



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

**Thursday, 2 July 2020  
10.30 am**

**Virtual WEBEX video conference via YouTube -  
<https://www.youtube.com/user/cheltenhamborough>**

<b>Membership</b>	
<b>Councillors:</b>	Mike Collins, Simon Wheeler and Roger Whyborn
<b>Officers:</b>	Vikki Fennell (Legal Officer) and Jason Kirkwood (Senior Licensing Officer)

**Agenda**

<b>1.</b>	<b>ELECTION OF CHAIR</b>	
<b>2.</b>	<b>APOLOGIES</b>	
<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>4.</b>	<b>THE ST JAMES' CLUB, GIBSON HOUSE. CHELTENHAM</b> Report of the Senior Licensing Officer	(Pages 3 - 434)
<b>5.</b>	<b>ANY OTHER ITEMS THE CHAIRMAN DETERMINES TO BE URGENT AND WHICH REQUIRES A DECISION</b>	

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## Cheltenham Borough Council

### Licensing Sub Committee – 2<sup>nd</sup> July 2020

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

#### For The St James' Club, Gibson House. Cheltenham. GL50 3QG

#### Case Officer: Jason Kirkwood - Senior Licensing Officer

#### Introduction

1. The Licensing Act 2003 (the 2003 Act) introduced a unified system of regulation through four types of authorisation to permit licensable activity:-
  - The premises licence,
  - The club premises certificates for qualifying clubs,
  - Temporary Event Notices and
  - The personal licence.
2. Licensable activity is defined under the 2003 Act as the following:-
  - The sale by retail or the supply of alcohol,
  - Regulated entertainment (recorded and live music, performance of a play, exhibition of a film, etc)
  - Late night refreshment (food or drink supplied above ambient temperature between the hours of 23:00 and 05:00).
3. Since the implementation of the 2003 Act, Central Government has issued Statutory Guidance (the Guidance) to provide more comprehensive and detailed advice on this legislation. It was last updated on 6 April 2018. The licensing authority must have regard to the Guidance when determining this application.
4. The Guidance is binding on Cheltenham Borough Council acting in its capacity as a licensing authority under the 2003 Act. However, the licensing authority may depart from it, if it has good reason to do so. Departure from this Guidance could give rise to an appeal or judicial review, and so clear reasons must be referenced in such instances.
5. The 2003 Act requires that a council must formulate and publish a statement of its licensing policy. This will explain the manner in which the licensing authority will carry out its responsibilities under the 2003 Act. The licensing authority may depart from the Statement of Licensing Policy (the Policy), but must give good reason(s) where it chooses to do so.
6. The Guidance and Policy are both referenced: through elements of this report, through a summary of the most relevant extracts from each attached as appendices and by way of weblinks to both documents.

#### Background

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7. The Borough Council, as the licensing authority, is responsible for authorising all venues/ events in the borough where licensable activities take place.
8. The legislation provides a clear focus on the promotion of four statutory objectives which must be considered when licensing functions are undertaken.
9. The system is built upon four licensing objectives:-
  - The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance; and,
  - The protection of children from harm.
10. The licensing authority must promote these objectives in carrying out its functions.
11. Each objective is of equal importance. There are no other statutory licensing aims or objectives, although other aims and objectives may be pursued through local policy.
12. Where an application is made to the licensing authority, the default position is that the application will be granted, as applied for, unless relevant representations (objections) are received. If relevant representations are received, a hearing must be held to consider the application, in light of the objections and/ or any support for it.
13. An objection against an application must refer to the promotion of one or more of the licensing objectives to be considered as a relevant representation, and must be made by a Responsible Authority or an 'Other Person'.
14. Responsible Authorities: - The 2003 Act identifies 10 responsible authorities that act as statutory consultees for applications for premises licences. All of these consultees are served with a copy of the application and have the opportunity to object or make comment:-
  - The relevant Licensing Authority,
  - The Chief Officer of Police
  - The local Fire and Rescue Authority
  - The relevant health and safety enforcing authority
  - The local authority with responsibility for environmental health
  - The local Planning Authority
  - The relevant body with responsibility for the protection of children
  - The relevant Public Health Authority
  - Trading Standards
  - Home Office Immigration Enforcement (on behalf of the Secretary of State).
15. Other Persons - The 2003 Act allows any individual, body or business to make representations to the licensing authority regarding an application for a premises licence, where their comments relate to the promotion of the licensing objectives.
16. Mediation - In some cases, mediation by the licensing authority has the potential to find a satisfactory conclusion for all parties, and a hearing may be dispensed with, if all parties agree. Due to the volume of representations, it has not seemed realistic for mediation to produce such an outcome in this case.

## Policy Considerations

17. Core Hours for Licensable Activities - As set down in the Policy 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.
18. However, 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 usually less likely to attract representations.
19. 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.

Table 1: Core Hours for Licensable Activities

Type of premises	Commencement hour no earlier than	Terminal hour no later than
Off licence	09:00	23:00
Restaurant	10:00	01:00
Theatres, cinemas and other performance venues	10:00	00:00
Pubs/ bars/ nightclubs	Town centre 10:00	03:00
	Local neighbourhood areas 10:00	00:00
Takeaways	N/a	N/a

20. As set down in Appendix D of the Policy, the location for the St James' Club is defined as a 'town centre' location.
21. Where relevant representations have been made, the sub - committee will take the following matters into consideration when making a decision, as per the Policy. These are not a definitive list and other matters may be considered:-
  - a) Operating schedules - demonstration of compliance with management standards to support each of the licensing objectives.
  - b) Proximity to residential accommodation - the likelihood of the operation to have an adverse impact on the peace and quiet of local residents.
  - c) Potential noise and nuisance from people leaving and entering the premises.
  - d) Ability to demonstrate that systems in place to ensure timely dispersal of customers away from residential areas.

- e) Use of external areas for carrying out the licensable activities and potential noise impact on local residents.
- f) Proposed hours of the licensing activities and general opening times for the public – The use of winding down periods to enable more efficient dispersal.
- g) Type of use – alcohol led premises such as pubs, bars and nightclubs, off licenses and hot food take away premises are more likely to be associated with crime and disorder and public nuisance than other premises such as seated restaurants, theatres, cinemas and other cultural activities.
- h) Availability of public transport to assist in the timely dispersal of customers from the vicinity and to ensure safe travel home.
- i) The potential for contamination of the street environment through increased litter and other pollution of the streets by customers

### The Determination of an Application

- 22. Where relevant representations have been received and mediation is unsuccessful or not viable, then the licensing authority's discretion will be engaged. It will convene a hearing by a sub – committee of the Licensing Committee to consider the application and representations.
- 23. Responsible authorities and/or other persons in relation to an application may attend the hearing, with adequate notice, to amplify and clarify their relevant comments. They may not add to their original representation once the objection period has closed.
- 24. The applicant may also attend the hearing to assist the authority in considering the application.
- 25. The hearing should focus on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise the representations and not stray into undisputed areas.
- 26. The sub – committee should determine the application with a view to promoting the licensing objectives in the overall interests of the local community. The licensing authority must give appropriate weight to:-
  - The Statutory Guidance - the current version is available to view [here](#) (the most relevant extracts to this case are attached at **Appendix 5** of this report).
  - The Cheltenham Borough Council Statement of Licensing Policy – the current version is available to view [here](#) (the most relevant extracts are attached at **Appendix 6** of this report).
  - The representations (including supporting information) presented by all the parties. (Attached at **Appendix 3 a – j**).
  - The steps that are appropriate to promote the licensing objectives.

### The Application

Case number: 20/00454/PRMA

Applicant: St James Club Limited

St James' Club		
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Licence type – premises licence

Address: Basement, Gibson House, St. James Square, Cheltenham. GL50 3QG

27. Other information: the premises will be known as 'the St James' Club'. Many objectors have referred to the name as 'Chemistry', as a venue operating in the past from this location was known under that name.
28. A sub - committee is required to discharge its duty and determine this application with a view to promoting the licensing objectives. This is because relevant representations have been made against the application.
29. The application is attached at **Appendix 1** and details the hours sought for licensable activity to take place. It includes the steps the applicant would take to promote the licensing objectives at Section M if the application is granted.
30. The application was received on 19<sup>th</sup> February 2020 and was deemed as duly made at that point. The close of the objection period was 19<sup>th</sup> March 2020. The application was sent electronically to all responsible authorities and public notice of the application was given by way of site notice and a notice in a local newspaper. An objector reported the site notice missing at one point, however an officer checked the site notice and it was still in place.
31. The application was accompanied by a plan of the premises, which is attached at **Appendix 2**. The location of the proposed venue is shown by way of area maps highlighting Gibson House at **Appendix 4 a - d**.

### Relevant Representations

32. During the objection period there were no relevant representations received from any responsible authority.
33. However, there were a relatively significant number of relevant representations from other persons. The breakdown of the relevant representations is as follows:-

Total letters/ email/ forms received – 194 (1 objection was withdrawn leaving this final total)

168 from individuals

21 from couples/ families/ persons living together representing 2 persons objecting

3 from local businesses/ organisations

1 from a Ward Councillor

1 from a 5 person household

Total named objectors – 219

67 of the above objectors describe themselves as parishioners of the church

10 of the above objectors describe a direct link with the school/ nursery.

34. *It should be noted that where objections only referred to the licensing objectives by name, further information was requested as far as possible.*

35. All relevant representations are attached at **Appendix 3 a – j**. They have been batched alphabetically as far as possible, each batch is manually page numbered and they are

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redacted to remove names, signatures and personal contact information (telephone numbers and email addresses). **Appendix 3 j** contains 2 representations out of that order, due to an administrative error.

## Hearing

36. It is clear that Government has a clear priority for the justice system, council meetings generally and regulatory functions to continue to be maintained, as far as practicable, notwithstanding the challenges faced by society through the measures introduced to tackle COVID – 19.
37. In usual circumstances, the hearing would have taken place prior to 18<sup>th</sup> April 2020. However, the sub – committee determined that the period within which the hearing should usually be held, as laid down in Statutory Instrument 2005 no. 44, should be extended for up to 3 months. This was because of the acute difficulties of holding it at the time due to the national emergency in relation to COVID – 19, in particular with no physical meeting possible. The high number of objectors, the apparent age dynamic of many of them and the likely difficulties in providing access to and managing a meeting through online means alone led to this decision.
38. However, the council will make its best endeavours to ensure that the hearing is held on 2<sup>nd</sup> July 2020, as it would be inappropriate to delay the matter further. It is hoped that certain government measures may have been relaxed slightly by that time, and with proper coordination and management, the hearing can be held by way of a combination of a physical meeting (with social distancing measures) and online facilities to view and take part in the meeting.
39. The council is currently preparing to deliver certain council meetings ‘virtually’, whereby the public/ councillors can view and/ or take part in meetings through online conference facilities. It is hoped to use those same facilities and a physical meeting through limited means to ensure access to the hearing, the right for all parties to be heard and provide transparency about the decision making process. Further information will be made available about how the hearing will be managed nearer to the time, as it will be dependent on a number of factors and ultimately the health and safety of all persons involved in this process.
40. In any event, the council appreciates that not all parties will want to attend the meeting in person, but it understands that they will want their views to be considered. Further, the council understands that many objectors may face difficulties in accessing a meeting online, and so may be hindered in engaging fully with the process.
41. Therefore, it seems prudent to ensure that objectors can voice their concerns through their local ward councillors and/ or a representative of their choosing. This approach has been taken by many councils where there are a number of objections to an application under ‘normal business’ circumstances.
42. *It is worth bearing in mind that normal practice at hearings would involve parties not repeating the points that have already been made to the sub – committee on the day. Furthermore, the sub – committee will consider all written representations in any event, and the hearing itself is the opportunity for parties to only ‘amplify and clarify’ the points they have already made in writing.*

43. On that basis, the case officer will make best endeavours to facilitate effective means for objectors to be heard in a coordinated and effective fashion. The ward councillors, a representative from the church and a representative from the local community will be contacted to discuss this approach, but this will not override the right for any party to act independently if they wish. All parties will be updated in due course as the council aims to secure good access to this meeting for all.

### **Case Officer Comments**

44. It became apparent very early in the consultation period that the application gave rise to concern amongst many local residents and other members of the public with connections to the area, in particular through a local church. In many instances concerns were raised with reference to the operation of the nightclubs Gas and Chemistry that previously occupied Gibson House.
45. An application for a premises licence at Gibson House was refused in 2010, but a premises licence had previously been in force for a number of years. The premises has not been licensed as a venue since at least 2010.
46. Members are asked to consider the following points, which seem pertinent to the case:-
1. Objectors raised significant concerns regarding the impact on the local community of a licensed venue at this location in the past.
  2. In light of those allegations, the sub - committee may consider to what extent concerns raised about previous use of the premises may have been due to poor management of the venue and/ or generally lower standards in the management of the night time economy at that time. If so, how far could those concerns be addressed by better management practice in future?
  3. Alternatively, they may consider the extent to which it is reasonable to believe that alleged past problems may reoccur through use of the venue due to a potential conflict of the intended activities and the nature of the area concerned. The specific details of this application and management controls proposed for the venue are crucial considerations in this respect.
  4. Many objectors have grave concerns about the proximity of a licensed venue to a church, but it must be acknowledged by all parties that moral issues cannot be considered in their own right. However, concerns raised in that regard that do relate to the promotion of the licensing objectives and this application certainly can be considered.
  5. It is understood the management team for the proposed venue will be different than has previously operated the venue.
  6. The sub-committee may wish to satisfy itself whether the prospective licence holder has policies and procedures in place to address the concerns raised by the objectors.
  7. It should be noted that an existing licensed premises is generally open until a later terminal hour on a daily basis in close proximity to this proposed venue – namely 'The Bottle of Sauce'. That premises is permitted to sell alcohol from 10:00 – 00:00 hours on Sunday – Thursday and 10:00 – 01:00 hours on Friday and Saturday, and seems to coexist well with the local community and does not apparently give rise to a disproportionate number of complaints.
  8. The operation of licensed venues in the night time economy seems generally more developed and improved since the previous venue closed. For example, the setting up

of Night Safe (launched in 2007) and the work done by stakeholders to achieve and maintain the Purple Flag status for the town (first awarded 2016) suggests a more effective partnership based approach to tackling alcohol related problems now exists.

47. Furthermore, all parties must recognize the following important considerations:-

- The decision making exercise is considered as an 'administrative' process in legal terms. However, there is potential for legal challenge against a decision, and where a party appeals, the decision making process is scrutinized. The licensing authority is bound by legislation and case law in how it carries out this function, and so must act accordingly.
- Members can only consider evidence/ reasoning presented, which is clearly related to the promotion of the licensing objectives and this specific proposal.
- The fact that no responsible authority objected to the proposal must be considered by the sub – committee. Where those bodies have concerns about an application, they can object and recommend conditions. They are considered as technical experts in their fields and have not objected, which confirms they are satisfied with the applicant's proposals.

48. Finally, the case *R (Hope and Glory Public House Limited) v City of Westminster Magistrates' Court* [2011] EWCA Civ 31 is considered an important licensing case that was considered by the Court of Appeal in 2011. An extract from the conclusion provides some assistance for the sub – committee:-

41. *As Mr Matthias rightly submitted, the licensing function of a licensing authority is an administrative function. By contrast, the function of the district judge is a judicial function. The licensing authority has a duty, in accordance with the rule of law, to behave fairly in the decision-making procedure, but the decision itself is not a judicial or quasi-judicial act. It is the exercise of a power delegated by the people as a whole to decide what the public interest requires. (See the judgment of Lord Hoffmann in Alconbury at para 74.)*

42. *Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the "heads or tails" variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.*

43. *The statutory duty of the licensing authority to give reasons for its decision serves a number of purposes. It informs the public, who can make their views known to their elected representatives if they do not like the licensing sub-committee's approach. It enables a party aggrieved by the decision to know why it has lost and to consider the prospects of a successful appeal. If an appeal is brought, it enables the magistrates' court to know the reasons which led to the decision. The fuller and clearer the reasons, the more force they are likely to carry.*



49. The last paragraph highlights in particular the statutory duty of the sub – committee to give clear written reasons for its decision. This allows all parties to an application to understand the eventual outcome in a meaningful way.

## **DECISION MAKING**

50. The sub – committee will consider thoroughly and diligently the representations and their relevance to the determination of this application. Members must limit their considerations of the objections to where they are specifically relevant to the application before them.
51. The licensing authority must determine the application and decide whether to:-
- **Grant the application with mandatory conditions and those offered in the application only, or**
  - **Grant the application with mandatory conditions, those conditions offered in the application (amended or otherwise) and attach specific conditions to promote the licensing objectives - where it considers it appropriate. (This may include restricting the hours applied for in the application), or**
  - **Refuse the application, as it considers it appropriate to promote the licensing objectives.**
52. Each application must be considered on its own merits and in accordance with the 2003 Act, the Guidance and the licensing authority's Statement of Licensing Policy.
53. If conditions are attached to the grant of a licence they must be tailored to the individual type, location and characteristics of the premises/ 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.
54. If any party to a hearing is aggrieved by the decision of the licensing authority (this means the applicant or any person/ organisation/ business that made a relevant representation), they may appeal to the Magistrates' Court. They must do so within 21 days of being notified of the decision in writing.

### **Licence conditions – general principles**

55. Conditions on a premises licence are important in setting the parameters within which premises can lawfully operate. The use of wording such as 'must', 'shall' and to a lesser extent 'will' is encouraged.
56. 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.

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Background Papers

Various appendices

Report Author

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**Tel no.** 01684 272015

**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** St James Club 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 <b>Basement Gibson House St. James Square</b>			
<b>Post town</b>	<b>Cheltenham</b>	<b>Postcode</b>	<b>GL50 3QG</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£Not individually rated</b>

**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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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 St James Club Limited
Address Victoria House Churchill Road, Leckhampton, Cheltenham, Gloucestershire, GL53 7EG
Registered number (where applicable) 10810820
Description of applicant (for example, partnership, company, unincorporated association etc.) 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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

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

Basement level premises to be used as a general event space. Premises will only be open for trading when for events that have pre-booked the venue.

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

<input type="text"/>
----------------------

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)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input checked="" type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

**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

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00			
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00			
			<b><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></b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:00			

## C

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00			
			<b><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></b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:00			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00			
			<b><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></b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	10:00	00:00			
Wed	10:00	00:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00	<b><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></b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.		
Sat	10:00	00:00			
Sun	10:00	22:00			

**H**

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	23:00	00:00			
Tue	23:00	00:00			
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed	23:00	00:00			
Thur	23:00	00:00			
			<b><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></b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun					



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)					
Mon	10:00	00:00						
Tue	10:00	00:00						
Wed	10:00	00:00						
Thur	10:00	00:00				<b>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</b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.		
Fri	10:00	00:00						
Sat	10:00	00:00						
Sun	10:00	22:00						

**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):**

<b>Name</b> Mr James Elias	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> 16/00635/PERL	
<b>Issuing licensing authority (if known)</b> Cheltenham Borough 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).

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	
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	10:00	22:00	
			<b><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></b> (please read guidance note 6)  The terminal hour for all licensable activities and opening times will be extended by 2 hours on Christmas Eve, New Year's Eve, all Bank Holidays and all days on which races are held at Cheltenham Racecourse.

## 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)**

Unless otherwise specified on this licence no licensable activities shall take place at the premises with the exception of pre-booked and/or ticketed events.

**b) The prevention of crime and disorder**

A CCTV system consisting of a minimum of 8 cameras shall be installed at the premises. The CCTV system shall be maintained in good working order, shall record at all times the premises are open, and recordings shall be kept for a minimum of 14 days and be provided on DVD to officers of the council, Trading Standards or Police on request.

A staff member from the premises, who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show the Police or Licensing Officer recent data or footage with the absolute minimum of delay when requested to do so.

The Designated Premises Supervisor shall maintain an active membership of the Night Safe (or successor 'pubwatch') including operation of the Nightsafe radio link.

SIA-registered door supervisors will be employed at the premises at a minimum of 2 for the first 100 customers and an additional door supervisor for every additional 50 customers.

**c) Public safety**

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the council. The log will record the following:

- all crimes reported to the venue
- all ejections of customers
- any incidents of disorder (disturbance caused either by one person or a group of people) [There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]
- seizures of drugs or offensive weapons
- any faults in the CCTV system or searching equipment or scanning equipment
- any refusal of the sale of alcohol during the hours the premises is licensed to sell it

**d) The prevention of public nuisance**

A minimum of 30 minutes drinking-up time shall be provided to customers following closure of the Bar.

The outside smoking area will be effectively managed by SIA-registered Door Supervisors and the number of people allowed to use the area at any one time will be restricted to no more than 10% of the overall capacity at the time.

Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.

**e) The protection of children from harm**

A Challenge 25 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 25 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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 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)</li> </ul>
Signature	James Elias
Date	14/02/20
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## Notes for Guidance

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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. 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.
  8. 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'.
  9. 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.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.



- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

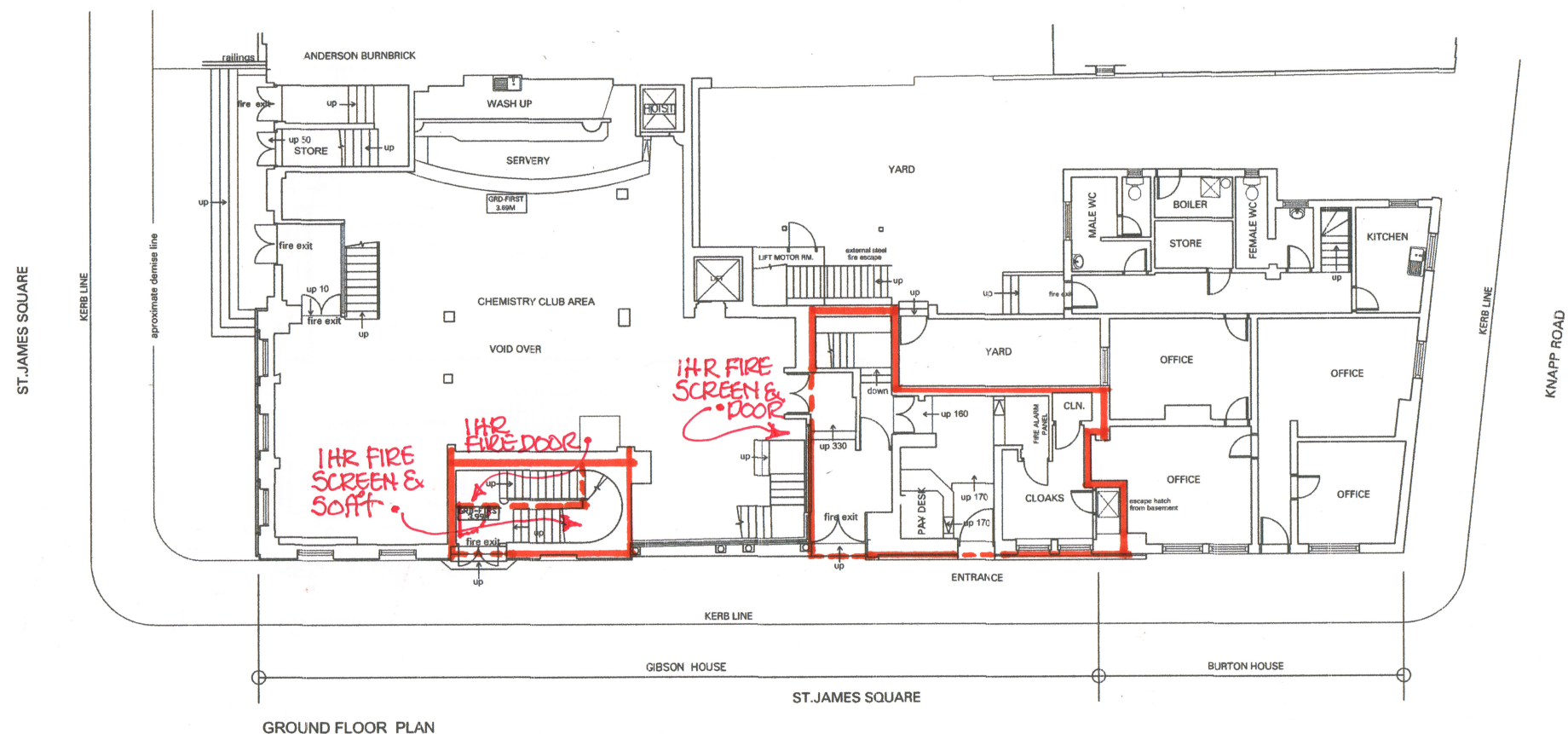
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the

applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

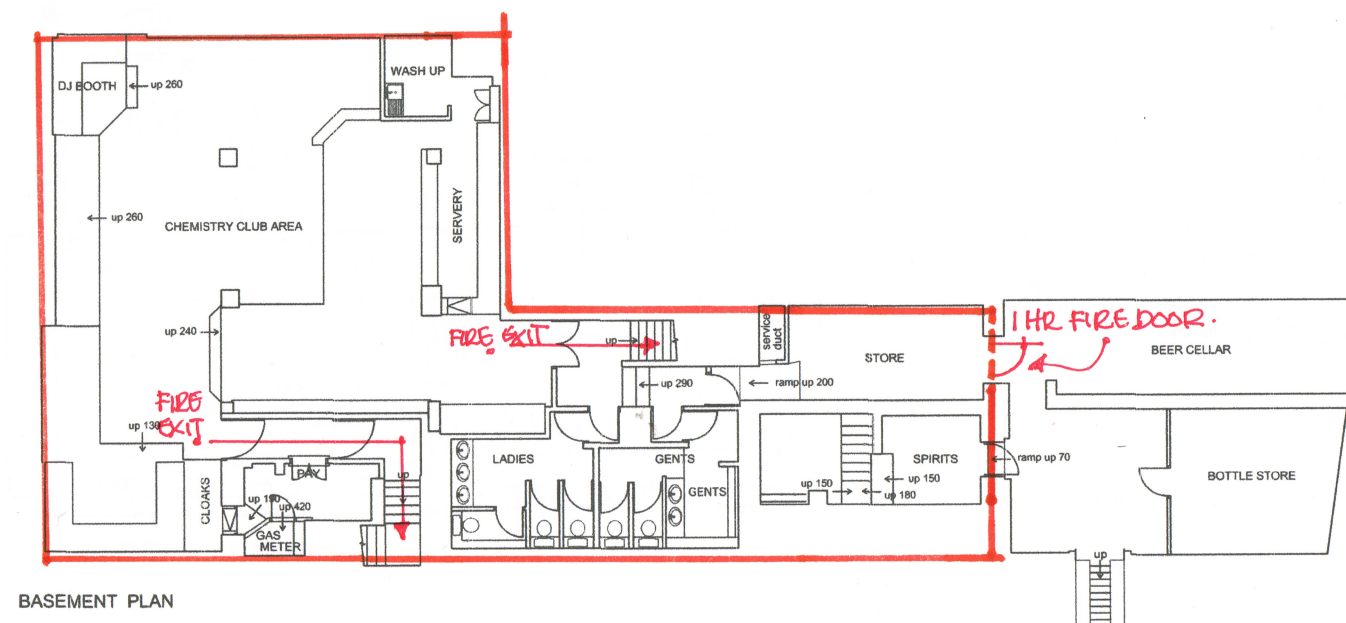
In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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GROUND FLOOR PLAN



