to Wednesday	23:00 - 01:30 Indoors
Late Night Refreshment - Thursday to Saturday	23:00 - 02:30 Indoors

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

1.4 Implications

1.4.1 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.

One Legal

E-mail: legalservices@teWKesbury.gov.uk

Tel no: 01684 272693

2. Application (Ref. 19/02736/PRMA)

- 2.1 Applicant: The Alchemist Bar & Restaurant Limited
- 2.2 Agent: Kuit Steinart Levy LLP
- 2.3 Premises: The Alchemist Unit 8 The Brewery Quarter Henrietta Street Cheltenham
- 2.4 Steps to promote the four licensing objectives that are identified in the application form attached at **Appendix A**.

3. Responsible Authorities

- 3.1 No Representations Received

4. Interested Parties

- 4.1 One representation has been received from an interested party attached at **Appendix B**.

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)**

5.4 Measures to limit nuisance (para 3.20 to 3.22 in the policy)

- a) 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.

The Alchemist		
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- b) 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.
- c) Applicants will be expected to have included measures in their operating schedules that make adequate provision to:
 - i. restrict the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open air site;
 - ii. limit the escape of noise from the premises or open air site;
 - iii. restrict noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping;
 - iv. minimise and control noise from customers arriving at the premises, or open air site outside it and departing from it;
 - v. minimise and control noise from staff, contractors and suppliers and their activities;
 - vi. minimise and control noise from vehicles associated with and providing services to the premises or open air site and their customers;
 - vii. determine whether people standing or sitting outside premises are likely to cause obstruction or other nuisance;
 - viii. whether the premises are under or near to residential accommodation;
 - ix. the hours of the sale of alcohol in open containers or food for consumption outside the premises;
 - x. measures to make sure that customers move away from outside premises when such sales cease;
 - xi. measures to collect drinking vessels and crockery, cutlery and litter;
 - xii. the extent and location of areas proposed to be set aside for the consumption of food and alcoholic drink and for smoking;
 - xiii. whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied from the premises or not).
 - xiv. adequate measures to prevent the following arising from the proposed licensable activity that may cause disturbance to people in the vicinity:
 - a. litter, smells, fumes, dust, smoke, or other emissions;
 - b. street fouling;
 - c. light pollution.

5.5 Core Hours for Licensable Activities (para 6.39 to 6.43 in the policy)

- a) The council will avoid arbitrary restrictions on licensing hours that undermine the principles of flexibility and consideration of each application is on its own merit.

- b) The council believes that licensable activities carried on within the core hours set out below will generally not have a harmful impact on the licensing objectives, address the concerns raised by local residents and businesses and are less likely to attract representations.
- c) Furthermore, earlier closing will result in less alcohol consumption and drunkenness and would also be consistent with the ability to get crowds dispersed from the town centre.

Type of premises	Commencement Hour	Terminal hour
	No earlier than	No later than
Off licence	09:00	23:00
Restaurants	10:00	01:00
Theatres, cinemas and other performance venues	10:00	00:00
Pubs/Bars/Nightclubs	<u>Town centre</u> ¹	
	10:00	03:00
	<u>Local Neighbourhood Areas</u>	
	10:00	00:00
Takeaways	n/a	04:00

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.”

¹ As defined in Appendix D.

- 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 A plan of the location of the premises is attached **Appendix C**.
- 7.2 The plan of the proposed premises is submitted with the application is attached at **Appendix D**.
- 7.3 With regards to the objection received, Members are to note that any decision made in relation to this application will not set a precedent, as suggested by the objector, as the authority is obligated to determine each application on its merits.

To this extent therefore, the concern that this application will “change the whole character of the Brewery Quarter and open up the possibility of alcohol-fuelled late night/early morning nuisance, disorder, antisocial behaviour and crime” cannot be taken as relevant.

- 7.4 Members are also to note the authority’s policy on “Core Hours for Licensable Activities” as outlined at paragraph 5.5 of this report. This application complies with a terminal hour of no later than 03:00 for bars in the town centre.
- 7.5 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

Report Author

Contact officer: Mr Louis Krog
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 262626

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.