BASEMENT PLAN

MICHAEL GIBSON  
ASSOCIATES

Revision	Date	Description

**GT** Building  
Design  
Services

Telephone: 01453 890617  
Mobile: 07856 701550

This drawing is the property of Grahame Tansley - Building Design Services. Copyright is reserved by them, and the drawing is issued on the condition that it is not copied either wholly, or in part, without the consent in writing.  
Figured dimensions to take preference over those scaled.  
All dimensions to be checked on site before commencement of any work or shop drawings.  
This drawing to be read in conjunction with the specification when existing.

client :	MGA ASSOCIATES ASSOCIATES
job title :	PROPOSED ALTERATIONS TO GIBSON HOUSE, CHELTENHAM
drawing title :	EXISTING BASEMENT & GROUND FLOOR PLANS

scale :	1:100	job no :	1338
date :	28-02-14	drwn no :	100
drawn by :	G.R.T.	rev no :	

EXISTING

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# APPENDIX 3

## Batch 1

Ward Councillor

Representation from residential property with various signatories

Businesses and organisations

Dear Mr Kirkwood

Re Licence Application 20/00454/PRMA

Having spoken to and been contacted by a number of residents, I would like to take this opportunity to object to the above application in the strongest terms. Gibson House is in a mainly residential area where there is no need for additional licenced premises. The adjoining area towards the town centre already has a number of pubs, restaurants, etc.

No matter what conditions are applied to an alcohol licence at Gibson House there will be an unacceptable increase in anti-social behaviour whether this be noise late at night, urinating in the street, rowdiness, etc. My objection is not about "stopping people having fun" and more to do with allowing residents in St James Sq and the surrounding areas to enjoy a reasonable quality of life.

I am surprised that the application only related to the basement and cannot feel that this is a ploy to gaining licence for the whole building. Thus allowing it to be used as a night club.

Yours sincerely

Cllr Chris Mason  
Lansdown Ward, Cheltenham Borough Council  
C/O Municipal Offices, GL50 9SA



Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 18 March 2020 22:15  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. NEW PREMISES LICENCE: ST JAMES CLUB LTD T/A CHEMISTRY

Reference: 20/00454/PRMA. NEW PREMISES LICENCE: ST JAMES CLUB LTD T/A CHEMISTRY

To whom it make concern,

In regards to the application that has been made to Cheltenham Borough Council for a New Premises Licence, the reference to which has been placed above, we, the residents of 25 Cobblestone way, GL51 8PW, [REDACTED]

[REDACTED] wish to make a objection based on the following four grounds:

1. The prevention of crime and disorder;
2. Public safety;
3. The prevention of public nuisance to the nearby offices and St. Gregory's R.C. Church;
4. The protection of the children in St. Gregory's Catholic School & the nearby nursery from harm both from disoriented persons and any dangerous materials left on the ground nearby (i.e.: sharps and toxic substances);

Most sincerely,

[REDACTED]

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 10 March 2020 19:06  
**To:** Internet - Licensing  
**Subject:** Reference 20/00454/PMRA New Premises Licence: St James Club Ltd t/a Chemistry  
**Attachments:** Argument against proposal of the opening of Chemistry.docx

I attach my opposition to the above proposal.

Kind regards

[REDACTED]



[REDACTED]

**For & On Behalf of**  
Ashlea Financial Planning Ltd  
123 Promenade  
Cheltenham  
GL50 1NW123 Promenade

[REDACTED]

Ashlea Financial Planning Ltd is authorised and regulated by The Financial Conduct Authority

-----  
Ashlea Financial Planning Ltd is registered in England and Wales at 81 Hatherley Road, Cheltenham, GL51 6EG  
under Company registration number 5439258  
-----

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**Reference 20/00454/PMRA New Premises Licence: St James Club Ltd t/a Chemistry**

I write to object to the planning application above which is relevant to Gibson House, St James Square.

Reasons for objection

**The Prevention of Public Nuisance**

This is largely residential area which also houses the Catholic Church, St Gregory's and the Catholic Primary School St Gregory's. The access to the primary school is directly past the building.

The proposal indicates that on many occasions the club will be allowed to open until 2p.m. in the morning. This includes Christmas Eve when Catholics celebrate the birth of Christ with Midnight Mass. A night club opening until 2 p.m. would directly interfere with this spiritual occasion. The opening hours are also likely to interfere with other services. The likely noise in the evenings and comings and goings of rowdy crowds is also likely to be very disruptive for the people living in the local flats.

**The protection of children from harm**

Despite the efforts of the police such places are hotbeds for the distribution of drugs amongst the attendees. When it was there before needles and other drug paraphernalia were found on the access to the school which does not present a healthy image to primary school children. The noise from the very loud music was also disruptive and this was often to be heard in normal school hours.

As Cheltenham still has a housing shortage conversion into affordable housing which would be in keeping with the residential area might be more appropriate.

██████████ ( St Gregory's Parishioner).

81 Hatherley Road  
Cheltenham  
GL51 6EG  
10/03/2020



## 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](mailto:licensing@cheltenham.gov.uk)**

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	
Name of the organisation/body/person you represent. (If appropriate)	CHAPEL ARTS
Your full Postal Address or that of the organisation or body you represent	CHAPEL ARTS, KNAPPO RD GL
Post Code	GL 50 3 QQ
Daytime contact telephone number	
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

Name of the person/organisation/body. (as appropriate)	
Full Postal Address of the person/organisation or body making representation	GRANDOVER RD
Post Code	GL50 2TN
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:	ST JAMES CLUB CHEMISTRY GIBSON HOUSE
Name of Applicant for Licence (if known)	
Postal Address:	GIBSON HOUSE , ST JAMES SQUARE
Post Code:	GL 50 3QG

**What are you making a representation about?**

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

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

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

Part 2 continued

### What are your concerns?

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

When we first came to this area we were reluctant to invest in the Christadelphian Hall building because of the reputation of the venue that is the subject of this objection. As the club was no longer in operation, we did decide to invest in the Christadelphian Hall building (now officially Chapel Arts) in an attempt to remove the adverse reputation of this part of town. However, there are still people reluctant to visit because of this building's recent history. Surely Cheltenham already has enough late night drinking venues.

to enter details of any other matters not commented on elsewhere relating to your representation that you would like the committee to take into account.  
(Please continue on a separate sheet if necessary)

Signature: [REDACTED]

Capacity: Chapel Arts.

Date: 18 March.

Our Ref: DKH/083066/00000



For the attention of: John Kirkwood

Licencing Team  
Public Protection Division  
Cheltenham Borough Council  
PO Box 12, Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire GL50 1PP

Charles Russell Speechlys LLP  
One London Square  
Cross Lanes Guildford Surrey  
GU1 1UN UK

T: +44 (0)1483 252525  
F: +44 (0)1483 252550  
DX: 2436 Guildford

charlesrussellspeechlys.com

By Email and Special Delivery  
licensing@cheltenham.gov.uk;

D: +44 (0)845 359 0026  
F: +44 (0)845 3590030

13 March 2020

Dear Sirs

**Licensing Act 2003 - Interested Party Representation**  
**Premises Licence Application: 20/000454/PRMA**  
**Property: "Chemistry", Gibson House, St James Square, GL50 3QG**

We write with reference to the above, and confirm we are instructed on behalf of Genie Toys Plc.

We are writing on our client's behalf to formally object to the Application for a new Premises Licence in respect of the Property.

**1 INTERESTED PARTY**

We confirm that Genie Toys Plc is an interested party, entitled to make representations in respect of the Application.

Our client owns and occupies commercial office premises at Genie House, 20 St James Square, Cheltenham ("Genie House") for the purposes of its business of the design and development of toys and games.

Our client's property at Genie House directly abuts the Property.

**2 NEW PREMISES LICENCE APPLICATION**

We have kindly been provided with a copy of the Application submitted by the Applicant by the Council's licencing team on 10 March 2020.

There were no plans attached to the Application.

We are unsure as to whether that is because the Applicant has yet to submit plans to the Council.

In the circumstances, we must reserve our client's position to make further and supplemental representations once plans have been provided, and when our client is fully able to appreciate the scale and nature of the proposed operation of the business for which the Applicant seeks authorisation pursuant to the Application.

WKS/293381819.1

### 3 PREVIOUS NEW PREMISES LICENCE APPLICATION – SEPTEMBER 2010

Our client is aware of and made representations in respect of the previous new premises licence application made in September 2010. That application also related to the former Chemistry nightclub premises at Gibson House and was submitted by Headland Entertainments Limited.

Our client was represented at the licencing sub-committee hearing that took place on 11 November 2010, and when that new premises licence application was refused.

The applicant's appeal of that decision to refuse the grant of a new premises application was subsequently withdrawn by the applicant in June 2011.

We submit that this is relevant, as many (if not all) of the concerns and representations made in respect of that new premises licence application seem to us to similarly apply to the Application now made.

Further, the licensing sub-committee's grounds for refusing the previous application included:

- There was insufficient detail as to the numbers of customers likely to be leaving the premises at closing time.
- There was no dispersal policy in place.
- There were no proper plans for a smoking shelter and the proposal made at the hearing would exacerbate the problems outside the premises.

### 4 THE CURRENT APPLICATION

In light of the above, we suggest it is surprising that (based upon the information we have been provided with to date) the Application does not address the above concerns.

By way of example, and we address this further below, the provisions proposed for the prevention of public nuisance simply suggest that there will be an outside smoking area, managed by door supervisors, and to be used at any one time by no more than 10% of the overall capacity of the Property. It is unclear to us where this apparent outside smoking area is to be.

It is also unclear from the application we have seen as to the proposed capacity of the Property.

If there is further information in the Council's possession which covers such points, then we should be grateful if it could be provided to us please as a matter of urgency, and a further period allowed for representations on behalf of our client to be supplemented.

Turning specifically to the Licencing Objectives, we set out our client's representations below:

#### (a) The prevention of crime and disorder

Our client is very concerned as to the impact the granting of a premises licence will have on Genie House.

As explained above, our client occupies commercial office premises at Genie House, St James Square, Cheltenham, which it occupies the purposes of its business of the design and development of toys and games.

Our client is also the registered freehold owner (Land Registry title no. GR340288) of Genie House.

Genie House directly abuts the Property, and is separated only by a party wall.



Genie House also extends to the rear and abuts the outside area to the rear of Gibson House.

Given the close proximity of Genie House to the Property, our client is concerned as to the real risk of damage being caused to its property by persons attending the Property.

Further, and prior to the previous nightclub's closure in 2005, our client is aware of the regular need for the involvement of Police Officers to work with door staff because of complaints from neighbours arising from those attending and leaving the Property.

The application does little to address such concerns.

Whilst it is stated that there will be a CCTV system, consisting of a minimum of eight cameras installed at the Property, no information is given as to where such cameras will be installed, whether they will be inside or outside the Property, and whether any CCTV cameras will be placed in such a position as to act as a deterrent to prevent crime and disorder affecting Genie House.

With regard to the Council's Licencing Policy Statement, whilst it is acknowledged that the Property is not within the Designated Area of Concern, our client notes that it is in fact immediately adjacent to that area, being on the corner of St James Square and Knapp Road/Clarence Street. It is submitted that the fact that the Property is immediately adjacent to the Designated Area of Concern should be a factor to which the licencing sub-committee has regard.

(b) **The prevention of public nuisance**

Our client is extremely concerned at the impact the proposed use of the Property would have upon Genie House and the operation of its business.

The exact nature of the proposed licensable activities proposed is unclear, but the fact that an application has been made to install a sign "St James' Club" suggests use including a nightclub.

In particular, our client is concerned about noise nuisance and the adverse impact on the environmental quality and character of the area.

As stated above, Genie House immediately abuts the Property and is divided only by a party wall.

The Application includes inter alia:

- The playing of live music from 10am to 12 Midnight (10pm on Sundays);
- The exhibition of films from 10am to 12 Midnight (10pm on Sundays);
- The playing of recorded music from 10am to 12 Midnight (10pm on Sundays);
- The performance of dance from 10am to 12 Midnight (10pm on Sundays);
- The supply of alcohol from 10am to 12 Midnight (10pm on Sundays).

The Application accordingly seeks permission for the carrying out of such licensable activities for 14 hours per day on six days of the week and 12 hours a day on Sundays. It is submitted this is excessive in the extreme.

Further, the Application seeks to extend the operating hours for all licensable activities by two hours on all days on which races are held at Cheltenham Racecourse.

On the basis of our investigations, such additional provision of hours would apply on some 16 days per year.

Given the age and nature of the Property, our client is concerned that there is no, or no adequate sound insulation that will prevent disturbance to our client and its employees whilst it is conducting its business at Genie House.

Our client is also concerned as to noise, nuisance and disruption caused inter alia by persons smoking outside the Property (given of course the smoking ban which prevents smoking from within premises). As stated above, it is unclear to us what provision is to be made for smoking areas outside of the Property, but by looking at the footprint and layout of the Property itself, it would seem the only viable positioning for such areas will be to the rear of the Property, and which is immediately adjacent to and at the rear of Genie House.

The mere statement that the "outside smoking area will be effectively managed" within the Application is totally inadequate.

Further, it is unclear as to how many persons may be using such areas (wherever they may be) at any one time – our client cannot understand the proposal for no more than 10% of the overall capacity at the time, without understanding what it is proposed the total overall capacity of the Property is to be.

Further, simply suggesting the erection of signage is inadequate.

In addition to the failure to specify the proposed designated smoking areas, there appears no reference to the provision of a smoking shelter for use during inclement weather. This is particularly surprising given the reasons for refusal of the previous new premises application.

Further, the impact and disruption caused by the Property being operated for 14 hours a day for 6 days a week and 12 hours a day on Sundays will be substantial (by way of example, round the clock deliveries and refuse collection), particularly in an area with little or no on street parking. Our client is particularly concerned here that its two parking spaces at the rear of Genie House/the Property will be used for unlawful parking by persons operating/attending the Property, and/or access obstructed.

No provision is made within the Application for addressing such concerns.

On the basis of the information provided, our client therefore considers it is inevitable that significant noise nuisance will be caused to our client, and as a result, this will adversely impact upon our client's business.

In addition, our client is concerned as to (the fairly to be expected) drunken behaviour (such as vomiting and urinating in the streets and on Genie House), and rubbish being left in the vicinity of Genie House/the Property. All of this will affect the amenity of the area, and more specifically, adversely impact upon our client's business and those customers and contacts visiting Genie House.

With reference to the Licencing Policy Statement of Cheltenham Borough Council, it is notable that the Applicant has substantially failed to comply with the requirements of paragraph 3.22.. The Application has also inter alia failed to address the requirements of paragraph 3.27.

The Applicant further has failed to make provision for the sufficient measures referred to by paragraph 3.28 of the Licencing Policy Statement.

(c) The prevention of children from harm

Our client is in the business of the design and development of toys and games principally for children.

Further, our client notes there is a primary school, church (St Gregorys) and day nursery immediately in the immediate vicinity of the Property, and which will be in use for a significant proportion of the proposed hours for licensable activities at the Property.

It is accordingly suggested the Property is an inappropriate location for the operation of the licensable activities sought and for such periods as proposed within the Application itself.

5 **CONCLUSION**

Given the nature of the area in which the Property is situated, the lack of consideration given to the four Licencing Objectives within the Application, and for the reasons stated above, our client opposes the grant of the new premises licence sought and submits the Application is inappropriate and should be refused in its entirety.


In this regard, our client also urges the licencing sub-committee to have regard to the issues and problems experienced before Chemistry at the Property closed in 2005.

Our client would also urge the Licensing Sub-Committee to have regard to the changes in the character of the area in the last fifteen years, with new office and residential blocks resulting in a quieter and much improved area to that before the nightclub closure in 2005.

We should be grateful if you could acknowledge receipt of this letter.

We also would take the opportunity to notify you that it is our client's intention to be represented at the licencing sub-committee hearing.

Yours faithfully,

  
Charles Russell Speechlys LLP

**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 28 February 2020 13:16  
**To:** Jason Kirkwood  
**Subject:** FW: 20/00454/PRMA - Chemistry Gibson House St James Square Cheltenham Gloucestershire GL50 3QG

**From:** [REDACTED]  
**Sent:** 28 February 2020 13:04  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** 20/00454/PRMA - Chemistry Gibson House St James Square Cheltenham Gloucestershire GL50 3QG

To whom it may concern,

I am emailing regarding the consultation taking place for reference 20/00454/PRMA Chemistry Night Club on behalf of Elephant Moon Day Nursery which is located a few doors away from the Chemistry premises on St James Square.

The children's day nursery is registered for children aged between 3 month and 5 years old and open from 7.30am to 6.30pm. Parents can drop off their children and collect them at any time during these hours. The nursery is also located next to The Catholic Primary and Nursery School of Saint Gregory the Great – who operate similar hours through the school and clubs.

This licensing application gives the nursery many areas of concern as listed below:

- Location – Cheltenham has changed dramatically in the last 10 years, with this area being solely based on Education, Residential, The Church and Offices. There are restaurants located on the other side of St James Square as well as on St Georges Place but these can be seen as an extension of the Town Centre and have no impact on our usage. There is also a Pub with offices above located on Clarence Street but again this is really an extension of the Town Centre and does not impact our area.
- Opening Hours – The suggested opening hours on the licensing form is from 10am – 12am. This is in conflict with our parents dropping children at the nursery as well as collecting them. Many of our parents use push chairs to transport the children to/from the setting, which would involve passing the Chemistry Club and unfortunately we would be concerned about passing "Club Goers" and the impact this would have on children/parents.
- Smoking Area – There isn't a specific smoking area listed on the application so I would assume this would be at the front of the property at the top of St James Square. Again, we can only see a negative impact being made on Children/Parents having to pass a group of smokers on the pavement and the intimidation this would cause.
- Nuisance – Undoubtedly, there will be a nuisance element of "Club Goers" at the premises. Whilst I understand there will CCTV and Safety Logs present, I do not feel this is the correct environment to place a Licensed property, particularly as it is located 3 doors away from a Children's Day Nursery and a Primary School. There is an ally way between the School and the Nursery which links Knapp Rd to St James Square which is hidden from public view and an area which could be exploited by this nuisance element of club goers by way of litter, urinating, vomiting etc – all of which should be prohibited in an area which is widely used by children.
- Past History – whilst I am not familiar with the Chemistry club, I have been told that the premises did bring a negative impact on the area whilst it was open, in particular finding syringes and condoms around the area, as well as lots of late night noise and a police presence.

I fully appreciate the need to occupy the building as it has been empty for a long time – however the use class as a licensed club is incorrect for this part of St James Square. I have met with the Landlord a few years ago and he discussed converting the premises to apartments which we would have no objection to.

Kind Regards,

Elephant Moon Day Nurseries

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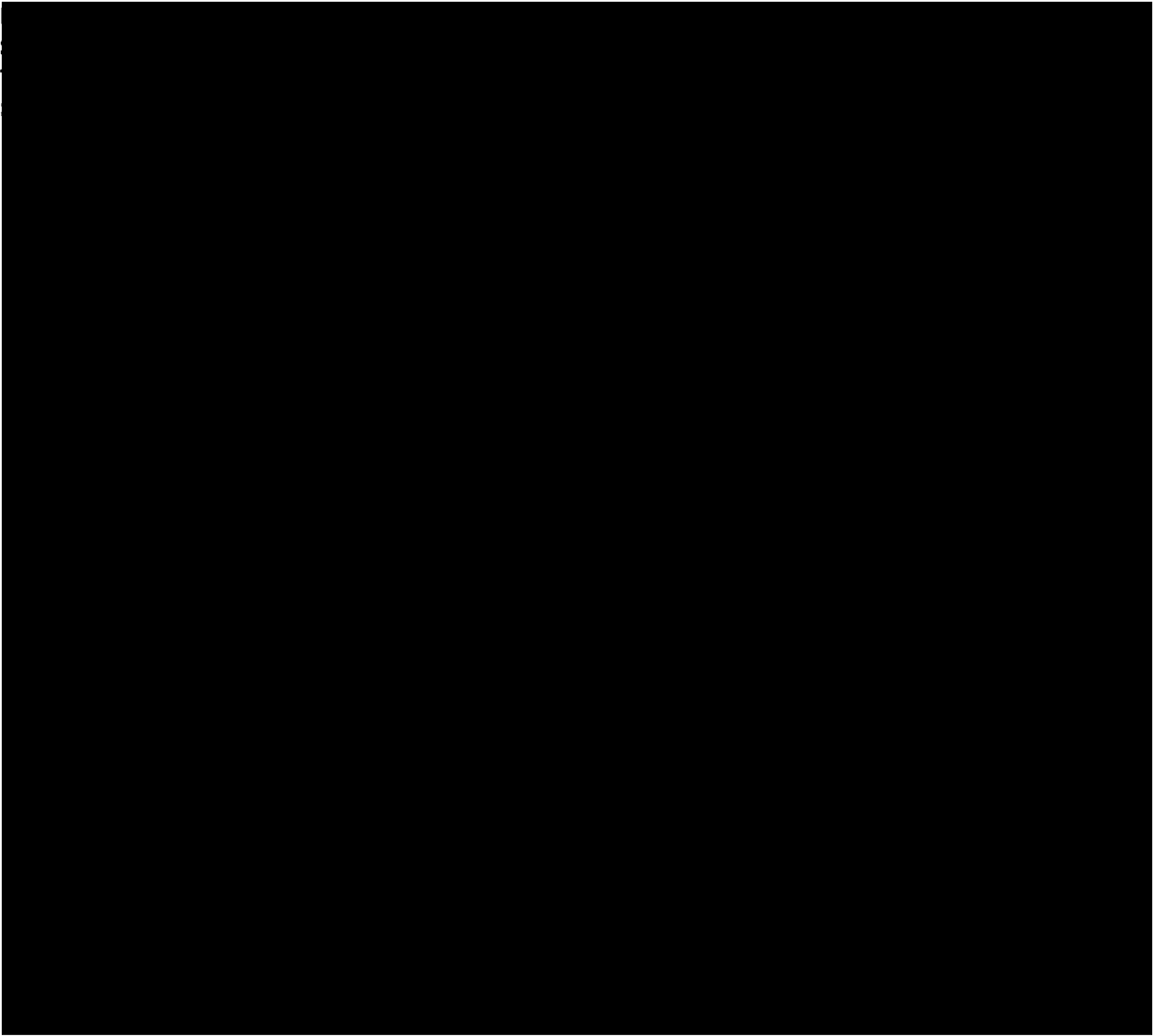
# APPENDIX 3

## Batch 2

Residents A - B

Jason Kirkwood

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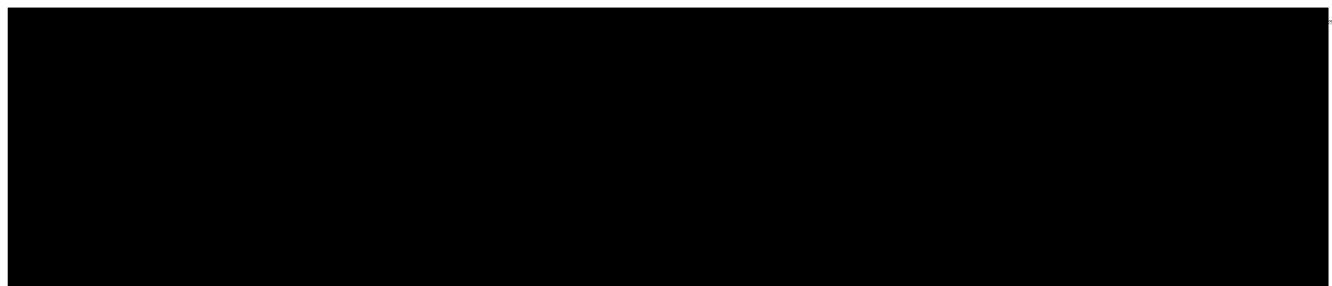
My postal address is:

4 Greenfinch Road  
Bishops Cleeve  
Cheltenham  
GL52 8HD

Kind regards,

A small, solid black rectangular redaction box is positioned below the signature line.

Get [Outlook for Android](#)





Jason Kirkwood

---



To the Licensing Team,

Reference: 20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

As a Parishioner of St Gregory's Church, Cheltenham I was very concerned to hear about the application for a New Premises License by the nightclub Chemistry at Gibson House, St James Square.

My representation includes the following concerns:

1. The church and school of St Gregory will be at risk of drunk and disorderly members of the public with an increased risk of crime and vandalism.
2. The extension of hours on special occasions will put Parishioners at risk when attending Mass, for example Midnight Mass on Christmas Eve. This will result in some Parishioners, particularly children and the elderly, not feeling or being safe when arriving at or leaving church.
3. When this premises was a nightclub previously there was a lot of harmful rubbish and drug paraphernalia left in the area which effected the church, the school and the local residents. As a teacher myself I am increasingly concerned about the safety of the children attending the school or coming to mass and feel that if Chemistry opened as a nightclub children would not be protected from harm and would be at risk.

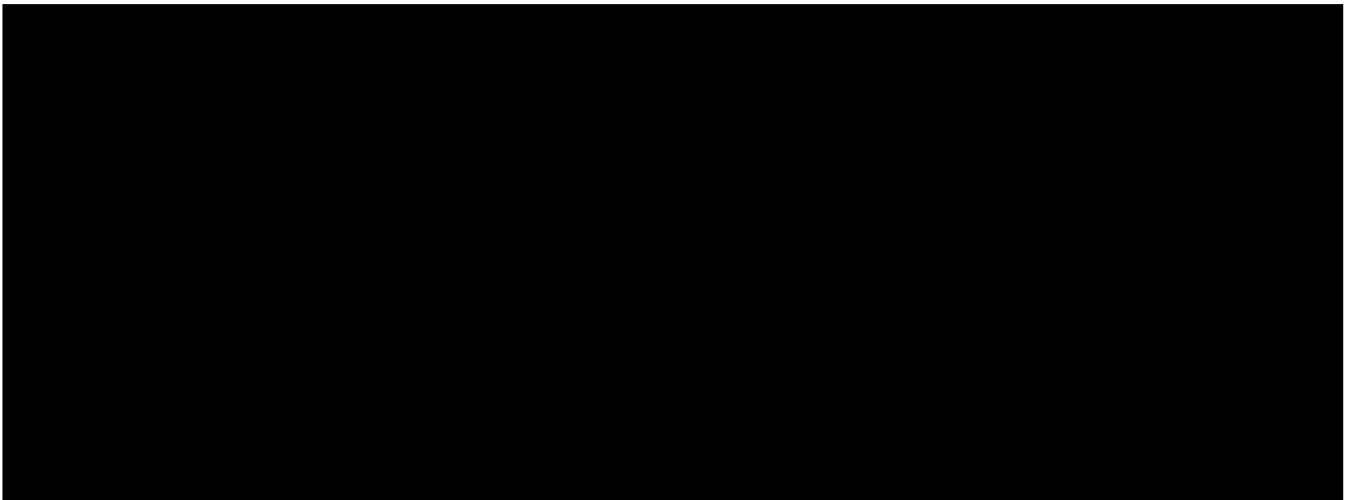
I hope that you will take my representation into account as well as the risks to the prevention of crime and disorder, public safety and the protection of children when considering the application for a New Premises Licence.

Kind regards,

A black rectangular redaction box covering the signature of the sender.

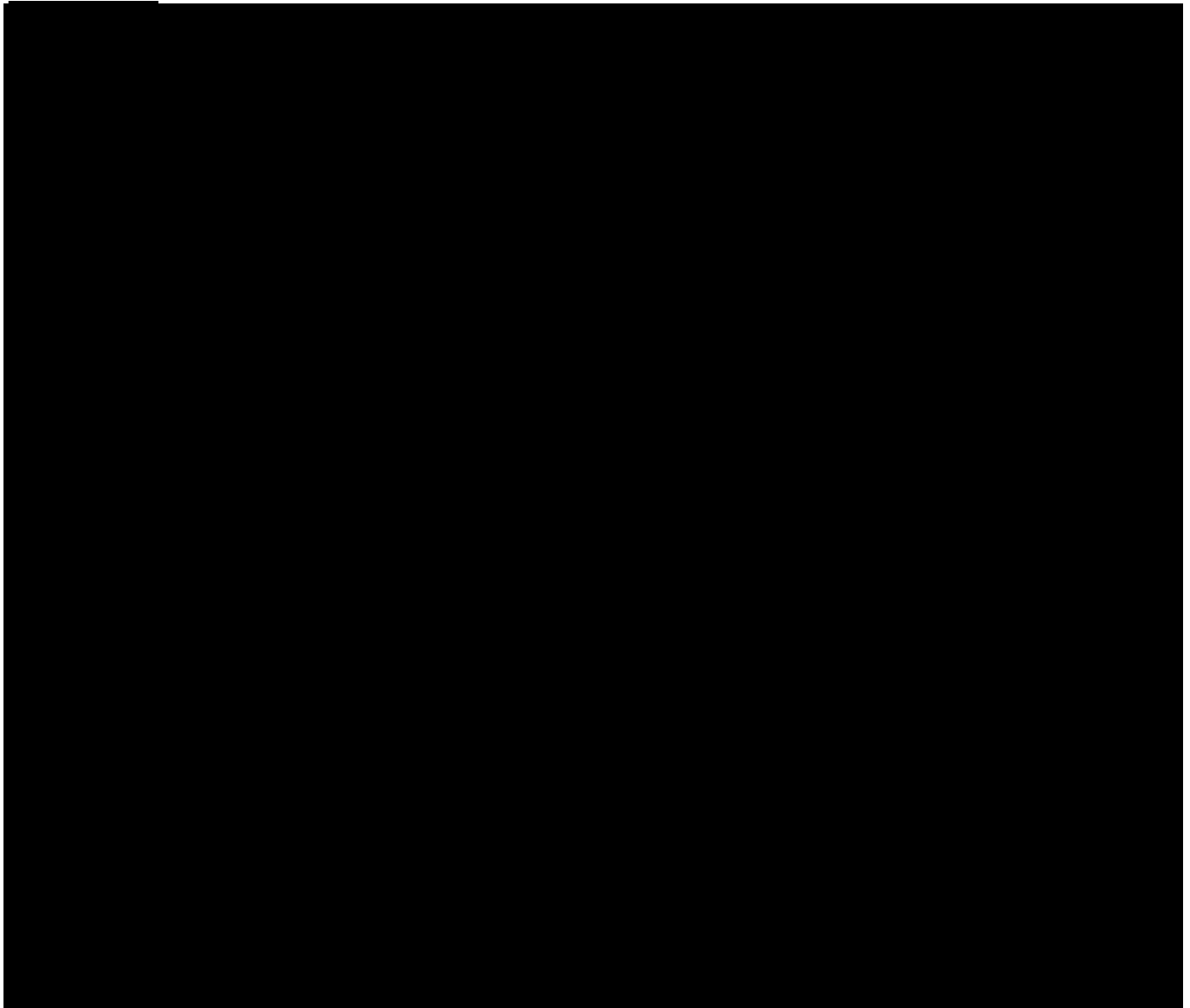
Jason Kirkwood

---



13 St Pauls Walk  
Cheltenham  
GL50 4GG

Kind regards,



ation with COVID-  
y of critical

Dear Sirs,

As a devout Catholic and one who regularly attends the Church of St Gregory the Great for services, worship and prayers, I wish to put my views forth regarding the licensing of a night club right across the entrance of the Church.

- On an average, 800 followers regularly attend Sunday services at the church, with well-over a thousand attending services on Easter, Christmas and during lent season. In fact, on the Sunday of 13.03.2020, despite the hue and cry about the Corona Virus, there were no less than 200 attendees for the 09:30 service. I was very surprised myself to see such a large number of people come to church. Such is the faith of the people.

- Being a place of worship and meditation, my view of having a night club right opposite the Church seems like a very offensive idea - especially with today's youth having absolutely no regard and respect for people's privacy and property. I shudder to imagine the din and commotion that would take place around the club as we have Easter, Christmas and normal services going on in our Church.

- It has not been unusual for me to see people lie fallen and asleep in front of pubs and on the roadside from being highly sozzled. If this should happen in front of this club, I fear to imagine what impression young children attending the School just a few metres away might have. I don't think that it would be very pleasant for young children to see such situations just before...or even after they finish their day at school.

- As of now, the environs around the Church is pretty well maintained, with hardly any untoward incidents. It is very unlikely it will remain the same should a night club open up where it plans to open up.

- I do see a few children walk unaccompanied to school - either from their homes, the bus stop or from the Waitrose parking. This being the case there is always a probability of a child being abused or outraged.

- As of now, there is very limited parking for Church attendees when they come for services. Having a nightclub bang opposite the Church could only invite illegal parking, causing chaos, conflicts and accidents.

Considering all the above, I think that having a night Club at the premises opposite the Church and in the very vicinity of a primary school is a very bad idea, and by no means should be allowed.

I hope you will consider my views and take a decision accordingly.

Jason Kirkwood

---

Dear Sirs

with respect to Reference 20/00454/PRMA New Premises License, St James Club Its t/a Chemistry

**We wish to make representation that this licence should NOT be granted for the following reasons:**

1) Proximity to local primary schools - in a previous iteration of a club at these premises, **considerable risk of harm** was posed to children attending local schools, primarily from the club members discarding drug paraphernalia, also vomit, broken glass and other detritus some of which was distressing for young people to have to see on their way to school. Our own children are now much older and no longer attending that school: it did concern us greatly at the time on their behalf and does so now in relation to the many young parents we know have Children in St Gregory the Great Primary school now.

2) General Public Safety: we have personally had to deal with **drunk and disorderly** people leaving the previous club and entering St Gregory the Great Church while services were taking place. Some of these people were very aggressive and **caused distress to members of the congregation**. We anticipate similar issues arising should the club open again. The church grounds (St James Square) and School Doorways (Knapp Road) were frequently used as dumping grounds for drug equipment (needles) discarded contraceptives and the like - which all pose a very real hazard to public health, besides being most unpleasant to have to be dealt with.

3) There is no particular reason to imagine that this Club would in future be any less prone to the criminal and **public nuisance** activity that takes place in and around 'night clubs' and although we do not have access to data, we hope that the licensing decision will take into account crime statistics for this area back when the club was previously open. Our experiences indicate that crime and nuisance in and around St James Square has greatly diminished since the club closed down. And since then, a considerable increase in residential development has taken place and we worry that local residents will be adversely affected by late evening noise, and difficulty accessing their parking areas / doorways.

Thank you for considering our objections. We make them as members of the congregation at St Gregory the Great Catholic Church. We are also responsible there for several aspects of youth work, and we support work with elderly parishioners - these groups of people will in our opinion all be greatly and adversely affected by the granting of this licence.

Your Sincerely

[Redacted]  
17 Oakbrook Drive  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6SB  
[Redacted]

Jason Kirkwood

---

Reference: 20/00454/PRIMA. New Premises Licence: St James Club Ltd t/a Chemistry

With reference to the above Licence Application , I am a parishioner of St Gregorys Catholic Church which is very close to the proposed Night Club. A few years ago there was a club in the same premises which caused considerable public nuisance especially on Christmas Eve during solemn midnight ceremonies interrupted by excessive noise and drunken interruptions to services.

Please consider my objections to the granting of the above licence.

Yours sincerely,

[Redacted Signature]

61, Brooklyn Gardens,  
Cheltenham.  
GL51 8LP

Sent from Mail for Windows 10



Virus-free. [www.avast.com](http://www.avast.com)

Apartment 4,  
Victoria house,  
St James Square,  
Cheltenham  
GL544AN



Ref 20/99454/PRMA  
Application for New Premises Licence  
St James Club


28/02/2020

Dear Sirs

Having recently bought No 4 Victoria House as a home to spend the rest of my days, I am extremely disappointed to find that opposite my front door and front windows there is going to be a house of entertainment and noise. Smoking and gatherings on the street outside sounds horrific. I am nervous enough as it is returning to my apartment after dinner in town let alone having to pass merry revelers who I am sure will be quite intimidating.

I do hope that this planning consent is refused as I was looking forward to a peaceful retirement in a beautiful Regency building in this fine square. I do hope that this application is turned down as reports of GAS NIGHTCLUB were not very complementary.

I thank you

A large black rectangular redaction box covering the signature and any accompanying text.

1 Aldershaw Close  
Up Hatherley,  
Cheltenham  
GL51 3TP  
13 March 2020

Dear Sir or Madam,

**Reference: 20/00454/PRMA. New Premises St James Club Ltd t/a Chemistry.**

I am a parishioner of St. Gregory's Church, Cheltenham and have been for the past thirty years. I am objecting to the planning application for the re-opening of the Chemistry nightclub across the road from the Church.

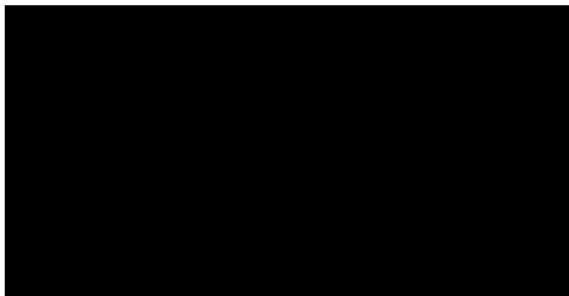
My objections to this planning application are on the grounds of the prevention of public nuisance, and the protection of children from harm.

The likely effect from the granting of the licence for music, alcohol, dancing and late night refreshments will be disruption to Sunday evening services in the Church. The Sunday evening service and Christmas Eve services will be particularly affected by late night noise.

When the nightclub was open previously, The Church and St Gregory's School were affected not only by late noise and disruptions to evening services, but also by anti-social nuisance committed around the Church and St Gregory's School, from needles and other unsuitable detritus which had been thrown over the walls of the Church and the School.

I urge that the planning application to re-open the Chemistry nightclub be turned down, especially since when the nightclub was open before, it had a very serious negative impact on the Church and the School.

Yours sincerely,

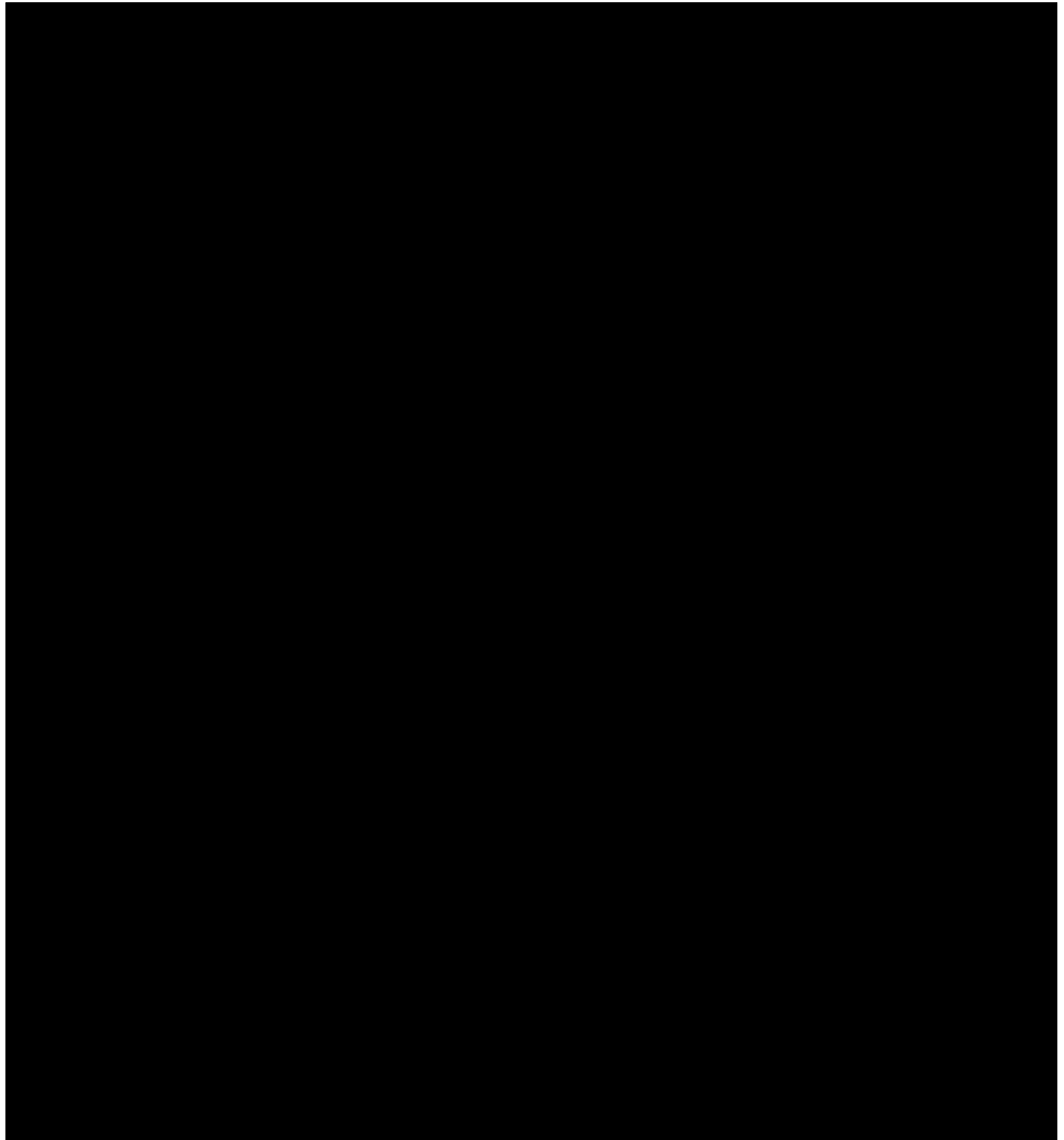


Jason Kirkwood

---



Sorry. My address is 53 Painswick Road Cheltenham GL50 2EP



Dear Sir,



I am a parishioner of St Gregory's Church in Cheltenham. I write with reference to the above application. I wish to register my opposition to the granting of this licence on the basis that it would cause a public nuisance.

I sincerely hope this licence will not be granted.

Yours faithfully

[Redacted Signature]

Sent from my iPad

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[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

Jason Kirkwood

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Please record my objection and representation to granting a licence to the above on the grounds of :

The prevention of public nuisance and the protection of our children at St Gregory's School and children at Elephant and Moon Nursery



4 Leckhampton Rise  
GL53 0AP

Sent from my iPhone

Jason Kirkwood

---

I object and make representation on the above application in 2 specific areas.

1. The prevention of Public Nuisance - we attend St. Gregory's Church weekly and having a proposed establishment of this nature is contrary to the appropriate area and established activities of a place of worship at any time - day or night or early morning, inclusive of the aftermath - simply unacceptable.
2. The protection of children from harm - our granddaughter attends Elephant moon nursery which is in very close proximity to the above proposed establishment . As above the proposed establishment is wholly contrary to the nursery and developing young children environment. I am concerned that young children and their parents will have to walk by this establishment multiple times a day ( to the library around the corner, daily pick up and drop off ) and will be subject to the consequences and aftermath and paraphernalia associated with a completely unsuitable proposition as outlined on the licensing request.

Ultimately I am completely objected to this licensing request and will be prepared to follow any further legal and lawful due process to ensure it's prevention.

4 Leckhampton Rise  
Cheltenham  
GL53 0AP

Jason Kirkwood

---

Hello,

I am writing to voice my concern regarding the above application.

My name is [REDACTED] and I live in 17 St James North, Cheltenham (approximately 50m from Gibson House) where I own a 1 bedroom flat in a quiet block. I have lived for approximately five and a half years and really love this location. One of the reasons that I chose this area was specifically its proximity to town with almost no through foot or car traffic.

I believe that approval of this application will be a net negative for the St James area community.

Primarily, the proposed site for the premises (shown in black) is exceedingly close to both *Elephant Moon Day Nursery* and *The Catholic Primary and Nursery School of Saint Gregory the Great* (shown in red). The proposed opening hours (10am until Midnight) significantly overlap the schools opening hours and collection times. The school is often still releasing students well after the allocated closing time (approx. 15:00) as parents become available to collect. Thus, it seems to me irresponsible open an alcohol serving music venue because:

- 1) Music and sounds from the venue will interfere with children's education during the day and
- 2) The possibility of intoxicated individuals interacting negatively with the children or parents of these schools

Secondly, the area surrounding the proposed venue is mostly either:

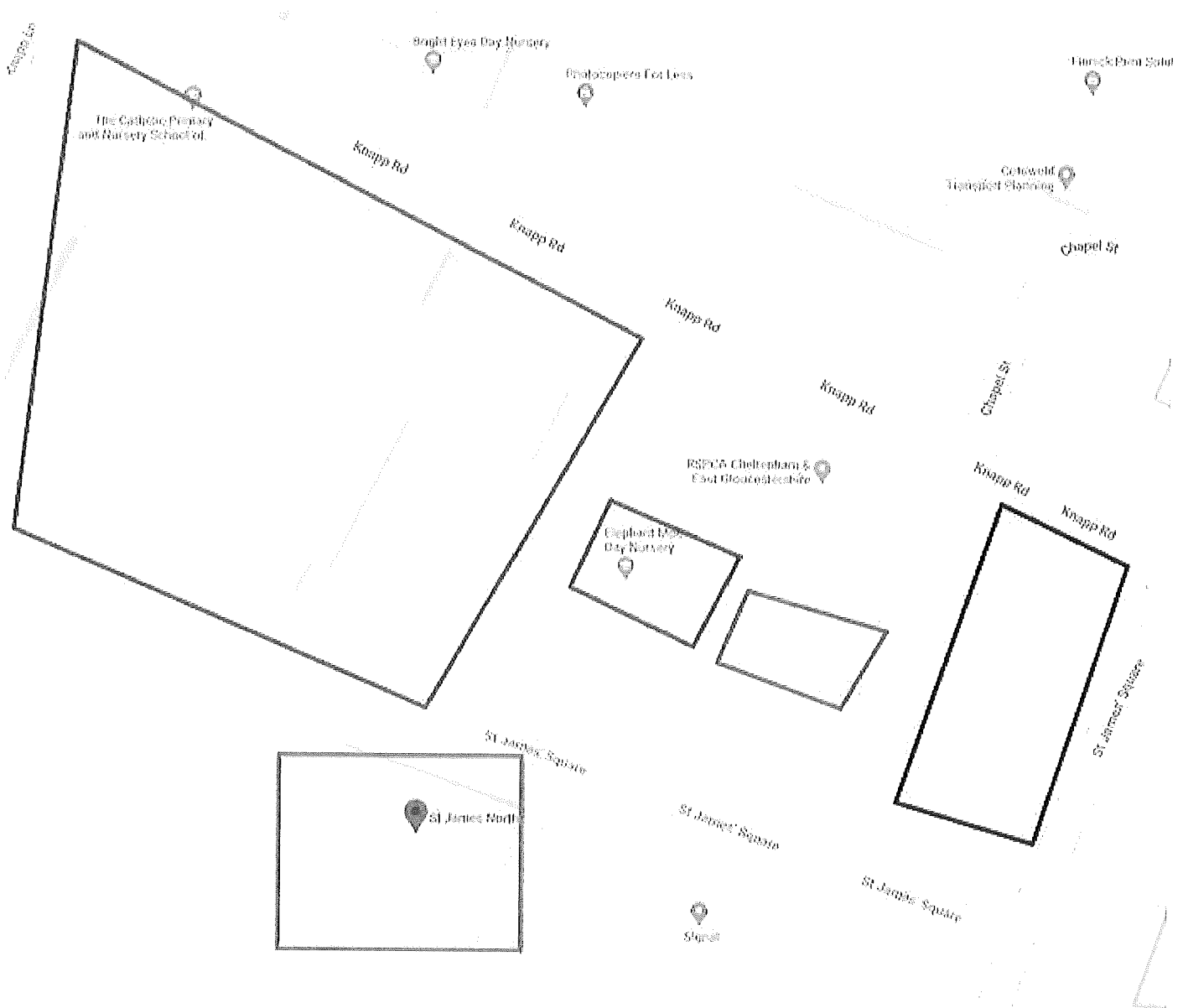
- Residential
  - Adjacent property (purple)
  - St James North (blue)
  - Other residential flats (e.g. Victoria House, not shown and the houses on Knapp road)
- Professional
  - Signal Marketing Agency
  - Chapel Arts (yellow)
  - St Gregory the Great RC Church (yellow)

Again, the possible conduct of patrons and overlapping/late operating hours of the premises would likely negatively impact the businesses and occupants of residential buildings. This impact could include, but is not limited to:

- Noise loud enough to keep residents awake late in the evening (especially given the age of the venue with regard to sound proofing)
- Increased debris and waste from the venue, for example
  - Broken bottles
  - Cigarette butts
  - Promotional flyers
- The results of excess, for example
  - Vomiting
  - Urination
  - Defecation
- Damage to the perception (and value) of the St James Square area which many have sought to improve in the last 10 years
- Overuse of the streets (already limited) parking capacity, which would force residents to have to park elsewhere

Finally, on a personal note, the application does not add any value to the surrounding area since potential patrons can already enjoy:

- The Bottle of Sauce
- The Firestation
- The Railway
- The Bayshill
- Chapel Arts
- The Sober Parrot
- Boston Tea Party
- The Scandinavian Coffee Pod
- O'Haras Coffee House



Please consider the direct impact approving this application would mean for those who have settled in the area.