I/We The Alchemist Bar & Restaurant 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 I/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 The Alchemist, Unit 8, Brewery Quarter, Henrietta Street			
Post town	Cheltenham	Postcode	GL50 4FA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£94,500

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | 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 in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ 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 (by ticking yes to one box below):

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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth I am 18 years old or over <input type="checkbox"/> Please tick yes					
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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 The Alchemist Bar & Restaurant Limited
Address Chadsworth House, Wilmslow Road, Handforth, SK9 3HP
Registered number (where applicable) 06957833
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?

DD	MM	YYYY
1	1	1 0 2 0 1 9

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Bar and restaurant trading as The Alchemist - <https://thealchemist.uk.com/>

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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)



Supply 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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon	09:00	01:00			
Tue	09:00	01:00			
Wed	09:00	01:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	09:00	02:00			
Fri	09:00	02:00			
Sat	09:00	02:00	<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 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	09:00	01:00			
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<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 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon	09:00	01:00			
Tue	09:00	01:00			
Wed	09:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	09:00	02:00			
Fri	09:00	02:00			
Sat	09:00	02:00	<u>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</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	09:00	01:00			
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	23:00	01:30			
Tue	23:00	01:30			
Wed	23:00	01:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	02:30			
Fri	23:00	02:30			
Sat	23:00	02:30	<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 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	23:00	01:30			
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	09:00	01:00			
Tue	09:00	01:00			
Wed	09:00	01:00			
Thur	09:00	02:00	<u>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</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.		
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	01:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Georgina Daisy Robinson	
Date of birth 23/07/1993	
Address 5 Dunham Court, Hartford, Norwich, Cheshire	
Postcode	CW8 2EX
Personal licence number (if known) CWC18.03969	
Issuing licensing authority (if known) Cheshire West and Chester Council	

K

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 9).

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	01:30	
Tue	09:00	01:30	
Wed	09:00	01:30	
Thur	09:00	02:30	
Fri	09:00	02:30	<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 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.
Sat	09:00	02:30	
Sun	09:00	01:30	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please see attached operating schedule and policies.

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

Checklist:

Please tick to indicate agreement

- 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 designated 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. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Kuit Steinart Levy LLP
Date	12 September 2019
Capacity	Solicitors and Authorised Agents

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **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 14) Kuit Steinart Levy LLP, 3 St Mary's Parsonage			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any)	0161 838 7888		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) rebeccaingram@kuits.com			

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From: Les Thurlow
Sent: 27 Sep 2019 16:35:04 +0000
To: Internet - Licensing
Subject: The Alchemist. Request for late night alcohol license.

To the Licensing Committee

This application by The Alchemist in the Brewery Quarter includes a request for an alcohol license until 2 am with an extra 30 minutes drinking up time.


I and many of the residents in my area are a little concerned by this.

So far, the development of the Brewery Quarter as an entertainment area has been successful and has not attracted excessive late night noise, antisocial behaviour, overt drunkenness, drug use, or crime, as far as we know. This is, I think, because the licensed establishments in the area are bars with food or restaurants, and generally have a reasonable alcohol serving end time (around 10.30/11.00 or so). By granting a late night/early morning license of 2.0 am to The Alchemist this may encourage other establishments in the Brewery to apply for the same. And we believe that this might change the whole character of the Brewery Quarter and open up the possibility of alcohol-fueled late night/early morning nuisance, disorder, antisocial behaviour and crime.

To compound the problem, there is a high number of students who are resident in this area during term time and they now tend to avoid the Brewery Quarter for their late night drinking because it shuts at a reasonable early hour. We residents already suffer the results of excessive student drinking in the form of late night noise, nuisance, disorder and anti-social behaviour from such residents as they make their late night and early morning way between clubs in town and their student accommodation, and we feel that opening up the Brewery in this way with more lax licensing laws will make the local nuisance/disorder problem unbearable.

If The Alchemist truly has a different business model from that of the other drinking/eating establishment in the Brewery, then I would hope that the licensing committee will view this application especially and not at any time apply an equivalent decision to subsequent applications from other establishments wanting also to extend their licenses.