N.B. An acknowledgement of receipt for this e-mail would me appreciated.

Many thanks for your time.

Jason Kirkwood

---



30 Tommy Taylors Lane

GL50 4NJ

09/03/20

Dear Sirs,

Licensing application, Reference No. 20/00454/PRMA. St..James Club.

I am shocked and horrified to learn that this application has been made and not for the first time and it is most inconceivable

that this situation can be even contemplated and be allowed to become a reality in this area of our town.

The area in question is very close to a/ the day nursery, b/ the infants school and c/ the primary school. All three of them will

be affected by the type of carrying on that is associated with these places. It is not for anyone to judge what other people find as

entertainment but where these places are located is everyone's concern. The protection of children has to come first and

therefore this objection is made.

There is a second overwhelming reason why this application is bad in its location; namely, that it is adjacent to both residences

and churches both of which will be greatly disrupted and disturbed in many ways, this will be unacceptable to many people.

It will be a great act of irresponsibility to even consider granting this application because the damage that will done to both children

and residents, it is not painless to think about.

Jason Kirkwood

---

[REDACTED]

I am writing to raise an objection to the proposed new Premises License at the above address. The site is immediately opposite the Catholic Church of St. Gregory the Great and close to St. Gregory's Primary School.

The noise emanating from these premises would cause a public nuisance and disrupt the worship of St. Gregory's parishioners on every day of the week but most particularly on Sundays and causing upset and noise nuisance to worshippers, many of whom are elderly and some very frail as well as young families and to nearby residents.

I have recently moved from Oxford to Cheltenham and know only too well the noise, rowdy and drunk behaviour such premises can cause and make unnecessary work for our overworked police force.

There is also the strong possibility of drug use resulting in needles being discarded on public ground, no doubt used condoms too, which is not only unpleasant but extremely dangerous for young children who may well be tempted to touch and even play with said items.

[REDACTED]  
Apartment 44,  
One Bayshill Road,  
Cheltenham,  
GL50 3FH  
Sent from my iPad

Jason Kirkwood

---

Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemisrty

Dear Licencing team,

I have recently been notified about the perspective opening of a new club at Gobson House, St James Square. As a resident of Apartment 6 St James North 1, St James Squire, GL50 3PY Approximately 100 metres from the aforementioned address, i am writting in concern about how this will affect the highly residential area where i and many others reside.

In our building alone, there are 24 flats within close proximity to Gibson House. We have all chosen to live/purchase property here in account of the peaceful and safe surroundings. In the event of the New Premises Licence at Gibson House being provided, i feel it will cause a large amount of noise at late hours of the evening and early hours of the morning and in the event of the premisis opening during day time hours a distrupction to The Catholic School and Pre School of St Gregory the Great, Elephant Day Nursery, St Gregory The Great RC Church and othe local business such as Chaple Art Arts Gallery. Besides the public nuisance of intoxicated people in the area, i have concern for public safety, there are many elderly, disabled and young new parents that live in my building, and to have drunk/disorderly people in an otherwise quiet and unpopulated road in chetneham the fear of the elderly or children or anyone getting harmed on their own with these new circumstance is very concerning and dangerous. I also worry about the area becoming victim of littering, vandalism and public indecency.

I wish to make an Objection to the new premises licence "Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemisrty" for the above reasons and feel that opening another club in cheltenham when so many have recently closed its an unecersarry addition to the town and will only cause a public nuisance, an increase in crime and dissorder to the area and a fear for public saftey.

In anticipation for a response

[Redacted]

Apartment 6, St James North 1, St James Square, GL50 3PY

[Redacted]




Jason Kirkwood

---

Dear Jason

2 St Edwards Walk  
Charlton Kings  
Cheltenham  
GL53 7RS

Kind regards



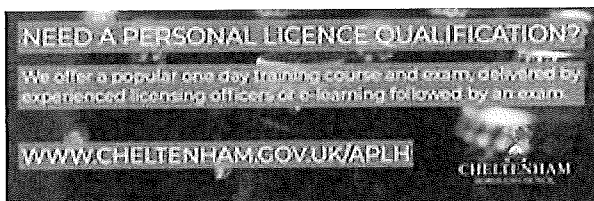
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**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** 26 March 2020 11:50  
**Subject:** Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



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Jason Kirkwood

---

[REDACTED]

Dear Sirs,

I wish to make an objection to the above application.

The premises are far too close to St Gregory's School and the local church. I make this objection with the protection of children in mind, particularly seeing anti social behaviour right outside their school. The potential for crime, disorder and public nuisance by the school and the church is not the thing children should be seeing during their impressionable years when it can be avoided.

Yours faithfully

[REDACTED]

3/3/20



## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	[REDACTED]
Your full Postal Address or that of the organisation or body you represent	20 SOMERSET HOUSE KNAPP ROAD CHELTENHAM GL50 3QQ
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

**Premises/Club Details**

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

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
NOISE, DISTURBANCE, MESS ON THE STREETS, LATE NIGHT ACTIVITY IN RESIDENTIAL AREA

**Which of the Licensing Objectives does your representation refer to?**

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

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

Please indicate the distance (in metres) between your address and the premises subject of your representation:	25 METRES
--	-----------

Part 2 continued

### What are your concerns?

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

I am very concerned that late night drinking will bring noise, mess and disruption to an area that is currently a quiet semi-residential area on the edge of the town centre.

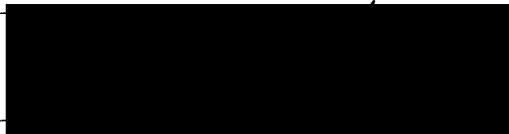
There are plenty of late-night venues in the town centre that can be easily accessed and there is no good reason for spreading further out of the town centre.

We have a church across the road from the venue and primary school around the corner that could become places for mess and drug debris.

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

(Please continue on a separate sheet if necessary)

Signature:



Capacity:

LOCAL RESIDENT

Date:

28.2.20

Jason Kirkwood

---

Flat 14 Charlotte Rose House  
Christchurch road  
Cheltenham  
GL502PB

[REDACTED]

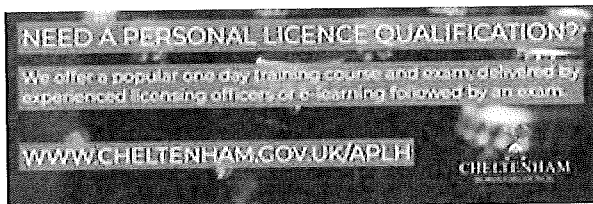
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**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** Thursday, March 26, 2020 11:50 am  
**Subject:** Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



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Jason Kirkwood

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Dear licensing department.

I would like to strongly oppose the new premises license request references above.

As a parent of children at St Gregory's school I feel the safety of all children will be affected if this application is approved

The issues of concern relate to:

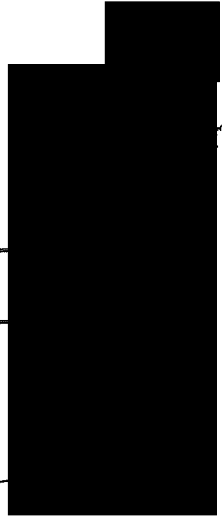
1. The prevention of crime and disorder;
  2. Public safety;
  3. The prevention of public nuisance; and
  4. The protection of children from harm.
- Given the property's its proximity to the school, two nurseries/pre-schools, the church and local residents, all of the above would be under constant threat.
  - Music and alcohol all hours of the day is disturbing.
  - It will lead to drunk and disorderly patrons, who will be a danger and nuisance in their actions, noise and debris left.
  - Patrons will be close to the school, and in a position to "hang about" and observe children's (and vulnerable adults) routines. Characters in pubs are unregulated, can stay as long as they are paying. Nothing will be done/ noticed until something serious has already occurred.

Our children's safety is paramount and opening this club is nothing but a risk.

Please consider these points seriously and refuse the application

Kind regards

3/  
sadly decided they would not now choose to live in Cheltenham, as they feel the quality of life here is declining.  
4/ Noise pollution, the general lowering of standards in this country is a threat to our society. Please don't allow our quiet neighbourhood to fall victim of such a prospect.



25  
2/  
Events in connection with the schools in this area often take place in the evenings. Apart from the obvious dangers concerning children, the prospect of drug needles perhaps lying around is a daunting thought. I have been the unfortunate neighbour of drug users in this apartment building.

2/ It's surely undesirable to have a late-night drinking venue yards from the beautiful Church of St Gregory the Great.

3/ It cannot be necessary to have yet another such venue in Cheltenham. I know of people who have

Page 82-  
Apt. 12, St James North

St. James Square  
Cheltenham. GL50 3PR  
16th March, 2020

Dear Mr Kirkwood,

Thank you for your letter, regarding Gibson House, St. James Square.

I should like to voice my extreme concern in respect of the planning application re this property. I implore the Council to take into account:-



Jason Kirkwood

---



Ref 20/00454/PRMA I would like to object to the licensing application made for GIBSON House, who have the intention of re opening the nightclub which closed in 1984. I live in the apartments opposite the the said building and strongly feel a) it is now a residential area, opposite is the Catholic Church. There is no parking (public) outside Gibson House. There is St Gregorys School behind the property and Elephant Moon nursery and St Gregory's nursery. There are no taxi area. The police do not patrol this area. There is also Manchester Court Residential home in the near by street. I strongly feel it is in the wrong area, which is very quiet.

Thanking you



Flat 7 Victoria House  
St James Square  
GL50 3PZ

Sent from my iPhone

Jason Kirkwood

---



Hi Alex,

Thanks for your reply.

Please, find below my full address:


166 Gloucester Road  
Cheltenham, Gloucestershire  
GL51 8NR

With my best regards



- > On 19 Mar 2020, at 11:28, EnvHealth@cheltenham.gov.uk wrote:
- >
- > Good morning,
- >
- > I am sorry we can only accept your email as an objection if you provide your full postal address.
- >
- > I look forward to hearing from you so I can add your objection to the license application.
- >
- > Kind regards,
- >
- > Alex Hamblin
- >
- > Business Support Officer
- > Cheltenham Borough Council
- > Public Protection
- > Place and Growth
- > 01242 264300
- > [www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)
- >
- > Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.
- >
- > Thank you for your understanding
- >
- >
- >



> Sent: 16 March 2020 23:37  
> To: Internet - Licensing  
> Subject: Reference: 20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry  
>  
> Dear Sir or Madam,  
>  
> Please, I would like to request your attention in order to do NOT authorise the activities of Gibson House, St James Square because:  
>  
> 1. The antisocial behaviour can generate crimes and disorder around the area of the Church and Primary School.  
>  
> 2. The antisocial behaviour can affect the safety and well being of families that attend the parish daily and affect people that live around.  
>  
> 3. The noise can disturb highly the environment around and especially the Parish Services.  
>  
> 4. We have a lot of children visiting the Church that could be scared about topics above and about the possibility of any kind of violence on that area.  
>  
> Thank you for your support.  
>  
> Kind Regards  
>   
> Cheltenham - GL51 8NR  
>  
>  
>  
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[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

Jason Kirkwood

---



Dear Alex

My home address is 7, Haylea Rd, Bishops Cleeve, Cheltenham GL52 7YH

Kind regards



On Thu, 19 Mar 2020 at 11:26, <[EnvHealth@cheltenham.gov.uk](mailto:EnvHealth@cheltenham.gov.uk)> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

Place and Growth

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.

Dear Sirs

As a parishioner of St Gregorys Cheltenham I wish to make the following points reference the above application.

**Prevention of crime and disorder:**

The last time there was a nightclub opposite the church I witnessed the clear up operation of needles, bottles and other rubbish inside the curtilage of the church and the Old Priory. Also, there were times when the thumping bass sound from the nightclub would be audible inside the church when there were late services or events.

**Public Safety:**

Late night revelry led to groups of people shouting and intimidating the public following too much consumption of alcohol or drugs and the general lack of respect for parishioners leaving the church or The Old Priory following late services or events.

**The prevention of public nuisance:**

The clients of the nightclub last time could be rowdy and frightening to vulnerable adults, particularly when church services were held late in the evening for example at Easter and Christmas.

**The protection of children from harm:**

The proximity to St Gregorys School is also problematic insofar as the residue of revelry was also impacting the children going to and from St Gregorys school. Needles, empty bottles, broken glass and other such items found in the vicinity of the school.

31  
For all of the above reasons I would not like to see Page 88 of this nuisance and would ask that this application be refused.

Thank you for taking account of my views.

Yours sincerely



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15, Eldorado Road

32

Cheltenham

GL50 2PU

11 March 2020

3.

Dear Team,

Reference: 20/00454/PRMA. New Premises

licence: St James Club Ltd t/a Chemist

As a parishioner of St Gregory's Church  
I do object to the granting of this licence.

The 4 licensing Objectives speak to  
anti.

Yours sincerely



Licensing Team

Public Protection Team

Cheltenham Borough Council

Municipal Offices

Cheltenham

GL50 1PP

27 Suffolk Parade,

Cheltenham.

Glos. GL50. 2AE.

11<sup>th</sup> March 2020.

Licensing Team,  
Public Protection Team,  
Cheltenham Borough Council,  
Municipal Offices,  
Promenade,  
Cheltenham GL50 1PP.

Dear Sir / Madam,

Ref: 20/00454/PRMA.

New Premises Licence. St. James Club Ltd

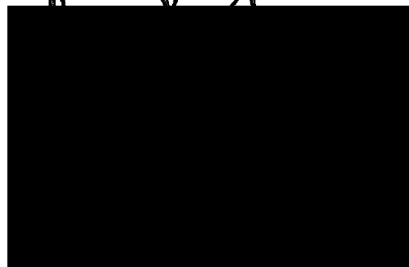
T/A. Chemistry.

As a Parishioner of St. Gregory's Catholic  
Church, St. James Square.

I wish to object to the application  
on the following grounds:

Crime and disorder, Public safety of  
children and noise and nuisance.

Yours faithfully,





**Jason Kirkwood**

---

**From:** pa@cheltenham.gov.uk  
**Sent:** 27 February 2020 22:55  
**To:** Jason Kirkwood  
**Subject:** Comments for Licensing Application 20/00454/PRMA

Licensing Application comments have been made. A summary of the comments is provided below.



### Application Summary

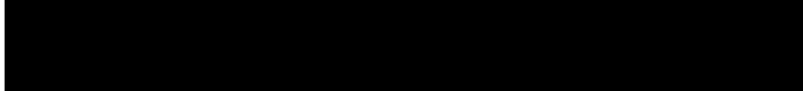
**Address:** Gibson House St James Square Cheltenham  
Gloucestershire GL50 3QG

**Proposal:** Application for New Premises Licence

**Case Officer:** Mr Jason Kirkwood

[Click for further information](#)

### Customer Details



**Address:** St Gregorys Roman Catholic School, St James Square,  
Cheltenham, Gloucestershire GL50 3QG

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

#### Reasons for comment:

**Comments:** 10:54 PM on 27 Feb 2020 I have grave concerns about the safety of our 500 children should the club re-open on St James' Square. This is because of the debris, drug-taking paraphernalia, bottles, glasses and other dangerous items that would need to be cleared up from the grounds of the school on a daily basis prior to the children being able to play in the playground.

Unfortunately, this was the case when the premises was licensed prior to this, this was when the square was not as residential as it is now.

As a school community, we also do not feel it appropriate to have revellers spilling out onto what has become a very busy road and is also opposite a Church. This seems dangerous and wholly inappropriate.

Jason Kirkwood

---

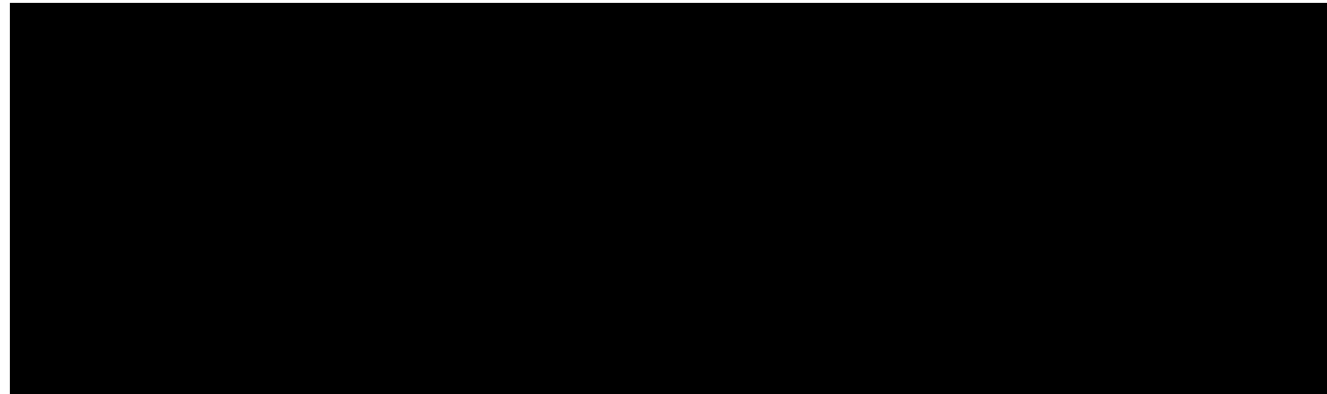


Hi Alex

Thanks for your email

Address as follows:

90 Langdale Road  
Warden Hill  
Cheltenham  
GL51 3LY



Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

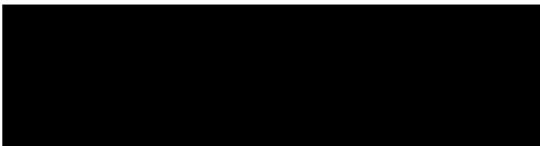
Alex Hamblin

Business Support Officer

This would not be met and children would be at m. **Page 93** icularly going to the church

Please reject the application


Kind regards



Sent from my Samsung Galaxy smartphone.

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"Reference: 20/00454/PRMA. New Premises Licence: St.James Club Ltd t/a Chemistry"

Dear Sir,

As a parishioner of St. Gregory's Church, St. James' Square, Cheltenham, I am very concerned about the proposal to grant a New Premises Licence to the St. James Club Ltd.

Previous experience has shown that when this site has a licence to sell alcohol & provide entertainment to its patrons, the whole area is affected by noise & anti-social behaviour to a considerable degree. Added to which, the area becomes littered with very undesirable, and dangerous, debris which should not be found by children, or indeed, any person of any age.

Yours faithfully,



19a Queens Road,

Cheltenham, Glos. GL50 2LR

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Jason Kirkwood

---



Dear Sirs

My husband and I live in Victoria House on St James Square and we are horrified at the prospect of Gibson House opening as a night club.

As a Council you have encouraged residential growth in this area and now you are proposing to put a night club on our doorstep with all the anti social disturbance that will bring. The stories from residents who remember this venue as a nightclub from years ago have horror stories to tell of drunken behaviour, drug abuse, fornication in peoples gardens and disturbances well into the early hours of the morning.

We are a quiet and civilised neighbour with a nice mix of residential property and offices. An area that has been improving steadily in the last 5 years. The evenings and weekends here are quiet and peaceful. This will all change with a constant stream of rowdy nightclubbers moving to and from the public car park and Gibson House past our building of 10 flats.

It's bad enough coping with the fallout of race week here when we have race goers urinating in our gardens and doorways, throwing their beer bottles into our gardens along with their discarded pizza's and curries with their rowdy, drunken behaviour keeping us up for hours at night when most of us have to get up early to go to work.

**Opening a nightclub here will be like race week every night of the year.**

Suggesting that patrons are asked to be quiet and respectful of the neighbour as they leave the premises is naive, and would be laughable if we were not so upset and worried about this application.

Surely there are plenty of venues in the centre of Cheltenham away from residential communities that would be far more suitable than this one.

Yours faithfully



## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	BASEMENT FLAT
Your full Postal Address or that of the organisation or body you represent	MAYVILLE HOUSE ST JAMES SQ CHELTENHAM
Post Code	GL50 3QG
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

**Premises/Club Details**

Name of premises/club you are making representation about:	ST JAMES CLUB LTD / JAMES ELIAS,
Name of Applicant for Licence (if known)	ST JAMES CLUB GIBSON HOUSE
Postal Address:	ST JAMES SQ CHELTENHAM
Post Code:	GL50 3QG

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about	
(eg crime, disorder, noise, disturbance etc)	
① CRIME ② DISORDER ③ NOISE ④ DISTURBANCE ⑤ SECURITY.	⑥ PUBLIC NUISANCE ⑦ Protecting children.

**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](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	15m
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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)

See attached

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

(Please continue on a separate sheet if necessary)

Withdrawal of New Premises Licence.

Signature:



Capacity:

Date:



Licencing Team  
Public Protection Team  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

By email only: [licencing@cheltenham.gov.uk](mailto:licencing@cheltenham.gov.uk)



Address Basement Flat, Mayville House, St James Sq,  
Chelt, GL50 3QG

Dear Sirs

**Reference: 20/00454/PRMA.**

**Re: New Premises Licence by St James Club Ltd t/a Chemistry (the Application)**

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

I write further to the above new premises application by St James Club Ltd.

**My details**

I am an interested person in this Application by reason of being a local resident living in the vicinity of the Premises. My home, Basement Flat, Mayville House, is two doors down and approximately 10 to 15 metres from the Premises.

The purpose of this letter is to make representations in respect of the Application. I can be contacted on the above-details, should any further contact be necessary.

I have lived at Mayville House on and off since 1999, at the age of 9. I know first-hand what it was like living two doors down from the Premises when it was operational as a nightclub, and these representations are made with reference to that experience.

**Premises/Club details**

For the avoidance of doubt, these representations are with regards to the following application:

<i>Reference:</i>	<i>20/00454/PRMA</i>
<i>Category:</i>	<i>Application for new premises licence</i>
<i>Applicant:</i>	<i>St James Club Limited / James Elias</i>
<i>Premises:</i>	<i>Gibson House, St James Square, Cheltenham, GL50 3QG</i>
<i>Date of Application:</i>	<i>19 February 2020</i>

**Licencing Objectives and relevant concerns**

I object to the Application for the following reasons, having regard to the licencing objectives.