I would also hope that the committee might consider a compromise to the requested closing time. Instead of 2.00 am, an alcohol serving end time of 11.30 or 12.00 midnight latest might be safer for all.

Yours sincerely
Les Thurlow, Owner/Resident
26 Dunalley Street, GL50 4AP


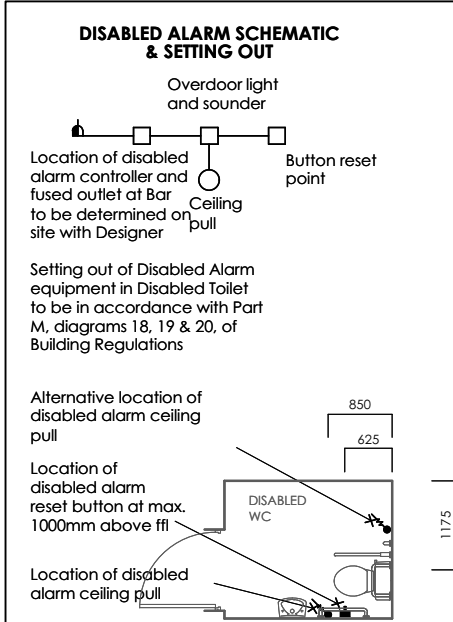
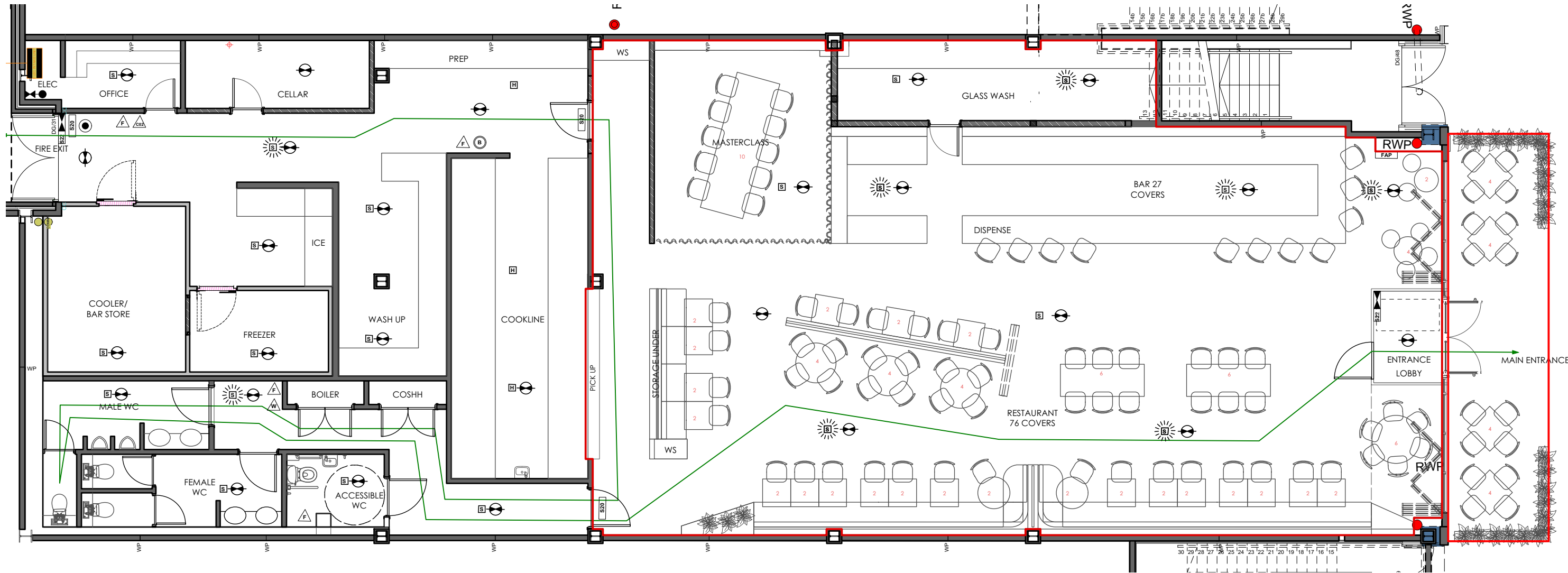
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FIRE ALARM SCHEDULE	
INTERFACE REQUIREMENTS	
SYSTEM	- INTERFACE TO LANDLORD'S - INTERFACE TO HVAC PANEL
FIRE FIGHTING EQUIPMENT & SIGNS	
	WATER FIRE EXTINGUISHER & SIGN
	CARBON DIOXIDE EXTINGUISHER & SIGN
	AFFF FOAM FIRE EXTINGUISHER & SIGN
	FIRE BLANKET & SIGN
	FIRE DOOR KEEP SHUT
	FIRE EXIT KEEP CLEAR
	FIRE DOOR KEEP LOCKED SHUT
	FIRE SAFETY SIGN