Prevention of public nuisance

1. Drunken behaviour and impact/damage.

- a. The drunken behaviour the nightclub is likely to bring is completely undesirable, and is likely to include:
  - i. Urination and defecation on private property (such as front parking areas, inside gated and fenced areas, the wall encircling St Gregorys Church, etc).
  - ii. Broken bottles, glass and litter being frequently present on the pavement and road.
  - iii. Recycling and rubbish bins belonging to nearby residents being tipped over and scattered across the floor.
  - iv. Vomit, urine and blood being frequently present on doorways and the pavement.
  - v. Trespassing on damage to vehicles on private property.
- b. All of the items listed in 1(a) above occurred with frequency when Chemistry nightclub was open previously.
- c. Due to the residential nature of the area, police patrols are far less common than in other areas such as the high street or the promenade. There is therefore not as much of a deterrent to prevent people from causing a public nuisance in the manner described above.
- d. The amount of drunken behaviour and damage to personal property noticeably decreased following the closing of Chemistry nightclub and I would not wish to see it re-opened.

2. Noise unsuitable for the local environment:

- a. The level of noise from the music will be significant. I recall when Chemistry nightclub was open previously you could feel the vibrations in the wall and hear the music at night. Party-goers would make loud disruptions and I do not believe warning signs requesting 'respect for local residents' will have any impact to reduce their noise.
- b. The amount of noise generated from a nightclub is not suitable having regard to the character of the neighbourhood. The character of the neighbourhood being one which encompasses private and elderly residences, schools and playgrounds, child nurseries and a church.
- c. Live music is proposed at the Premises which will enhance the level of noise.
- d. Disposal of glass recycling will create a sharp and abrupt noise of crashing/breaking glass upon the nightly disposal and morning refuse collection (as it did previously).

3. Disruption to access for local residents:

- a. When Chemistry nightclub was open previously, the security would often close off access to the cul de sac with traffic cones. This caused additional disruption to residents who live in that cul de sac when simply trying to enter their homes by vehicle.
4. Litter on the pavement and road:
- a. The Application includes provision for an outside smoking area. If this is adjoining the public pavement, cigarette butts would litter the pavement, and would likely accrue from smokers in the queue waiting to enter in any event.

The protection of children from harm

1. Risk of broken glass on school route
  - a. The main entrances to St Gregory's Primary School and Elephant Moon Children's Nursery is by way of a cul de sac on St James Square. The route from St Gregory's School to St Gregory's Church (which the kids take every week) is also along the same road.
  - b. The Premises is at the entrance to that cul de sac. It is unavoidable that small children and parents with children in strollers will pass the Premises frequently.
  - c. Any broken glass originating from the Premises (whether emanating from the smoking area or people taking drinks outside of Premises) will find its way onto the pavement and can cause a danger to children.
  - d. Although it falls short of a danger, the children going to school and nursery should also not be unnecessarily subjected to passing vomit, urine, blood, and cigarette butts on their way to school. It is simply inappropriate.
2. Drunk people in the area of children's facilities.
  - a. I have worked as a bartender for a number of years and am fully aware how easy it is for drunk customers to steal or cause damage to the local area, for no apparent reason (having responded to a broken window from this year's race week only in the last few days). I simply cannot fathom why anyone would think it would be sensible to place a nightclub around 30 to 60 metres away from a primary school or children's nursery with that ever present risk.

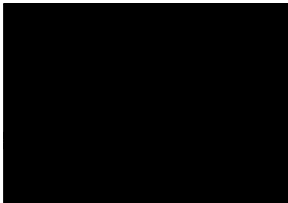
**Next Steps**

For the above-reasons I object to the Application and the granting of a licence for a nightclub on St James Square.

I do not believe that the imposition of conditions will satisfactorily address my concerns.

Please let me know if and when the Application is listed for a hearing, as I would wish to attend.

Yours sincerely





## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	Mayville House
Your full Postal Address or that of the organisation or body you represent	St James Square, Cheltenham
Post Code	GL50 3QG
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

**Premises/Club Details**

Name of premises/club you are making representation about:	ST JAMES <del>SEA</del> CLUB LTD / James Elias
Name of Applicant for Licence (if known)	ST James Club Gibson House
Postal Address:	St. James Sea Cheltenham
Post Code:	GL50 3QG

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
① CRIME DISORDER ② public nuisance prevention ③ Protection of children ④ Public Safety

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	15m.
--	------

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)

See attached.

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

(Please continue on a separate sheet if necessary)

If applicant withdraws application for  
New premises licence.

Signature:

Capacity:

Date:

17/3/20.

Mayville House  
St James Square,  
Cheltenham.  
GL50 3QG

17<sup>th</sup> March 2020

Licencing Team  
Public Protection Team  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

Dear Sirs

**Reference: 20/00454/PRMA.**

**Re: New Premises Licence by St James Club Ltd t/a Chemistry (the Application)**

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

I write further to the above new premises application by St James Club Ltd.

My details:

I am a local resident living in the immediate vicinity of the Premises.

My home, Mayville House, is two doors down, with adjoining walls, and approximately 10 to 15 metres from the Premises.

The purpose of this letter is to make representations in respect of the Application. I can be contacted on the above details, should any further contact be necessary. I and my family have lived at Mayville House since August 1999, and we know first-hand what it was like living two doors down from the Premises when it was operating as a nightclub, and these representations are made with reference to that experience.

Premises/Club details

For the avoidance of doubt, these representations are with regards to the following application:

Reference:

20/00454/PRMA

Category:

Application for new premises licence

Applicant:

St James Club Limited / James Elias

Premises:

Gibson House, St James Square, Cheltenham, GL50 3QG

Date of Application:

19 February 2020

Licencing Objectives and relevant concerns.

I object to the Application for the following reasons, having regard to the licencing objectives.

#### Prevention of public nuisance

##### 1. Drunken behaviour and Impact/damage.

- a. The drunken behaviour the nightclub is likely to bring is completely undesirable, and is likely to include:
  - i. Urination and defecation on private property (such as front parking areas, inside gated and fenced areas, the wall encircling St Gregories Church, and inside our own garden) etc
  - ii. Broken bottles, glass and litter being frequently present on the pavement and road.
  - iii. Recycling and rubbish bins belonging to nearby residents being tipped over and scattered across the floor.
  - iv. Vomit, urine and blood being frequently present on doorways and the pavement.
  - v. Traspasing on damage to vehicles on private property.
- b. All of the items listed in 1(a) above occurred with frequency when Chemistry nightclub was open previously.
- c. Due to the residential nature of the area, police patrols are far less common than in other areas such as the high street or the Promenade. There is therefore not as much of a deterrent to prevent people from causing a public nuisance in the manner described above.
- d. The amount of drunken behaviour and damage to personal property noticeably decreased following the closing of Chemistry nightclub and we would not wish to see it re-opened.

##### 2. Noise unsuitable for the local environment:

- a. The level of noise from the music will be significant. We recall when Chemistry nightclub was open previously, you could feel the vibrations in the wall and hear the music at night. A member of the council noise control came and sat in our bedroom to measure the level of noise. Going from memory, the Chemistry nightclub then possibly had controls put on the music levels. Party-goers would make loud disruptions and I do not believe warning signs requesting 'respect for local residents' will have any impact to reduce their noise.
- b. The amount of noise generated from a nightclub is not suitable having regard to the character of the neighbourhood. The character of the neighbourhood being one which encompasses private and elderly residences, schools and playgrounds, child nurseries and a church.
- c. Live music is proposed at the Premises which will enhance the level of noise. Also controls cannot be put on level of sound, as it can on electronic equipment.
- d. Disposal of glass recycling will create a sharp and abrupt noise of crashing/breaking glass upon the nightly disposal and morning refuse collection (as it did previously).

##### 3. Disruption to access for local residents:

- a. When Chemistry nightclub was open previously, the security would often close off access to the cul de sac with traffic cones. This caused additional disruption to residents who live in that cul de sac when simply trying to enter their homes by vehicle.
- b. When there was a line of people were waiting for entry into the club, quite a number need to urinate, and the nearest place they would run into would be our gated garden, and relieve themselves, note even covering themselves as we would return home and find a person in our garden!

The so called security personnel made no attempt to stop them from going into our gardens.



4. Litter on the pavement and road:

- a. The Application includes provision for an outside smoking area: If this is adjoining the public pavement, cigarette butts would litter the pavement, and would likely accrue from smokers in the queue waiting to enter in any event.

Where would the smoking area be?

If it is at the front, it would be coming in through our windows, if it is at the back, there are 4 properties at the rear as well as our own, whereby the smoke would blow in through the windows. It is bad enough if there is one smoker, how bad would it be if there were potentially more than 30 people smoking at any one time?

The protection of children from harm

1. Risk of broken glass on school route

- a. The main entrances to St Gregory's Primary School and Elephant Moon Children's Nursery is by way of a cul de sac on St James Square. The route from St Gregory's School to St Gregory's Church (which the kids take every week) is also along the same road.
- b. The Premises is at the entrance to that cul de sac. It is unavoidable that small children and parents with children in strollers will pass the Premises frequently.
- c. Any broken glass originating from the Premises (whether emanating from the smoking area or people taking drinks outside of Premises) will find its way onto the pavement and can cause a danger to children.
- d. Although it falls short of a danger, the children going to school and nursery should also not be unnecessarily subjected to passing vomit, urine, blood, and cigarette butts on their way to school. It is simply inappropriate.

2. Drunk people in the area of children's facilities.

We simply cannot fathom why anyone would think it would be sensible to place a nightclub around 30 to 60 metres away from a primary school or children's nursery with all of the ever present risks.

Next Steps

For the above-reasons I object to the Application and the granting of a licence for a nightclub on St James Square.

I do not believe that the imposition of conditions will satisfactorily address our concerns. Please let us know if and when the Application is listed for a hearing, as we would wish to attend and speak.

Yours sincerely



Reference:

20/00454/PRMA. New premises Licence: St James Club Ltd t/a Chemistry

To whom it may concern,,

With regard to the above application, I wish to object to the potential granting of the licence under the grounds of

- Public Nuisance
- Public safety
- Danger to the protection of Children

I am a parishioner of St. Gregory's Parish and our Church is directly opposite the premises in question. We have daily services and masses in the church itself and meetings in the adjacent rooms "The Old Priory" We already have one licenced premises near the church and there is no need for another. The noise from such an establishment would cause a public nuisance as we attend our services throughout the year. We have daily masses, Holydays of Obligation, Vigil Masses, Penitential Services, Exposition of the Blessed Sacrament and many more.

We are currently in Lent and Holy Week will soon be upon us when there will be events all week, at different times, but mostly in the evening and culminating with the Easter Vigil from late on Holy Saturday Evening through to Midnight Mass ending on Easter Sunday morning.

This is the highlight of the Liturgical Year as we celebrate the Lord rising from the dead on Easter Sunday morning. We do not wish this and other services to be interrupted by traffic, noise and loud music and then to meet some of the participants, often the worse for alcoholic drink, on our way out of church.

There is a low wall around St. Gregory's property and although the gates are closed it is easy to climb over and use the area to relive yourself, if you have not had time to go to the "Gents" before leaving the club.

Public safety is also an issue as some of the revellers do not appreciate how drunk they are and can be abusive, cause litter with beer cans and particularly

glass bottles which can easily break. As stated above it is also a matter of Public safety if many older parishioners meet these people on their way home.

There is also the potential nuisance and danger from other rubbish to be disposed off e.g. needles and condoms.

St Gregory's Catholic Primary School is around the corner from the club at the end of a cul- de -sac and this would be an ideal place for drug taking and disposing of old beer bottles or needles. If such items were picked up by 4-11 year old children then surely this is not Protecting Children from harm.

As a former Headteacher in Gloucester I am only too aware of what can be thrown into the school playground. You can get the caretaker to do their rounds but not every needle or condom can be spotted until it is too late or a parent comes in to inform you. This puts not only the pupils but the parents and staff at risk.

For these reasons, I strongly request that you refuse this application.



6 Delphinium Drive

Bishops Cleeve

Cheltenham

GL528HQ

"Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry"

Dear Committee

I wholeheartedly do not condone the New Premises Licence being granted for the following reasons.

Firstly the noise and antisocial behaviour would lead to crime and disorder within the community. Bearing in mind that St Gregory the Great has been providing services for the catholic population since 1858, it would be totally disrespectful.

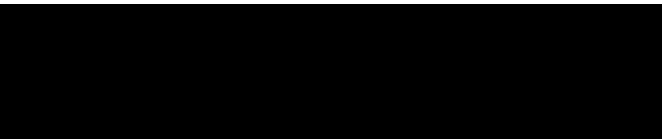
Public safety is another issue which must be considered. The amount of litter, most of which will be dangerous, is of deep concern to me. It is inevitable that bottles, cans, litter and unfortunately clinical waste will no doubt be abandoned on or nearby church property. This is much more than undesirable. It is indeed highly dangerous and harmful.

Whilst St Gregory's offers parishioners services all year round, there are many evening and late evening Masses which would coincide with licensing hours. This is not in tune with prayer and meditation in church. Also there are meetings throughout the year in the Old Priory. Again the licensing hours would create a nuisance to the public

Finally St Gregory's Catholic Primary School is close by. The children come over to church frequently through the academic year. The children are aged between 4 and 11 years. If the licence was granted, I could not see how these pupils could possibly remain protected from harm.

I therefore do not support the application for a New Premises Licence and my wish is that it should be revoked.

Yours Sincerely

A large black rectangular box redacting the signature of the sender.

6 Delphinium Drive

Bishop's Cleeve

Cheltenham GL528HQ

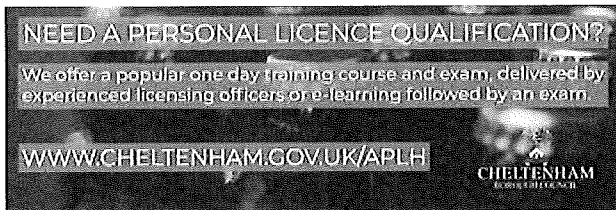
**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 10 March 2020 17:59  
**To:** Jason Kirkwood  
**Subject:** FW: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Kind regards

Phillip Bowen  
Licensing Officer  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4177



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

H Jason - thanks for your reply, our postal address is:

[Redacted]  
187 Prestbury Road  
Cheltenham  
GL52 3ES

Yours Sincerely,

[Redacted]

[Redacted]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

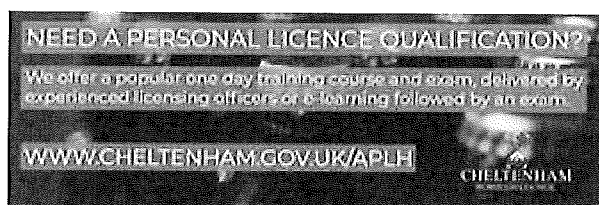
Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

If you can confirm your postal address, the objection will be duly made to us.

Best regards

Jason

**Jason Kirkwood**  
**Senior Licensing Officer**  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4163

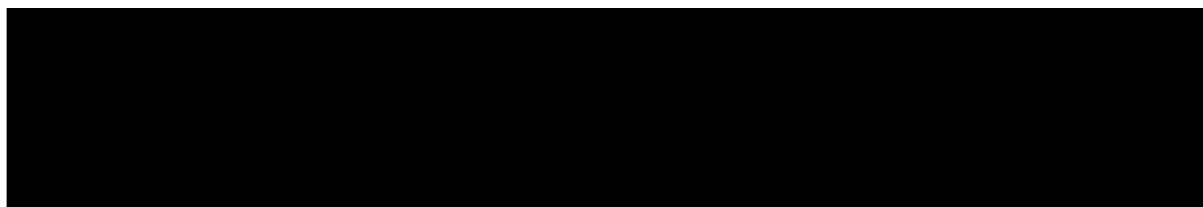


[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



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This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.



I am writing to you to strongly object to the proposed licence for the above Chemistry premises.

I have lived in Cheltenham since 1996 and well remember the previous nightclubs in this location. Public nuisance was a regular event at weekends, with my friends who lived in flats nearby routinely disturbed at 2am. (The impact on people in the surrounding residential area is now exacerbated by the many new flats built close by) My wife has also had the dubious pleasure of having to reprimand a pair of men who had just left the nightclub one evening who were urinating on the doors of the neighbouring church.

I would also like to object on the grounds of protection from harm. During the days of the previous nightclub, I lost count of the number of glasses and glass bottles scattered around the streets by people arriving at or leaving the club. In many cases, these glasses and glass bottles were broken and no effort had been made to clear them up by club-goers or the club. With a school and two nurseries yards from the club, the risk to the safety of children on mornings after a club is obvious.

I hope that you take notice of this objection on the above grounds. Cheltenham has many other, far better locations for clubs that do not raise the same issues. (Given the failures of the previous clubs in the proposed location, I suspect that alternative locations will also be better options in terms of commercial risk to the owners)

Regards

[REDACTED]

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**Jason Kirkwood**

---

**Follow Up Flag:**

Follow up

**Flag Status:**

Flagged

Dear Sir,

I am writing to lodge my protest against the above application. I have lived peacefully in St. James North 1, St James Square for 10 years now and am now a Director of the Right to Manage of the property representing all the owners of the building. I have been in this position for over 6 months and work with two other Directors and the managing agent.

We peacefully coexist with St. Gregory's Church and St. Gregory's Primary School which are in the immediate area. Resources such as parking get stretched when there are events there and I think to add another commercial enterprise such as Chemistry bringing traffic and footfall to the immediate area would undoubtedly be a frustrating impediment. Also as a resident I pay an annual parking fee for Z12 of which there are 3 to 4 spaces directly outside Chemistry which I occasionally use. I would not feel comfortable leaving my car there in the knowledge that people who had been drinking would pass directly past my car. Where I normally park is just a stone's throw away outside my building and I would not have full confidence that my car and building entrance would be safe from vandalism while there are drunk people leaving at closing or waiting for taxis.

As I said above there is a primary school in the direct area and according to the information I have received Chemistry would be open every day from 10 am. Therefore I think it to be totally inappropriate to have alcohol consumption in the extremely close proximity of primary school children. The same goes to the parishioners of the Church who may suffer harassment and abuse when they enter or leave their place of worship.

From a personal point of view I go to bed at a decent time in preparation for work every day and I find it very hard to believe that I will not be disturbed by the music playing on a daily basis. This is really a public nuisance and will affect all the residents here. Also there will be shouting and noise from drunk people leaving and entering the club on a daily basis.

Thus to conclude this is a tight knit community here with the school, church, residents, not to mention St. James House, an office place of work who will not want drunk people directly outside their place of work. There is no place for a nightclub and I really believe it will cause a public nuisance.

Thank you for your time,

Yours sincerely,



Sent from my iPad



Licensing Team  
Public Protection Team,  
Cheltenham Borough Council, Municipal Offices, Promenade  
Cheltenham GL50 1PP

March 12, 2020

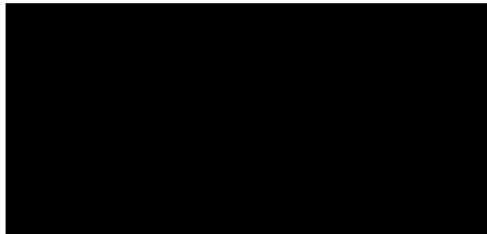
Reference 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

We strongly object to this application on the following grounds:

1. Heavy drinking and rowdiness (including fist fights) sometimes accompanies night club activities.
2. This can result in passers by becoming involved or even attacked,
3. In the past (when a night club was licensed at these premises) there were regular incidents of people urinating in the churchyard and leaving litter such as fast food wrappers, bottles and cans that had to be cleared up by Church staff. Abandoned needles would sometimes be found.
4. Under-age drinking all too often takes place in night clubs, with fake IDs being used to gain entry. Some use of drugs is also probable.

It seems to us that the granting of a licence to Chemistry would inevitably result in the same problems arising again and therefore a licence should definitely be refused.

Yours sincerely



1 Lansdown Parade  
Cheltenham GL50 2LH

**Jason Kirkwood**

---

[Redacted]

Forgive my being late - lost in spam

Just in case you can fit me in:

Name:

[Redacted]

Address:

Flat 28 Rushworth House,  
Rushworth Close  
Cheltenham GL51 0JR

Yours sincerely

[Redacted]

[Redacted]

**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>

**Sent:** 26 March 2020 14:59

[Redacted]

I am sorry we can only accept your email as an objection to this application if you provide your name and full postal address. I need to receive this information by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

**Jason Kirkwood**

---

**Subject:**

Reference: 20/00454/PRIMA. New Premises License: St James Club Ltd t/a Chemistry

Rather than furthering the "4 Licensing Objectives" surely selling alcohol every day from 10am till midnight (10pm on Sundays) (with the possibility of extended hours) in a location over the road from St Gregory's Church, its infants school and the Old Priory Parish Centre would introduce a 'hotspot' tending to 1) increase crime and disorder 2) reduce public safety 3) increase public nuisance 4) expose children to harm (eg AIDS infected needles discarded by inebriated patrons at an entrance to where, next day, 5 year olds attend school)?

**Jason Kirkwood**

---

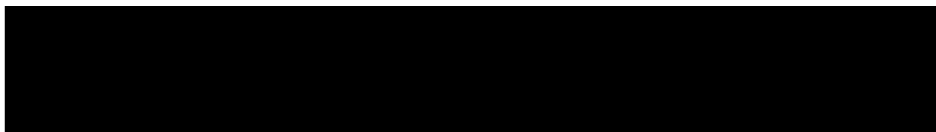
**From:** Internet - Licensing  
**Sent:** 13 March 2020 15:12  
**To:** Jason Kirkwood  
**Subject:** FW: Ref20/00454/PRMA?

Kind regards

Phillip Bowen  
 Licensing Officer  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4177

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To: Internet - Licensing <Licensing@cheltenham.gov.uk>  
 Subject: Ref20/00454/PRMA?

My representation for 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a

As a parishioner of St. Gregories which stands opposite the putative club of St James I wish to oppose the granting of a licence in order to prevent crime and disorder, to ensure continued public safety, to prevent the public nuisance from drunken patrons and the protection of children particularly from used needles dropped through the railings etc. Noise from the Club might also affect some of our services. Please do not grant this licence.

My name and address: [Redacted], 7 New Court, Lansdown Road, Cheltenham GL50 2JG  
 Thankyou Sent from my iPad

Jason Kirkwood

---

[Redacted]

To: Internet - Licensing  
Subject: New Premises Licence

" Reference:20/00454/PRMA.New Premises Licence: St James Club Ltd t/a Chemistry"

I object to the granting of the new licence on the following grounds:

1. The prevention of crime and disorder because the late night consumption of alcohol together with the probable sale and consumption of illegal drugs would be a hazard.
2. Crowds exiting the premises late at night and in the early morning would create a public nuisance and impinge on the safety of local residents.
3. We need to protect our children from harm. The proposed licensed premises is very close to a kindergarten and to St. Gregory's school. The proposal is for a license from 10am.

yours,

[Redacted]

Flat 21 St.James South  
GL50 3SP

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# APPENDIX 3

## Batch 3

Residents C - D

**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](mailto:licensing@cheltenham.gov.uk)*

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

<b>Name:</b>	
<b>Name of the organisation/body/person you represent. (If appropriate)</b>	
<b>Your full Postal Address or that of the organisation or body you represent</b>	FLAT 9, SOMERSET HOUSE KNAPP RD, CHELTENHAM GLOS.
<b>Post Code</b>	GL50 3QQ
<b>Daytime contact telephone number</b>	
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

<b>Name of the person/organisation/body. (as appropriate)</b>	
<b>Full Postal Address of the person/organisation or body making representation</b>	
<b>Post Code</b>	
<b>Daytime contact telephone number</b>	
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:	ST. JAMES CLUB LTD.
Name of Applicant for Licence (if known)	JAMES ELIAS
Postal Address:	GIBSON HOUSE, ST. JAMES SQUARE CHELTENHAM GLOS.
Post Code:	39G

**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 AND DISORDER AT NIGHT AND POSSIBLE CRIME.

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	@ 30 METRES.
--	--------------

Part 2 continued

**What are your concerns?**

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

I DO NOT BELIEVE THIS IS THE CORRECT AREA FOR A NIGHT CLUB, WITH ELDERLY PEOPLE LIVING IN THE AREA, AND SCHOOLS + A CHURCH.

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

(Please continue on a separate sheet if necessary)

Signature:



Capacity:

OAP

Date:

7-3-2020

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 14:21  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

[REDACTED]  
22 Somme Road  
Cheltenham  
GL52 5LJ

Thank you

[REDACTED]

>  
> Jason Kirkwood  
> Senior Licensing Officer  
> Public Protection  
> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4163  
>  
> [www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>  
>  
>  
> This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.  
>  
>  
>  
> [REDACTED]  
>  
> Sent: 15 March 2020 11:05  
> To: Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>  
> Subject: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry  
>  
> To whom it may concern:  
>

> I'm deeply concerned that by granting the **Page 126** above it will directly affect the welfare and protection of my children who attend The Catholic School of Saint Gregory The Great.

>  
> The premises of St James Club is directly in the vicinity of the school and if opens with a license to serve alcohol would risk disorderly behaviour outside school and church.