FIRE ALARM SYSTEM	
A Fire Alarm system will be installed to BS 5839 : Part 1, 2013 Code of Practice for system design, installation, commissioning and maintenance, comprising of devices as indicated, in non-domestic premises. The system category is to be an L2 system.	
	Fire Alarm Panel
	Magnetic Door Hold
	Manual Call Point
	Heat Detector
	Smoke Detector
	Indicator For Void detector
	Indicates Void Detector
	Combined Smoke Detector & Zenon Beacon
	Zenon Beacon
	Sounder/Sounder Base

EMERGENCY LIGHTING SYSTEM	
An independent self-contained non-maintained system, type XOA180, will be installed in accordance with BS 5266-1:2011, Emergency Lighting - Part 1 : Code of Practice for Emergency Lighting of premises other than cinemas and certain other specified premises for entertainment, and BS EN 50172 : 2004, BS 5266-8 : 2004 Lighting Applications - Emergency Lighting. Luminaires will be located in the approximate positions indicated on this drawing. All signs and notices will comply with BS 5499 : Part 1 - Fire Safety Notices and Graphic Symbols.	
	3 hr maintained exit legend FoH - Channel 'Razor' BoH - Channel 'Alpine'
	3 hr non-maintained Channel 'Meteor' Surface Bulkhead
	3 hr non-maintained Channel 'Safe Spot' 3W Recessed, To FOH surface mounted to BOH
	3 hr non-maintained Channel 'Glide' 1W Recessed
	3 hr non-maintained Channel 'SoHo' LED luminaire with PIR - E/SOHO/M3MW
	3 hr maintained external Channel 'Brooke' Surface Bulkhead
	3 hr non-maintained flood Channel 'Grove'

FIRE ALARM PANEL Split box with fused isolator and DP key switch to be installed for Fire Alarm Panel
THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS AT PRESENT. THIS MAY BE VARIED FROM TIME TO TIME WITH THE AGREEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.
TOTAL AREA OF RED LINE (LICENSABLE ACTIVITIES) INTERNAL = 2662 SQ FT OR 69 SQ M EXTERNAL = 275 SQ FT OR 25 SQ M RED LINE INDICATES EXTENT OF AREA FOR LICENSABLE ACTIVITIES

Revisions			
REV	DATE	INT.	DESCRIPTION
XX	XXXX_XX_XX	XX	XXXXXXXXXXXX



turnerbates
DESIGN & ARCHITECTURE

Design Intent Drawing. Do not scale. All dimensions to be checked on site. This drawing is the sole copyright of turnerbates and is not to be reproduced without permission.

All survey information used in this drawing was provided by CLIENT FULL NAME. All areas and measurements to be checked on-site.

PROJECT	CLIENT
PROJECT	THE ALCHEMIST
PROJECT	CHELTENHAM BREWERY QUARTER
ADDRESS	UNIT 8, CHELTENHAM BREWERY QUARTER, CHELTENHAM, GL50 4FA
STATUS	FOR LICENSING

PROPOSED LICENSING PLAN			
Figured dimensions take precedence over scale dimensions. Contractors must verify all dimensions on site before commencing any work or making shop drawings.			
SCALE @A3	DATE	DRAWN	CHECKED
1:100	09/19	AJ	JG
PROJECT NUMBER	DRAWING NUMBER	REVISION	
TB_19_1716	500	100	

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