>  
> I too have serious concerns about being able to protect our children from harm if bottles and other paraphernalia are thrown over the playground wall like they used to be when the premises was licensed a number of year ago.

>  
> In addition to the above I worry of the welfare of the church parishioners whom would park outside the premises and cross the road.

>  
> I do hope this license is not granted.

>  
> 

>  
>  
> Sent from my iPhone

>  
>  
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[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

6

Re Page 127<sup>1</sup>/<sub>2</sub> 0

I. CLARKE Way.  
CHELTENHAM, Glos.  
GL50. 4AX  
March. 8<sup>th</sup> 2020.

REFERENCE:

20/00454/PRMA. NEW PREMISES  
LICENCE: ST JAMES CLUB LTD t/a  
CHEMISTRY.

To Whom it may Concern,

I wish to lodge my objection to  
Chemistry opening.

This is a totally unsuitable premises  
to have a night club! Within very  
close proximity are two nursery  
schools, a primary school and the  
Catholic church of ST Gregorys.  
The above speaks for itself.

Yours,

  
Concerned Resident.

Licencing Team  
Public Protection Team  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

10<sup>th</sup> March 2020

Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

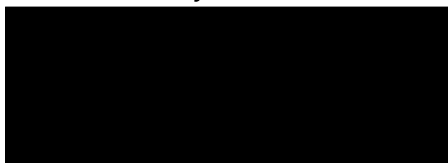
Dear Licencing Team,

I am writing as a parishioner of St Gregory's Church Cheltenham and also a nearby resident.

I feel I would be personally affected by the above application and I would like to state my objection to the proposed New Premises Licence.

I object on the grounds of prevention of public nuisance, as local residents, including myself, would be disturbed by noise created by members of the public leaving the venue during unsociable hours, having consumed alcohol. I also object on the grounds of protecting children from harm, as the opening of such a venue would attract broken bottles, litter and vomit on the pavements, and often discarded needles are an issue outside bars/nightclubs. This issue is of particular concern due to the family Mass held at St Gregory's Church early on Sunday mornings and many children being in the vicinity.

Yours sincerely



11 Clarence Walk  
Chelsea Square  
St George's Place  
Cheltenham  
GL50 3RG

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 20 March 2020 08:40  
**To:** Alexander Hamblin  
**Subject:** RE: Chemistry premises

Good Morning ,

Thank you for your email , my full postal address is as follows :

[REDACTED] 80 Kempton Grove , Cheltenham GL53 0JU

Kind Regards ,

[REDACTED]  
Parishoner

**From:** Alexander.Hamblin@cheltenham.gov.uk <Alexander.Hamblin@cheltenham.gov.uk>  
**Sent:** 19 March 2020 11:31  
**To:** [REDACTED]  
**Subject:** RE: Chemistry premises

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer  
Cheltenham Borough Council  
Public Protection  
Place and Growth  
01242 264300  
[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.

Thank you for your understanding

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 16:40  
**To:** Internet - Licensing  
**Subject:** Chemistry premises

Ref : 20/00454/prma

I would like to object to the premises across the road **Page 130** y's Church , opening a night club with unsocial hours with noise and antisocial behaviour as follows :

The protection of children from harm .

Kind Regards

[Redacted Signature]

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Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 18:00  
**To:** Internet - Licensing  
**Subject:** Reference: 20/000454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

To whom it may concern,

As a parishioner of St Greg's Church (just across from where the proposed night club will be built) I would like to objection to the proposal listed in the subject.

I believe that licencing objective 3) prevention of public nuisance, is likely to be infringed by this proposal.

A licence from 10am onwards with alcohol consumption and music in a night club setting will have a severe noise pollution impact on residents and parishioners. Our parish has events throughout the week, including at night, which require quiet contemplation and prayer. The presence of this venue would severely disrupt those activities.

Kind regards,

[REDACTED]  
 54 Albert Road  
 Cheltenham  
 GL52 2QX

**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](mailto: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="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Contact details (of person completing form)**

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

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

<b>Name of the person/organisation/body. (as appropriate)</b>	
<b>Full Postal Address of the person/organisation or body making representation</b>	
<b>Post Code</b>	
<b>Daytime contact telephone number</b>	
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:	ST JAMES CLUB
Name of Applicant for Licence (if known)	CHEMISTRY
Postal Address:	GIBSON HOUSE ST JAMES SQUARE CHELTENHAM
Post Code:	GL50 3QG

**What are you making a representation about?**

<b>Please indicate which part of the licence/certificate application you are making a representation about</b> (eg crime, disorder, noise, disturbance etc)
Public Nuisance and Personal Disturbance
With regard to Reference: 20/000454/PRMA New Premises Licence: St James Club Ltd t/a Chemistry

**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](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	75 metres
--	-----------

Part 2 continued

**What are your concerns?**

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

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

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

- drawing the nightlife from the centre of town into a residential area
- queues of people waiting to get inside the venue for ticketed events
- groups of people going to and leaving the nightclub until the early hours of the morning.
- increased volumes of traffic – including door slamming and revving of engines

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


Further concerns arising from:

- Groups of people lingering outside the premises to smoke (not an issue when the nightclub was previously open as smoking was permitted inside then). The application suggests 10% of the people in the club – this will add to the noise levels in the neighbourhood.
- Sale of alcohol outside

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

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

*(Please continue on a separate sheet if necessary)*

**Signature:** 

**Capacity:** RESIDENT

**Date:** 17/03/2020

**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 11 March 2020 08:58  
**To:** Jason Kirkwood  
**Subject:** FW: New premises licence

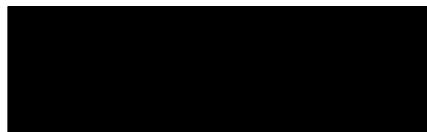
-----Original Message-----

**From:** [REDACTED]  
**Sent:** 10 March 2020 19:33  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Re: New premises licence

Thank you for your reply.

As requested, here is my postal address....

15, Long Furlong Park  
Gotherington  
Cheltenham  
Glos  
GL52 9FA



Sent from my iPad

> On 10 Mar 2020, at 17:14, <Licensing@cheltenham.gov.uk> <Licensing@cheltenham.gov.uk> wrote:

> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> Thank you for your email. I am the case officer for this application.

> I just wanted to give you some feedback on your objection.

> Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

> If you can confirm your postal address, the objection will be duly made to us.


> Best regards

> Jason

> Jason Kirkwood  
> Senior Licensing Officer  
> Public Protection

> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4163  
>  
> www.cheltenham.gov.uk/APLH  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>  
>  
>  
> This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.  
>  
>  
>  
>  
> -----Original Message-----  
> From: Internet - Licensing <Licensing@cheltenham.gov.uk>  
> Sent: 10 March 2020 16:13  
> To: Jason Kirkwood <Jason.Kirkwood@cheltenham.gov.uk>  
> Subject: FW: New premises licence  
>  
>  
>  
> Kind regards  
>  
> Phillip Bowen  
> Licensing Officer  
> Public Protection  
> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4177  
>  
>  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>  
>  
> This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 10 March 2020 13:53  
> To: Internet - Licensing <Licensing@cheltenham.gov.uk>  
> Subject: New premises licence  
>  
> Dear Sir/Madam,  
>  
> Ref: 20/00454/PRMA. New premises licence : st James club Ltd t/a Chemistry  
>  
> As a parishioner at St Gregory's Church in St James' Square, Cheltenham, I would like to voice my concerns at the application to open the Chemistry Night Club.  
>  
> The proximity of the site i.e. across the road from the church and next to St. Gregory's primary school, I object to granting a licence for the reasons below:-

## Page 137

- >
- > 1) The risk of crime and disorder e.g. to parishioners cars when parked outside of church and school and for local residents.
- >
- > 2) The disturbance from noise/music from the club particularly when church services are going on.
- >
- > 3) The risk to public safety from attack from drunken revellers ( particularly at Christmas time),  
> danger to children picking up undesirable items (needles etc.) on the street and over the wall in the school playground and from vomit on the pavement.
- >
- > Thank you for your time,
- > Regards,
- > 
- >
- > Sent from my iPad
- >
- > This email (and any attachments) is an official Cheltenham Borough Council document. The information in this email and attachments is provided for the intended recipient. If you receive this email in error, please advise the sender by return email and delete the original message from your server. This e-mail is believed to be free of viruses but it is your responsibility to carry out all necessary checks and the council does not accept any liability in connection with it.
- >
- > The security of any information sent by email to the council cannot be guaranteed. Any information sent to the council may be made available to the public, copied to other council officials or outside agencies in line with legislation and data sharing agreements. Any personal data sent to the council may be used in accordance with the council's Privacy Notices  
[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

[REDACTED]  
22 Jubilee Court  
Commercial Street  
Cheltenham  
GL50 2AJ

**12 March 2020**

Licensing Team  
Public Protection Team  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

**Reference: 20/00454/PRMA**

**New Premises Licence: St. James Club Ltd. t/a/Chemistry**

Dear Sir/Madam:

I write to express my objections and concerns regarding the request for a New Premises License for the above-referenced property. I note the premises are located immediately opposite the St. Gregory the Great RC Church and less than 100 metres from The Catholic Primary and Nursery School of St. Gregory the Great on Knapp Road.

Specifically:

- The proposed licensing hours and attendant noise from 'entertainment' will conflict with the church services.
- When the premises in question were last licensed as a place of 'entertainment', it was not uncommon to find drug paraphernalia (including needles) thrown over the walls of the church grounds. This was and could be again, a danger to children and those maintaining the church grounds.
- Whilst we have no evidence of any trade in drugs at the premises when used previously for 'entertainment', such activity would most certainly be a danger for children frequenting the school and church.

Sincerely,

[REDACTED]  
Parishioner



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 19:25  
**To:** Internet - Licensing  
**Subject:** Re: Objection to New Night Club in St. James Square

Hello Jason,  
My postal address is as follows  
3 Charnwood Close,  
Leckhampton,  
Cheltenham  
Glos  
GL53 0HL.

Please put my objection forward for consideration.

Thank you,  
[REDACTED]

Sent from my iPad

> On 9 Mar 2020, at 16:54, <Licensing@cheltenham.gov.uk> <Licensing@cheltenham.gov.uk>  
> wrote:  
>  
> Dear [REDACTED]  
>  
> Thank you for your email. I am the case officer for this application.  
>  
> I just wanted to give you some feedback on your objection.  
>  
> Unfortunately, your email will not be accepted as a relevant representation until you have  
> provided your postal address.  
>  
> If you can confirm your postal address, the objection will be duly made to us and considered by  
> councillors hearing the application in due course.  
>  
> Best regards  
>  
> Jason  
>  
>  
> Jason Kirkwood  
> Senior Licensing Officer  
> Public Protection  
> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4163  
>  
> [www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCCLicensing>  
>  
>

> This email may contain information which is **Page 140** and confidential. Please do not forward to anyone else without my consent.

>  
>  
>

> -----Original Message-----

> From: [REDACTED]

> Sent: 09 March 2020 14:21

> To: Internet - Licensing <Licensing@cheltenham.gov.uk>

> Subject: Objection to New Night Club in St. James Square

>

> With regard to Reference:20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry

>

> I would like to draw the attention to my concerns regarding the re-opening of the above nightclub.

> As a member of St.Gregory's church and a past employee of the school I am concerned with regards to unsociable behaviour, noise, drunken people entering church during services, children picking up items relating to drugs, danger to members of the school and church from verbal abuse. All this happened before when it was a night club.

> Please take my concerns seriously. This is NOT a suitable area for a night club.

> [REDACTED]

> Concerned Parishioner.

> Sent from my iPad

>

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>

> The security of any information sent by email to the council cannot be guaranteed. Any information sent to the council may be made available to the public, copied to other council officials or outside agencies in line with legislation and data sharing agreements. Any personal data sent to the council may be used in accordance with the council's Privacy Notices  
[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

19, Cakebridge Road,  
Cheltenham,  
Gloucestershire.  
GL52 3HL

Tel: [REDACTED]

Licensing Team.

March 16<sup>th</sup>.

Public Protection Team.

2020

Cheltenham Borough Council

GL50. 1 PP.

Reference No. 20100454/PRMA.

New Premises Licence. St James Club Ltd /  
Gla  
Chemistry

I am deeply concerned that a licence may  
be granted for opening the above club. on  
the grounds of it being a public nuisance  
with the distinct possibility of drunkenness &  
drug misuse.

- \* ① It is situated next to a primary school -  
danger of discarded needles & drugs.
- ② It would be situated in a highly residential  
area with a distinct possibility of noise and  
antisocial behaviour - leading to disorder  
and distress - and devaluing the houses & flats.
- ③ It could have a serious negative impact  
on the church goers of St. Gregory's - who have  
a wide age span from young children to  
the elderly & disabled.

I do hope this licence is refused. Yours sincerely,

[REDACTED]

**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 28 February 2020 14:43  
**To:** Jason Kirkwood  
**Subject:** FW: 20/00454/PRMA | Application for New Premises Licence | Open for Consultation | Gibson House St James Square Cheltenham Gloucestershire GL50 3QG  
**Attachments:** Licensing Objection.doc

**From:** [REDACTED]  
**Sent:** 28 February 2020 14:32  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** 20/00454/PRMA | Application for New Premises Licence | Open for Consultation | Gibson House St James Square Cheltenham Gloucestershire GL50 3QG

Dear Mr Kirkwood,  
Thank you for your voicemail message. I'm afraid I still haven't been able to post a comment and the reason continues to be given as a system error. I attach an objection and would be obliged if you acknowledge receipt.  
My details are

[REDACTED]  
9 Malvern Hill House  
Cheltenham GL52 3JE  
[REDACTED]

I have had the opportunity to consider the above application for a premises licence and would be obliged if you would treat this as a formal objection to the grant of the premises licence. At the outset, I would confirm that I am a parishioner of the Roman Catholic parish of St Gregory the Great which, as you will know, is situated directly opposite the application premises.

In the past, when the club was open for business, I have, on behalf of the parish, engaged with the operators of the club to stop antisocial behaviour such as the projection of images onto the church roof and the use of radio microphones which operated in such a way that the festivities being enjoyed in the club on Christmas Eve during Midnight Mass at the church were audible through the church's own amplification system.

The proposed premises have had a number of night club manifestations and the frequent closures of the premises as trading premises suggests to me that the operation of them as licenced premises is not viable and this implies that the conditions proposed in the application might be subject to pressure of breach to enhance the commercial viability of the venture.

Considering the Licensing Objectives:

**1. The prevention of crime and disorder:**

This is always a thorny problem for a new venture because there is no evidence to show that the risk of crime and disorder in the vicinity of the premises is any greater than the risk surrounding other premises. However, these premises are some distance from other similar premises and the flow of patrons between these premises and other premises in the town may well give opportunities for crime and disorder in an area of the town not presently affected by the type of crime and disorder associated with late night licensed premises.

**2. Public safety:**

This is an issue for the statutory authorities.

**3. The prevention of public nuisance:**

- The application premises are situated in what is now, largely, a residential or office-based environment. "The Bottle of Sauce" public house, the nearest licensed premises to the application premises, is the present manifestation of the St James Hotel, which has been a feature of the area for a very long time. It is in the nature of licensed premises that noise emanating from the premises or the vocal high spirits of patrons will affect the amenity of local residents. If the application is successful, it is inevitable that the current level of nuisance will be increased. A notice encouraging patrons to respect the needs of neighbours is unlikely to have much, if any effect.
- The application states that a smoking area will be policed by security staff. Such an outdoor area will inevitably increase noise nuisance for local residents.
- Finally, I note that in the proposed operating schedule it is proposed that *"Unless otherwise specified on this licence no licensable activities shall take place at the premises with the exception of pre-booked and/or ticketed events."* This is a

meaningless proposal insofar as it relates to ticketed events unless those tickets are for purchase rather than being given out free of charge and, even then, it is meaningless unless the cost of tickets is of a sufficient sum to regulate the patronage.

#### **4. The protection of children from harm**

The Catholic School of St Gregory the Great, a primary school which caters for all ages from pre-school to year 6, is situated in very close proximity to the application premises. The application shows that proposed operating hours will be from 10.00 AM each Monday to Sunday inclusive and that operating times will continue uninterrupted until 12.00 midnight (10.00PM on Sundays). This means that children attending the school will be walking past the open premises at the end of each school day and might be affected by the access and egress of patrons whose self-control after the consumption of alcohol may be open to criticism. The proposed outdoor smoking area will inevitably expose children to the harmful effects of second-hand tobacco smoke.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 13 March 2020 15:25  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir,

Please accept this email as an objection to the grant of the above. I am a parishioner of the Catholic Church of St Gregory the Great, St James Square, Cheltenham. I wish to record the following points based on the Licensing Objectives:

**Prevention of Crime and Disorder:**

1. When these premises operated in the past there was a great deal of noise generated at unsocial hours;
2. Patrons often trespassed on St Gregory's Church property and urinated within the grounds;
3. There was often evidence of the misuse of drugs in the church grounds.

**Public Safety:**

These are issues for Statutory Authorities.

**The Prevention of Public Nuisance**

I repeat what I have highlighted above.

**The Protection of Children from Harm**

1. St Gregory's School is very close to the premises and the opening hours mean that children, at the end of the school day and when children are taken to the church from school or on other outside activities, will be exposed to the open premises and the behaviour of its patrons which may well be inappropriate as a result of alcohol consumption;
2. The smoking area will present a special hazard to the children who will be exposed to the harmful effects of passive smoking.

Yours faithfully,

[REDACTED]  
9 Malvern Hill House  
East Approach Drive  
Cheltenham  
GL52 3JE

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 09:05  
**To:** Internet - Licensing  
**Subject:** full address

my full address is as folllows, [REDACTED] 96 netherwood gardens cheltenham glos. gl51 8lg.



**Jason Kirkwood**

**From:** Internet - Licensing  
**Sent:** 15 March 2020 16:31  
**To:** [REDACTED]  
**Subject:** RE: ref. 20/00454/prma new premises licence:St James club ltd t/a Chemistry

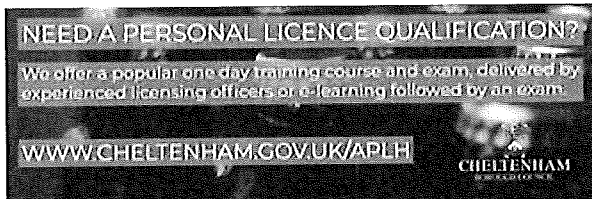
Dear [REDACTED]

We will need your full postal address to accept your email as an objection against the application.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 11 March 2020 11:52  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** ref. 20/00454/prma new premises licence:St James club ltd t/a Chemistry

I would like to object to the granting of a licence for the premises formally known as gas. The reason i feel it would create an nuisance effect in the area,and in my opinion it would increase the chances of crime and disorder.I think the town is already well served with venues to cover this market yours, [REDACTED]

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 19 March 2020 12:02  
**To:** Internet - Env Health  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

**Categories:** Alex H

Hello Alex,

Thank you for your reply.

Please find my full postal address as requested

[REDACTED]  
10 Brookbank Close,  
Cheltenham GL50 3NA

Hope this information is helpful to process the application.

Kind regards  
[REDACTED]

On Thu, Mar 19, 2020 at 11:27 AM <[EnvHealth@cheltenham.gov.uk](mailto:EnvHealth@cheltenham.gov.uk)> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.

Thank you for your understanding

**From:** [REDACTED]  
**Sent:** 17 March 2020 15:50  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

Hello,

I'm [REDACTED] parishioner at St. Gregory's (Grade II listed building) and we (family of 4 with 2 young kids aged [REDACTED]) come here for mass every Sunday.

We've been made aware that Gibson House (Reference: 20/00454/PRMA) have made a licensing application to sell alcohol and provide entertainment; we would like to **object** due to the following.

**Prevention of public nuisance:** Gibson House has a close vicinity with the church and there would be noise problems and litter issues with the church being impacted.

**Prevention of crime and disorder:** There could also be issues related to disorder and fighting which will impact the peace and tranquillity.

We kindly request you to validate the license application as this will have an adverse impact on the church and its parishioners

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 20:00  
**To:** Internet - Licensing  
**Subject:** Chemistry application

Dear Sir/Madam,

Reference 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

With regard to the above application I would like to object as a parishioner of St Gregory's Catholic Church.

I am very concerned to hear that this application is to serve alcohol daily from 10am until midnight and 10pm on Sundays.

I suspect that there will also be extensions for special religious festivities such as Christmas Eve and other events such as New Years Eve

and the races etc.... I would like to object on the grounds that this would cause a **public nuisance** and disrupt church services by causing unnecessary noise

and a chaotic environment at times of worship which by their very nature benefit from peace and quiet.

The application has not only been made in a largely residential area but one that includes our Parish School. When these premises previously operated

as licensed premises I believe that there were issues with anti social behaviour, litter such as needles as well as other unsuitable objects strewn in the area.

Not a great environment for the pupils or parishioners. Not permitting the premises to operate would potentially **prevent crime and disorder and protect the pupils from harm.**

I therefore request that these objections be taken into account and due to it's location (residential, next to the church and school) that the building is not granted a Licence.

Yours Faithfully

[REDACTED]  
27 Moorend `Park Rd  
Cheltenham  
GL53 0LA

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 20:07  
**To:** Internet - Licensing  
**Subject:** Chemistry application

Dear Sir/Madam,

Reference 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

With regard to the above application I would like to object as a parishioner of St Gregory's Catholic Church.

I am very concerned to hear that this application is to serve alcohol daily from 10am until midnight and 10pm on Sundays.

I suspect that there will also be extensions for special religious festivities such as Christmas Eve and other events such as New Years Eve and the races etc.... I would like to object on the grounds that this would cause a **public nuisance** and disrupt church services by causing unnecessary noise and a chaotic environment at times of worship which by their very nature benefit from peace and quiet.

The application has not only been made in a largely residential area but one that includes our Parish School. When these premises previously operated as licensed premises I believe that there were issues with anti social behaviour, litter such as needles as well as other unsuitable objects strewn in the area. Not a great environment for the pupils or parishioners. Not permitting the premises to operate would potentially **prevent crime and disorder and protect the pupils from harm.**

I therefore request that these objections be taken into account and due to it's location (residential, next to the church and school) that the building is not granted a Licence.

Yours faithfully,

[REDACTED]  
27 Moorend Park Road  
Cheltenham

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 22:06  
**To:** Internet - Licensing  
**Subject:** "Reference: 20/00454/PRMA.New premises license:st James club Ltd/a chemistry

Hi Dear,

I am sending this email to let you know that i do have a big concern about the opening of this new premises near by my sons school and the church we regularly going as a family for the services. I am worried about my son's safety and also other children at school .In order to protect the children from harm i would like to make an objection regarding this new premises Lisence.

I hope you understand my concerns and please do the right decision for this matter.

kind regards  
[REDACTED]

Reference: 20/00454/ PRMA New premises Licence  
St James Church Ltd t/a Chemistry

I wish to object to the granting of the above New Premises Licence. I am a parishioner of St Gregory's RC Church and attend Sunday mass and other weekday services.

My objections are based on the following -  
Public Safety and Public Nuisance

I am concerned that by late night there may be noise and rowdiness, with antisocial behaviour such as urination and the use of drugs (inhaled & injected). I live in Sandford Park area and have had needles & condoms thrown in to my garden at night. This type of behaviour is a danger to health, and has been seen in the past when these premises were a night club (I have been going to St Gregory's for 31 years). There are an increasing number of residents in the St James St/Wapp Lane area, such as the residential block next to St Gregory's church. Some of these residents are children, and they could be exposed to dirty needles & condoms; this is a public health objection.

Crime & Disorder

Some of the above mentioned are crimes (eg class A drug use), as well as antisocial behaviour. This may involve police presence which in itself is disruptive to residents (as well as using valuable police resources).

I hope the above may help the Licensing Authority in their decision making. As there is a delay to the decision process as a result of the Covid pandemic, I would like this letter to be kept on file for a future hearing.

40 BATH PARADE, ST LUKE'S  
CHELTENHAM, GL53 7HU

2020



## 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](mailto:licensing@cheltenham.gov.uk)**

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

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

☒  
☐  
☐  
☐
**Contact details (of person completing form)**

<b>Name:</b>	[REDACTED]
<b>Name of the organisation/body/person you represent. (If appropriate)</b>	[REDACTED]
<b>Your full Postal Address or that of the organisation or body you represent</b>	3 AMBROSE STREET, CHELTENHAM, GLOS.
<b>Post Code</b>	GL50 3LG
<b>Daytime contact telephone number</b>	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

<b>Name of the person/organisation/body. (as appropriate)</b>	
<b>Full Postal Address of the person/organisation or body making representation</b>	
<b>Post Code</b>	
<b>Daytime contact telephone number</b>	
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:	ST. JAMES CLUB
Name of Applicant for Licence (if known)	
Postal Address:	GIBSON HOUSE, ST. JAMES SQUARE.
Post Code:	GL50 3QG

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
THE CLUBS PROPOSED ACTIVITIES, WHICH HAVE HISTORICALLY LED TO CRIME, DISORDER AND PUBLIC NUISANCE.

**Which of the Licensing Objectives does your representation refer to?**

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

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

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

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)

HISTORICALLY THE CLUBS ACTIVITIES HAVE LED TO DAMAGE TO STREET FURNITURE, DRUNKEN BRAWLS AND PASSING OF BODILY FLUIDS IN A PUBLIC PLACE. THESE WILL BE A MATTER OF POLICE / PUBLIC RECORD. FURTHER MORE, THE ROWDY BEHAVIOUR AND LOUD NOISE OF THE 'CLUBBERS' HAS CONSTITUTED A PUBLIC NUISANCE DESPITE THE 'FAILED' EFFORTS OF THE CLUBS SECURITY STAFF.

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)

NONE. THIS IS NOW A RESIDENTIAL AREA.

Signature:



Capacity:

LOCAL RESIDENT.

Date:

15 / 3 / 2020



## 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](mailto: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="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	[REDACTED]
Your full Postal Address or that of the organisation or body you represent	18, SOMERSET HOUSE, KNAPP RD. CHELTENHAM
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	[REDACTED]

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

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

## Part 2 Continued

**Premises/Club Details**

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

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
Crime & Disorder + Public Nuisance = Sheet (A) attached
Public Safety + Protection of children from harm = sheet (B) attached

**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](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	19 metres to Burton House 29 metres to Gibson House
--	--

**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)

- NB Evidence / examples of previous Public Nuisance / Public Safety and incidents of Crime + Disorder — were submitted in 2010 (10/01568/PRMA).
- e That Application was rejected on 11/1/10 as it was considered problems of anti-social behaviour would still occur in the area should the Application be agreed/granted. THE SAME PROBLEMS COULD OCCUR AGAIN NOW !!

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)

- Please note, 10/01568/PRMA rejected a previous, similar application from the same person, noting "imposition of extra conditions would not resolve problems that had occurred when Chemistry / Gas was open previously. THIS IS STILL RELEVANT. There may be less patrons — but I cannot see any additional or suitable conditions would ~~make~~ have any impact on the problem.

Signature:



Capacity:

Date:

17th March 2020

A

20/000454/PRMA - 'St James Club': Gibson House / Burton House, Cheltenham

Additional Comments (Part 2 'What are your Concerns')

(Representation under Prevention of Public Nuisance & Prevention of Crime and Disorder)

Information

- I live in Somerset House (flats designated for the over-60s). It is located at the end of Knapp Road, a few metres from Gibson House / Burton House. My flat faces Knapp Road and also the junction of Knapp Road and St James Square corner.
- This area is a mix of residential and office accommodation plus a church, an art gallery and a pedestrian access alley to the church's primary school. It is an area of 'quiet enjoyment' in the evening (a nearby bar "Bottle of Sauce" respects the ambience of the locale and now complies with limits and noise-reduction strategies regarding late-night music events).

I am extremely concerned that the re-emergence of activities within Gibson House will destroy the local environment because the behaviour of patrons 'technically' able to drink there for 14+/16+ hours will inevitably impact on the surrounding area once they leave the premises. Patrons' behaviour was uncontrollable when Chemistry was open previously. I fear it will be again.

Somerset House had a live-in warden and husband at that time and it was possible to shut our front gates. This is not the situation now: the gates cannot be closed, there is no management presence at night, cars are parked at the front of the building – and also in the area at the rear of the building. Three of our properties have ground floor front doors, or an access door, directly into their homes.

We now have no protection and no way of stopping club-patrons should they wish to trespass on our property, press the door-entry buttons 'for fun' or (once again) use the areas of our private gardens and car parks as toilets and/or for other antisocial behaviour including throwing-up or indulging in sexual or drug-related activities. I see no way this intrusion could be prevented.

A previous application for using the ground floor and basement areas suggested an occupancy of 110 persons for the Ground Floor restaurant and 210 for the basement 'function room'. I am assuming this will be the minimum of persons occupying the premises should the current Licence Application be granted. This is unacceptable, particularly in view of the long opening hours.

The cars of elderly residents (parked out of sight at the rear of our property) were previously been vandalised when the nightclub was a 'going concern'. That has not happened since it closed down.

The Licensing Application seems 'light' on the control of behaviour. How do a couple of door staff effectively ensure there are only 10% of the club's attendees on the small external smoking area? And having CCTV cameras installed is no deterrent to behaviour outside the premises.

Our police service is already stretched to its limit. We are unlikely to be able to elicit a swift response if (no, that should be "when") trouble arises if a licence is granted and 'St James Club' opens within Gibson House and Burton House.



17/3/20

A

ⓑ

20/000454/PRMA - 'St James Club': Gibson House / Burton House, Cheltenham

Additional Comments (Part 2 'What are your Concerns')

(Representation under Public Safety and The Protection of Children from Harm)

I note that Burton House has been included in the above Application, in addition to Ground Floor and Basement areas in Gibson House.

In 2012, there was a Planning Application (12/01809/LBC) submitted for the use of the same areas, and for the same purposes as suggested in the current Licensing Application.

At that time it was understood that deliveries for the Ground Floor restaurant would be made to the rear entrance of the premises. This is a very narrow alley in Knapp Road, immediately adjacent to Burton House – and extremely close to the corner of Knapp Road and the mini-roundabout.

It is important to note this is a "blind corner" for drivers travelling north up St James's Square and turning west onto Knapp Road. It is a junction where unwary, elderly and young pedestrians are at significant risk.

- This narrow alley is not suitable for a large delivery van to enter. It would be extremely inadvisable for a lorry or delivery truck to park immediately outside the alley's entrance: there are double yellow lines on both sides of Knapp Road in this area and there would be danger of accident.
- There is no 'legal' casual parking nearby: it is all double yellow lines. (There is a three-car designated SJ street parking zone outside Somerset House).
- The eastern end of Knapp Road already has high usage with parents dropping off/collecting young children who attend St Gregory's Catholic Primary School. Unfortunately, many parents do not appear to take due note of the double yellow lines and parking restrictions and they park regardless: there would be a significantly increased risk to pedestrians and vehicle occupants if delivery vans and lorries regularly needed to access/deliver to Gibson House either via this alley, or from kerbside parking, especially at the times parents drop-off or collect school children.



17/3/20

ⓑ

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 22:24  
**To:** Internet - Licensing; Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear licensing team,

As a resident of St James North 1, St James Square I am concerned that a night club on the corner of our street will completely change the dynamic of the area. I am very concerned about the level of noise we will experience with a nightclub a stone's throw away and also the general disruption and public nuisance it will cause. I can only imagine a number of customers of the venue will make their way down the street causing noise late into the night right outside our window disturbing sleep and general enjoyment of living in the area whilst also baring a risk to public safety of those walking home at night. The likelihood of crimes and disorder is highly increased by opening this night club as it is situated in a quiet residential area hidden out of sight encouraging behaviour such as public urination and sex in public places. If there was a night club on the corner of the street before I purchased the property I would not have chosen to live here and am concerned about the harm it will have on property prices in the area. As I said, I believe it will change the area entirely. In our block of 24 flats alone these are homes of new parents, the elderly and professionals as well as plenty of other residential buildings all of which I imagine expected to have chosen homes in a quiet area that it would no longer be if this goes through.

I don't see how the area would benefit at all from having a night club. There's a primary school, a church, a nursery and an art gallery all in very close proximity to the potential club and the area is considered to be a quiet part of town to live in. This raises the concern of protecting children from harm as intoxicated customers will be in very close proximity to a school. A number of night clubs in Cheltenham have also closed not very long ago due to lack of demand, I don't see how one opening outside of the main area of town will benefit the town.

I wish to make an objection to the premises licence "Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry" for the reasons stated above, I can only see this causing public nuisance and a threat to public safety in the area.

[REDACTED]  
St James North 1, St James Square, GL50 3PY  
[REDACTED]



Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 12:06  
**To:** Internet - Env Health  
**Subject:** Re: Reference: 20/00545/PRMA, New Premises License:St James Club Ltd t/a Chemistry

Good Afternoon Alex,

Thank you for telling me this and apologies that you had to email me.

My address is:-

4 GRANLEY GARDENS,  
 BENHALL,  
 CHELTENHAM  
 GLOS  
 GL516LQ

Kind Regards

[REDACTED]

On Tuesday, March 17, 2020, 12:02:29 PM GMT, <envhealth@cheltenham.gov.uk> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 22:52  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00545/PRMA, New Premises License: St James Club Ltd t/a Chemistry

To Whom It May Concern,

I refer to the above Application and would like you to consider this email as my Formal Objection to this Application.

My bases are as follows.

1. Protection of Children from Harm as well as Public Safety (\*\*)

On the basis that the Club's activities will include the period from 10 am through to Midnight I propose that anti social aspects of their activities (such as the drunken depositing of broken glass bottles) may well affect the children's safety at St James' Primary School given its close proximity to the Club.

The same applies to the General Public (\*\*) who also may have to negotiate broken glass bottles in that area.

2. The Prevention of Public Nuisance

Again given the close proximity to St Gregory's Church lends itself to the inevitable public nuisance of noise and rowdy behaviour during the church's worship times particularly at the evening Masses.

3. The Prevention of Crime and Disorder

It is extremely apparent from existing situations in Cheltenham Town Centre near places where people gather to drink excessively, that Crimes and General Disorder occur. I suggest that there is zero basis for supposing a different link for this place. It is certain that the Club will have zero power to curb such.

Thank you so much for your attention and I would ask if you would possibly acknowledge receipt of my email please?

Kind Regards

Licensing Team,  
Public Protection Team,  
Cheltenham Borough Council,  
Municipal Offices.  
Cheltenham.  
GL50 1PP,

Page 165

6. Suffolk House West, 44'  
Suffolk Square,  
Cheltenham,  
GL50 2HR.

8<sup>th</sup> March 2020.

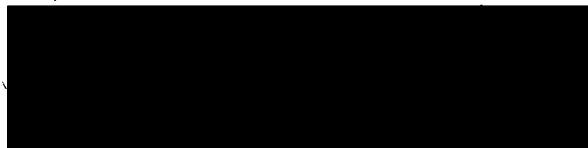
ref: 20/00454/PRMA. New Premises Licence:  
St. James Club Ltd. t/a Chemistry

Dear Sirs,

As a parishioner of St. Gregory's R.C. Church I would like to register my serious objections to the above proposal on the grounds that it will be a public nuisance.

Alcohol and other entertainments directly opposite the church and especially at Mass times on Sunday mornings and evenings, on Holy Day mornings and evenings and on Christmas Eve and New Year's Eve - have potential to cause ill-will and even harm.

Yours faithfully,



Rec. 10/3/20

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# APPENDIX 3

## Batch 4

Residents E - G

Jason Kirkwood


---

**From:** [REDACTED]  
**Sent:** 19 March 2020 12:06  
**To:** Internet - Env Health  
**Subject:** Re: Reference 20/00454/PRMA.New Premises: St James Club Ltd t/a Chemistry  
**Categories:** Alex H

Hi Alex,  
My postal address is: 73 London Road Cheltenham GL52 6HF [REDACTED]

Sent from my iPhone

> On 19 Mar 2020, at 11:26, EnvHealth@cheltenham.gov.uk wrote:  
>  
> Good morning,  
>  
> I am sorry we can only accept your email as an objection if you provide your full postal address.  
>  
> I look forward to hearing from you so I can add your objection to the license application.  
>  
> Kind regards,  
>  
> Alex Hamblin  
>  
> Business Support Officer  
> Cheltenham Borough Council  
> Public Protection  
> Place and Growth  
> 01242 264300  
> [www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)  
>  
> Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.  
>  
> Thank you for your understanding  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 16 March 2020 16:25  
> To: Internet - Licensing  
> Subject: Reference 20/00454/PRMA.New Premises: St James Club Ltd t/a Chemistry  
>  
> Reference 20/00454/PRMA.New Premises: St James Club Ltd t/a Chemistry  
>  
> I write to raise concerns over the application which has been Made to Cheltenham Borough Council for a new premises licence so that it may sell alcohol and provide entertainment to its patrons for every day of the week from 10 am until midnight 10 pm on Sundays with the possibility of extended hours on special occasions including Christmas Eve New Year's Eve and race days.

- >
- > This would result in the real possibility of noise and antisocial behaviour affecting both the Primary School and Parish Church of Saint Gregory which are directly opposite.
- >
- > I wish to object to the application being approved on the following grounds:
- >
- > 1. The prevention of crime and disorder
- >
- > 2. Public safety
- >
- > 3. The prevention of public nuisance
- >
- > 4. The protection of children from harm
- >
- > I am a parishioner and resident in Cheltenham and I wish to raise serious concerns and object to the possible approval of this application.
- >
- > 
- >
- > Sent from my iPhone
- >
- > This email (and any attachments) is an official Cheltenham Borough Council document. The information in this email and attachments is provided for the intended recipient. If you receive this email in error, please advise the sender by return email and delete the original message from your server. This e-mail is believed to be free of viruses but it is your responsibility to carry out all necessary checks and the council does not accept any liability in connection with it.
- >
- > The security of any information sent by email to the council cannot be
- > guaranteed. Any information sent to the council may be made available
- > to the public, copied to other council officials or outside agencies
- > in line with legislation and data sharing agreements. Any personal
- > data sent to the council may be used in accordance with the council's
- > Privacy Notices
- > [https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 15:41  
**To:** Internet - Licensing  
**Subject:** Reference 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir or Madam

I would like to object to the granting of a new alcohol and entertainment licence for the premises at Gibson House, St James Square aiming to trade as Chemistry.

My objections fall into 4 categories:

- **Prevention of Crime and Disorder** - unless the nightclub owners or indeed the P&CC are able to fund additional earmarked resources, then the granting of this licence will spread the very thin town centre overnight policing across a much broader area. The hours requested are particularly long and the broadening of the Cheltenham geographical nightclub scene this far west will simply add considerable numbers of incidents to the existing worryingly high levels of crime from our night time economy. I think it very likely that the impact on crime and disorder in Cheltenham will be much wider than on the relatively quiet area of the requested licence. I am however particularly unhappy with the impact on the immediate location of this inappropriate license request.
- **Public Safety** - the location is away from the town centre and is currently much quieter at night than the main clubbing areas. It is frightening and risky to non club goers to encounter screaming and brawling customers in the street, and the hours requested overlap with some sacred and community enhancing activities. Local Authorities have a statutory duty to build stable communities and a successful application would do the opposite.
- **Prevention of Public Nuisance** - the noise from the previous nightclub was untenable in a semi residential area. The inevitable drunken and loud behaviour is really not appropriate in this location next to a beautiful church and near homes. Litter - much of it dangerous glass, needles and vomit - will once again represent a substantial public nuisance. St Gregory's Church is probably the most beautiful building in our town, and a source of great pride to Cheltonians. Why on earth would we threaten its amenity, tranquility and community enhancement by licensing a night club in a nearby listed building with single glazed windows?
- **Protection of Children from Harm** - The proposal puts all the above risks on the doorstep of a primary school. Our young people need to be protected from the consequences of bad behaviour, and encouraged to walk to school and feel safe on their journeys. Having to pick their way once again through discarded needles, used condoms, tossed bottles, vomit and drunks is not what we want for our youngsters.

yours faithfully

[REDACTED]  
3 Albert House  
Pittville Place  
Cheltenham  
GL52 3HZ



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 17:22  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Mr Kirkwood

My address is 14 Haweswater Road, Cheltenham. GL51 3NF

[REDACTED]

On 15 Mar 2020, at 16:37, Licensing@cheltenham.gov.uk wrote:

[REDACTED]

We will need your home postal address to accept your email as an objection.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**

Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

<image005.png>

<image006.png>

[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 11 March 2020 07:48  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sirs

I am a Parishioner of St Gregory **Page 172**atholic Church, which is situated directly opposite the proposed premises of Chemistry. I wish to object to the licensing of Chemistry for the following reasons:

- I am extremely concerned about the granting of a drinking licence directly opposite the main gates to St Gregory. We have Mass on weekdays and Saturday's between 9.30am and 10am, Sunday Masses at 8am, 9.30am (Family Mass), 11.15am and 6pm. These are very well attended. We also have a large number of Funerals & Funeral Masses during weekdays, as well as Weddings and Baptisms. In the Old Priory adjacent to the Church we have numerous activities, day and night. There is a real likelihood that these could be disrupted by noise and nuisance from Chemistry and the people who will use it. It is hardly conducive for a Funeral cortège to arrive opposite an all day club.
- I understand that Chemistry might also seek an extension to their licence for special occasions such as Christmas Eve. This could cause significant nuisance to St Gregory's and could lead to issues of Public safety as revellers mix with worshippers. St Gregory's Midnight Mass 2019 was packed with some 300-400 congregants. Earlier on Christmas Eve we have a hugely popular Children's Mass as well.
- Chemistry, as I understand it, would be serving alcohol from early morning close to St Gregory's Junior School and the Elephant Moon Day Nursery. There is considerable traffic in the area around 8.30am and when the School day finishes. The children from St Gregory's School attend Mass at the beginning and end of School Terms and would pass the club during its opening hours. The area is already very busy and an all day club would make it busier still.
- I am also concerned by the impact of anti-social and potentially criminal behaviour from an all-day club. We already have had to cope with vandalism in an area which is seldom policed. There is often considerable debris from revellers using other pubs and clubs in town. Very recently my wife and I had to walk by four patches of vomit on the pavement along Jessop Avenue. This is not only very unhygienic, but also a terrible thing for children to see when walking to school. Sadly the fouling of local paths is an all too regular occurrence.

The whole idea of a new club, within a few metres of the Bottle of Sauce (on the corner of Clarence Street), seems ridiculous. Far better to use the premises for housing, sorely needed in Cheltenham.

Yours faithfully



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 27 March 2020 10:25  
**To:** Internet - Licensing  
**Subject:** RE: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

Good morning Mr Kirkwood,

Thank you for your email requesting my home address as follows,

"Court End,"  
75 Hales Road,  
Cheltenham,  
Glos.  
GL52 6SR.

I am also a member of the Church opposite the proposed Club.

Kind regards,

[REDACTED]

**CONFIDENTIALITY NOTICE**

This message is sent by JBBPL. The message and the information it contains or has attached is confidential and is intended solely for the use of the named addressee. If you have received this message in error, please accept my apologies. Please destroy it immediately. In the meantime, you should not disclose this message and/or the information it contains or has attached to any other person, nor make any copies.

*Please consider the environment - do you really need to print this email?*

**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** 26 March 2020 11:51  
**To:** undisclosed-recipients:  
**Subject:** Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 18 March 2020 12:29  
**To:** Internet - Licensing  
**Subject:** "Reference :20/00454/PRMA New Premises Licence: St James Club Ltd t/a Chemistry."

As the signatory of this email I am not at all pleased with the application as stated in the submission to have again another night Club. Forget the daytime it is the nighttime that is the problem.

So, my objection would be on the basis of "the prevention of crime and disorder"

We Catholics suffered badly in the late 70's through to the late 80's, when we could not hold midnight masses during the last club owner's tenure and other Services.

Now with the new residential development up and running, you have many residents besides Church goers, who may feel aggrieved that the licence would/ could be given.

Two points I would venture are:-

- 1) the Church has been there since 1847.
- 2) It has been in constant use since then.

I hope that my submission above can guide and help your committee to turn down this application.

Kind regards,

[REDACTED]

**CONFIDENTIALITY NOTICE**

This message is sent by JBBPL. The message and the information it contains or has attached is confidential and is intended solely for the use of the named addressee. If you have received this message in error, please accept my apologies. Please destroy it immediately. In the meantime, you should not disclose this message and/or the information it contains or has attached to any other person, nor make any copies.

*Please consider the environment - do you really need to print this email?*

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 18:48  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA New Premises Licence: St James Club LtdT/A Chemistry

Please record my objection and representation to granting a licence to the above on the grounds of :  
The prevention of public nuisance and the protection of our children at St Gregory's School and children at  
Elephant Moon Nursery

[REDACTED]  
3 Kauto Star Gardens  
Cheltenham  
GL50 4GR

Sent from my Samsung Galaxy smartphone.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 08 March 2020 12:23  
**To:** Internet - Licensing  
**Subject:** Objection to licensing application: 20/00454/PRMA

Dear Sir/ Madam,

As a resident owner in the St. James North building, I wish to register my strong objection to the current licensing application for Gibson House on St. James Square. Since the nightclub previously run from this location closed down in 2005, the area has flourished into a peaceful and sought-after residential area full of high-end flats and office spaces, so that a noisy entertainment venue would certainly no longer be in keeping with the character of the Square as is now, as a quiet residential area.

I note that a previous licensing application in 2010 was rejected on grounds of numerous concerns, including public nuisance, noise, safety concerns regarding the school and nursery, parking/ access issues and many more. As the Square has developed and new buildings been completed over the intervening decade, these issues will only have increased. Of course, as a property owner, I am equally concerned that the value of my flat would certainly decrease if an entertainment venue were to open on that corner, which my flat overlooks.

I am also extremely concerned that no consultation or communication with residents on the Square has yet taken place about the intention behind this application, or indeed about any progress in planning applications since around 2014 when the plan was to turn the building into flats. My method of receiving this news has been via a handwritten note on the noticeboard of my building, and on subsequently trawling through the council website I find that not only a licensing application but also a planning application for a sign to read "St. James Club" on the building has been recently submitted, with no communication to residents from the property owner as to the intention of these actions. This seems, at best, premature.

I would be grateful if these concerns could be logged and taken into consideration whilst considering the licensing application.

Yours Faithfully,

[REDACTED]  
Flat 13, St James North.

Sent from my iPad



## 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](mailto: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="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Contact details (of person completing form)**

<b>Name:</b>	[REDACTED]
<b>Name of the organisation/body/person you represent.</b> (If appropriate)	
<b>Your full Postal Address or that of the organisation or body you represent</b>	Flat 23 Somerset House Knapp Road.
<b>Post Code</b>	GL50 3QQ
<b>Daytime contact telephone number</b>	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional). [REDACTED]	

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

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

Part 2 Continued

**Premises/Club Details**

Name of premises/club you are making representation about:	CHEMISTRY
Name of Applicant for Licence (if known)	ST JAMES CLUB
Postal Address:	Gibson House St James Square
Post Code:	GL50 3QG

**What are you making a representation about?**

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

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

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

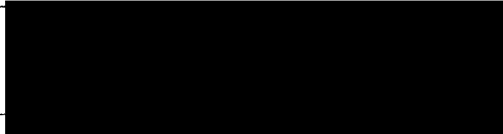
**What are your concerns?**

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)

I am concerned for the safety of the surrounding area. I am worried about damage being done to property and cars parked in the car park of my home address.

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

(Please continue on a separate sheet if necessary)

**Signature:****Capacity:****Date:**

16.3.2020

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 27 March 2020 15:14  
**To:** Internet - Licensing  
**Subject:** Re: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

Dear Mr Kirkwood

Thank you for your response. With reference to your request below, my full postal address is as follows:

32 Dunalley Street  
Cheltenham  
GL50 4AP

Yours sincerely

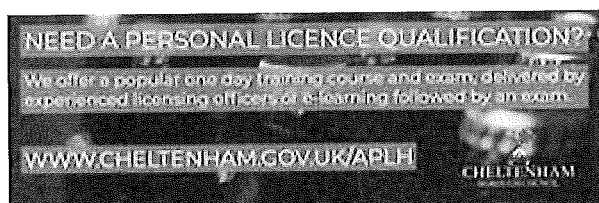
---

**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** Thursday, March 26, 2020 11:50 am  
**Subject:** Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 22:27  
**To:** Internet - Licensing  
**Subject:** Fw: "Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry"

To the Licensing Team

I wish hereby to make an objection to the above new premises being granted a licence as I feel allowing this establishment to operate would be a huge mistake and to the detriment of the surrounding area which is comprised of residential properties, a Catholic Church, a Primary School, a children's nursery.

I feel this proposed establishment being allowed to operate from 10.00am until midnight Monday to Saturday and 10.00am until 10.00pm on Sundays, selling alcohol and providing entertainments, would be a public nuisance to the Church opposite, as well as surrounding residents, make an unsafe area, daily, for young children, going to school and nursery, make elderly people going to church fearful and increase the opportunity for crime and disorder in the area. All this in turn would have a negative impact on public safety.

I urge you therefore, to please turn down this application, as it will lead to great distress in the area.

Yours faithfully

15

[REDACTED]  
Flat 7  
Union House  
Chelsea Square  
St George's Place  
Cheltenham  
GL50 3RF

12 March 2020

Dear Sirs

License Application No. 20/00454/PRMA Basement Gibson House

I am writing to submit an objection to the above application now pending with you regarding the Basement of Gibson House.

Previously there was a nightclub at the same location and many issues arose. These would be repeated if these premises were to include such activities as live and recorded music, films and dance along with the serving of alcohol.

The area around St James' Square, including Chelsea Square, is a residential area and many families and your children live in the area.

Because of the proximity of St. James' Square to the town center. there is already significant noise, shouting and anti-social behavior into the early hours of the morning.

There are sufficient other venues within Cheltenham town center catering to this market. There will be increased traffic, congestion and parking issues.

I believe such an establishment would be highly detrimental to this elegant and residential area of Cheltenham.

I urge you to reject this application

Yours faithfully

[REDACTED]

**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](mailto:licensing@cheltenham.gov.uk)

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	MYSELF
Your full Postal Address or that of the organisation or body you represent	GARDEN FLAT ASHBURN VILLA ST JAMES SQUARE, CHELTENHAM
Post Code	GL50 3QG
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

**Premises/Club Details**

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

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
ALL OF THE ABOVE.  - CLUB ABOUT TO OPEN IN RESIDENTIAL AREA

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	30-50 METRES
--	--------------

Part 2 continued

**What are your concerns?**

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

- NOISE AND DRUNK BEHAVIOUR DURING UNSOCIAL HOURS.
- DAMAGE TO CAR.
- SAFETY OF FEMALE PARTNER.
- LITTERING.
- CHILDREN I.E. CATHOLIC SCHOOL AT END OF ROAD.

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)

- DO NOT OPEN CLUB, PLEASE.
- IF OPENED, NOISE CONTROL AND POLICE TO MONITOR DRUNK DISORDERLY BEHAVIOUR, NO AFTER HOURS OPENING, PUBLIC SAFETY.

Signature:



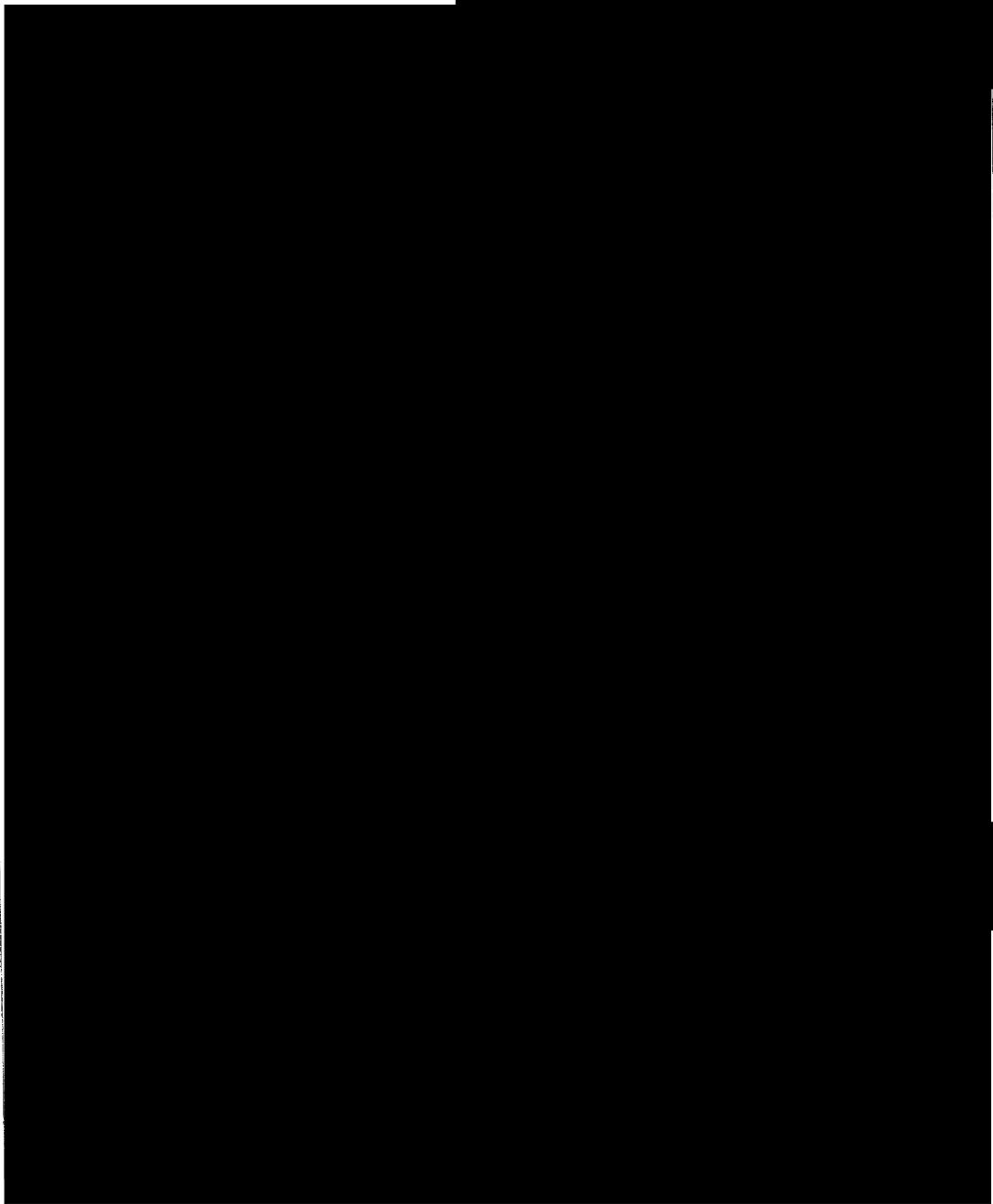
Capacity:

CARE SECTOR (NATIONAL STAR)

Date:

16/3/20

19





**Mansard House  
22 High Street  
Prestbury  
Cheltenham  
Glos. GL52 3AU**

16 March 2020

To: The Licensing Team, Public Protection Team

**Ref 20/00454/PRMA, New Premises Licence: St James Club Ltd t/a Chemistry**

I regularly attend services at St Gregory's Roman Catholic Church. I object to the application. To allow it:

1. It is likely, as on earlier occasions with previous owners, to result in the throwing of bottles towards the church and of other things, endangering adults and children.
2. It would result in a public nuisance with raucous noise during services.
3. It would particularly be disruptive at Midnight Mass on Christmas Eve and the Easter Vigil and earlier services deterring those wishing to attend out of fear for their safety. In case of extended hours the disruption would be lengthy for people leaving, as would fear of safety.
4. The effects above mentioned are likely to bear particularly on the large number of parishioners from ethnic minorities who regularly attend at services.

Signed

A large black rectangular redaction box covering the signature and name of the person who signed the letter.



Dear Sirs,

Re: Licensing App Ref 20/00454/PRMA  
Gibson House, St. James Square.

I feel compelled to object to the above.  
The premises are in a mainly quiet residential area, along with a church (St. Gregory's) and a nursery and primary school in very close proximity also St. Gregory's. This is also in a Conservation Area.

I am horrified at the prospect of anti social behaviour to include noise, drug and glass debris and noise from cars. The area has been improving but will sadly deteriorate and lower the value of local properties.

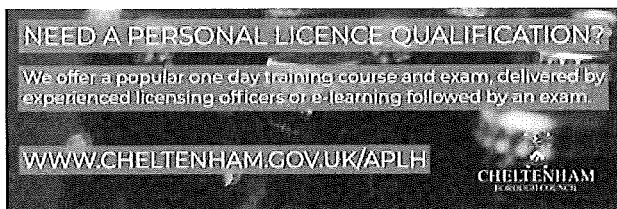
I am very concerned that children may encounter drugs, drug litter and broken glass.  
Please please refuse the above license.  
Yours faithfully,

Jason Kirkwood

**From:** Internet - Licensing  
**Sent:** 10 March 2020 16:51  
**To:** Jason Kirkwood  
**Subject:** FW: 20/00454/PRMA. New Premises Licence - St James Club Ltd t/a Chemistry

Kind regards

Phillip Bowen  
 Licensing Officer  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4177



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This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 10 March 2020 16:45  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Re: 20/00454/PRMA. New Premises Licence - St James Club Ltd t/a Chemistry

Dear Jason

My postal address is:  
 Crowthorne  
 Baunton Lane  
 Cirencester  
 Glos GL7 2NQ

As I mentioned previously I attend St Gregory the Great Catholic Church in Cheltenham.

Kind regards.

[REDACTED]

Sent from my iPhone

On 10 Mar 2020, at 16:35, "Licensing@cheltenham.gov.uk" <Licensing@cheltenham.gov.uk> wrote:

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

If you can confirm your postal address, the objection will be duly made to us.

Best regards

Jason

**Jason Kirkwood**

**Senior Licensing Officer**

Public Protection

Cheltenham Borough Council

Municipal Offices, Promenade, Cheltenham

External: 01242 262626 Internal: 4163

<image005.png>

<image006.png>

[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]

**Sent:** 09 March 2020 16:58

**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>

**Subject:** Ref: 20/00454/PRMA. New Premises Licence - St James Club Ltd t/a Chemistry

Dear Sir

I wish to object to the above application.

As a parishioner who attends St Gregory the Great Catholic Church the granting of this application would have an adverse affect on the church's activities , on those who attend the nearby Catholic Primary School and the local residents in general.

I would summarise these concerns as follows:

1. The consumption of alcohol, particularly late into the night would inevitably lead to outbreaks of disorder and occasionally criminal activity.
2. Public Safety would become an issue.
3. Public nuisance would be inevitable, particularly with loud music and disorderly behaviour.

4. Children in the area would be exposed to the noise, particularly those attending the nearby primary school.

For the above reasons I would ask that this application be refused.

Yours faithfully,



Sent from Mail for Windows 10

This email (and any attachments) is an official Cheltenham Borough Council document. The information in this email and attachments is provided for the intended recipient. If you receive this email in error, please advise the sender by return email and delete the original message from your server. This e-mail is believed to be free of viruses but it is your responsibility to carry out all necessary checks and the council does not accept any liability in connection with it.

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17 St Georges Tower  
Chelsea Square  
St Georges Place  
Cheltenham  
GLOS GL50 3PW

16 March 2020

Licensing Department  
Municipal Offices  
Promenade  
Cheltenham GL50 9SA

Dear Sir/Madam

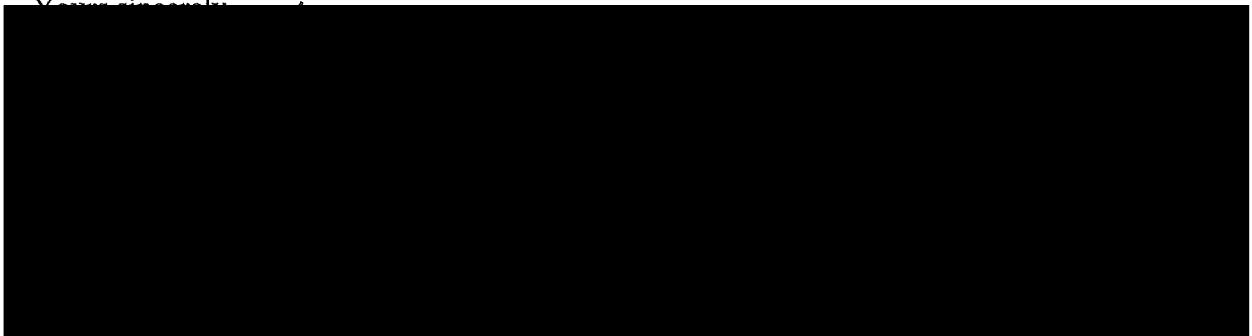
**Objection to License Application No. 20/00454/PRMA  
Basement, Gibson House**

We live in a residential community in close proximity to Gibson House and strongly object to a license being granted for this building to be used as an Events space, serving alcohol for the following reasons:

- This part of Cheltenham has evolved into a residential area over the last 15 years, with many families with school age children moving into the area
- The residents already experience anti-social behaviour late at night, into the early hours of the morning and another venue serving alcohol would exacerbate this problem
- There is the potential for increased traffic issues since there is no offset parking provision at Gibson House
- The application does not stipulate a maximum number of customers for any of the proposed events
- The application does not stipulate how the door staff will be able to identify that only 10% of customers, at any one time, are on the street smoking when people will be leaving and arriving all the time.
- By granting this license for the Basement "only", the owners may then request an extension that the whole of the building being used for entertainment purposes. If this were to happen it would be a disastrous for our community.

Also how can permission be granted for a painted sign saying "St James' Club" be put onto a Grade II listed building – Council Reference no. 20/00132/LBC?

Yours sincerely,



# APPENDIX 3

## Batch 5

Residents H - K

7 Clarence Walk  
St George's Place  
Cheltenham  
GL50 3RG

Licensing Department  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

18 March 2020

Dear Sir/Madam

**Letter of Objection**  
**License Application No 20/00454/PRMA**  
**Basement, Gibson House**

I am writing to object strongly to the application for an Alcohol License relating to an Events Venue site in the basement of Gibson House.

As a resident of Chelsea Square I consider that such a venue and such events would be detrimental to Chelsea Square and the surrounding area. I feel that this application would be the start of a conversion back to a night club.

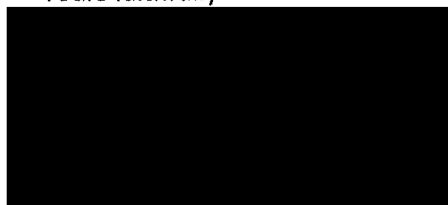
Since the previous nightclub closed in the Gibson House building the surrounding area has become very much more residential, with Chelsea Square, Chelsea Court and other flats and developments in the area, bringing a mix of families and older people. A night club would be most unsuitable for this type of area.

There is already some anti-social and noisy behaviour in the area and another venue serving alcohol late at night would add to this disruption. Sound travels and augments in a built-up area; we occasionally hear music from other parts of the town, and live or recorded music until midnight on a regular basis would be horrendous for the well-being of the nearby residents.

Increased traffic and lack of parking would also cause noise and pollution in the area.

Please note this objection and take it into consideration when the application is discussed. Thank you

Yours faithfully





**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](mailto: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="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Contact details (of person completing form)**

<b>Name:</b>	[REDACTED]
<b>Name of the organisation/body/person you represent. (If appropriate)</b>	[REDACTED]
<b>Your full Postal Address or that of the organisation or body you represent</b>	22 SOMERSET HOUSE, KNAPP ROAD CHELTENHAM
<b>Post Code</b>	GL50 3QQ
<b>Daytime contact telephone number</b>	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

<b>Name of the person/organisation/body. (as appropriate)</b>	
<b>Full Postal Address of the person/organisation or body making representation</b>	
<b>Post Code</b>	
<b>Daytime contact telephone number</b>	
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:	ST. JAMES CLUB / CHEMISTRY
Name of Applicant for Licence (if known)	ST. JAMES CLUB
Postal Address:	GIBSON HOUSE ST JAMES SQUARE
Post Code:	GL50 3QG

### What are you making a representation about?

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

### Which of the Licensing Objectives does your representation refer to?

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

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

**What are your concerns?**

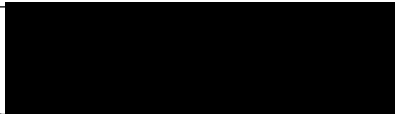
Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.  
(Please continue on a separate sheet if necessary)

We cannot SHUT OUT FRONT GATES,  
Therefore the FLATS are open to invasion of unwanted  
DRUNKS  
This could lead to damage to our property and  
Parked Vehicles, And our Door ENTRY SYSTEM ~

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

(Please continue on a separate sheet if necessary)

Signature:



Capacity:

Date:

16th MARCH 2020

**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 11 March 2020 08:57  
**To:** Jason Kirkwood  
**Subject:** FW: Proposed new premises licence

**From:** [REDACTED]  
**Sent:** 10 March 2020 19:58  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Re: FW: Proposed new premises licence

On 10/03/2020 17:19, [Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk) wrote:

Dear [REDACTED]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

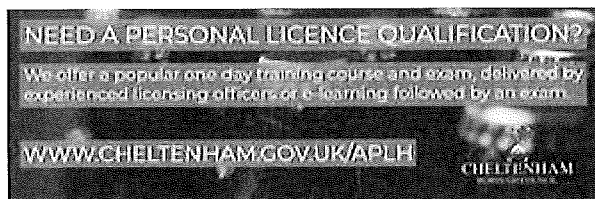
If you can confirm your postal address, the objection will be duly made to us.

Best regards

Jason

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



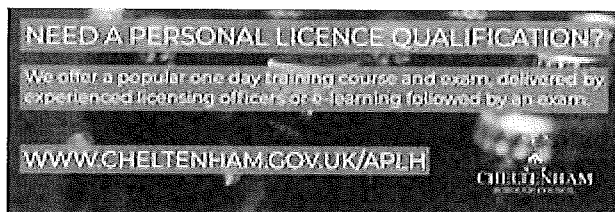
Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>  
**Sent:** 10 March 2020 16:13  
**To:** Jason Kirkwood <[Jason.Kirkwood@cheltenham.gov.uk](mailto:Jason.Kirkwood@cheltenham.gov.uk)>  
**Subject:** FW: Proposed new premises licence

Kind regards

Phillip Bowen  
 Licensing Officer  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4177



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 10 March 2020 14:44  
**To:** Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>  
**Subject:** Proposed new premises licence

Reference: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry

Dear Sir

I would like to add my objection to the issuing of a New Premises Licence to the building known as Chemistry in St. James Square Cheltenham.

This building is located in a residential area of the town with a Church opposite and no parking facilities. The public nuisance from such a venture would be great. The Church holds services every day and very often in the evening it also conducts many services over the big festivals of the year, Christmas, Lent, Easter and New Year. The Old Priory building next door to the church is also well used during the day and evenings with many clubs and societies holding their meetings there.

The safety of the public living in the square and walking through the area would be compromised every day and especially at the weekends.

I ask you to reject the issuing of this licence

Page 200

Yours sincerely

[REDACTED]

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Thank you Jason, my postal address is, 14 Sefton Walk, Up Hatherley, Cheltenham.Glos GL51 3QF

[REDACTED]

**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](mailto:licensing@cheltenham.gov.uk)*

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

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

☒  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	[REDACTED]
Your full Postal Address or that of the organisation or body you represent	FLAT 24, SOMERSET HOUSE KNAPP ROAD CHELTENHAM
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	[REDACTED]

**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**

Ref. 20/00454/PRMA.

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

**What are you making a representation about?**

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

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	Approx 20 METRES
--	------------------



Part 2 continued

### What are your concerns?

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

OUR FLAT IS VERY NEAR GIBSON HOUSE. WE ARE IN A MAINLY RESIDENTIAL AREA. ALL RESIDENTS IN SOMERSET HOUSE ARE OVER 60. THE OPENING OF A CLUB SO NEAR TO US WILL SEVERELY IMPACT OUR QUALITY OF LIFE. THERE WILL BE AN INCREASE IN DRUNKEN ANTISOCIAL BEHAVIOUR AT UNSOCIABLE HOURS. NOISE LEVELS WILL BE UNACCEPTABLE. GIBSON HOUSE IS IN TOTALLY THE WRONG AREA FOR A CLUB.

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

(Please continue on a separate sheet if necessary)

Signature:

[REDACTED]

Capacity:

RESIDENT.

Date:

2nd March 2020.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 20:01  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

My family is writing to voice opposition to the new premises license being considered for the St James Club Ltd t/a Chemistry at St James Square. This type of establishment has a place in Cheltenham; but not adjacent to primary and nursery schools. The children attending these schools need to be protected from the harm that will occur around this sort of establishment. The types of activities and rubbish left behind by such activities goes against the type of values that I'm certain the Borough Council maintains for their own families and constituents.

We strongly urge you to deny the new premises license and request this new establishment opens in a more appropriate part of Cheltenham. We appreciate your attention to this matter.

Regards,

[REDACTED]  
41 Lansdown Rd  
Cheltenham  
[REDACTED]

Rec. 9/3/20



## 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](mailto: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:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	[REDACTED]
Your full Postal Address or that of the organisation or body you represent	8 ST JAMES ST. YUNAPP RD CHELTENHAM, GLOS
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

**Premises/Club Details**

Name of premises/club you are making representation about:	ST JAMES CLUB - "PHARMACY"
Name of Applicant for Licence (if known)	
Postal Address:	GIBSON HOUSE - ST JAMES SQ GLSD 3QG
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)
CRIME - DRUGS NOISE GENERAL ANTI SOCIAL ACTIVITY IN AREA.

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	? 11 METRES
--	-------------

Part 2 continued

**What are your concerns?**

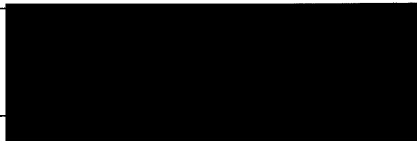
Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.  
(Please continue on a separate sheet if necessary)

PREVIOUS EXPERIENCE - NOISE LATE AT  
NIGHT -  
SCHOOL CLOSE  
CHURCH CLOSE  
ELDERLY PEOPLE LIVING CLOSE TO AREA

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

NO CONDITIONS UNDER WHICH I  
WOULD AGREE !!

Signature:



Capacity:

HOUSEHOLDER

Date:

9-3-2020

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 19:09  
**To:** Internet - Env Health  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Hi Alex,

Sorry, I should've thought of that.

It is 36 Hesters Way Lane, Cheltenham, GL51 0LN.

Thanks.

[REDACTED]

On Tuesday, 17 March 2020, 12:00:07 GMT, EnvHealth@cheltenham.gov.uk <envhealth@cheltenham.gov.uk> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

Place and Growth

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

From: [REDACTED]

Page 209

Sent: 15 March 2020 19:24

To: Internet - Licensing

Subject: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

16

Good morning,

I am a parishioner at St Gregory's Church, St James Square and I would like to raise my objections to the proposed re-opening of the Chemistry night club on the following grounds:

1. Prevention of crime and disorder: when the club was last open, criminality linked to the club was a scourge for local residents and church goers. There is no reason to think things will be different this time around.
2. Public safety: When the club was open before, needles and other drug-taking paraphernalia littered the area after the club had been open late. This included used needles being thrown over the fences into the grounds of the adjoining childcare providers and school.
3. The prevention of public nuisance: the club will be open at the same time as church services are taking place in the church opposite. Again, there is precedent for noise and anti-social behaviour disrupting church services. Additionally, the immediate surrounding area is largely residential; local residents are likely to be disrupted for the same reasons.
4. The protection of children from harm: same as point 2.

I would be grateful if you would seriously consider these points when assessing the licensing application.

Thanks.

[REDACTED]

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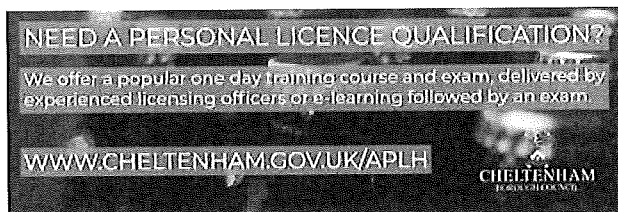
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**Jason Kirkwood**

**From:** Internet - Licensing  
**Sent:** 12 March 2020 16:19  
**To:** Jason Kirkwood  
**Subject:** FW: 20/00454/PRMA.New Premises License:St James Club Ltd t/a Chemistry

Kind regards

Phillip Bowen  
 Licensing Officer  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4177



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**From:** [REDACTED]  
**Sent:** 12 March 2020 16:16  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** 20/00454/PRMA.New Premises License:St James Club Ltd t/a Chemistry

We are parishioners of St Gregory's Church & wish to formally object to the above application because of the affect on the Parish Services & Activities,together with those at the Old Priory & surrounding areas.

The grounds on which the objections are made are;

1.The Prevention of Crime & Disorder.

The Church & Old Priory are directly opposite the St James Club.

Given that there are no lockable barriers to the perimeter of the Church grounds,undesirable persons are free to collect & move unobserved around them.This will result in damage to the Church Property.

2.Public Safety.

Gathering of Groups of persons often having drunk alcohol to excess, will result in noise & anti social behavior to the surrounding residential properties.

3.The Prevention of Public Nuisance.

Noise that will emanate from the St James Club & from those exiting in the late hours will disturb the public & residents, of which there are many in recently completed developments.




#### 4.The Protection of Children from Harm

#### Page 211

St Gregory's School & a Nursery are in very close proximity,with the majority of children passing on foot & vehicle, directly by the St James Club premises.

The concept of having a licensed Night Club premises so close to a School & Nursery,does not provide a good example for children of a young age.

  
56 Symphony Road,  
Cheltenham,  
GL51 6GJ.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 21:14  
**To:** Internet - Licensing  
**Subject:** Re: Ref 20/00454/PRMA

Dear Jason  
Details as follows

[REDACTED]  
97 Naunton Crescent  
Cheltenham  
GL53 7BE

On Sunday, March 15, 2020, 04:28:40 PM GMT, <licensing@cheltenham.gov.uk> wrote:

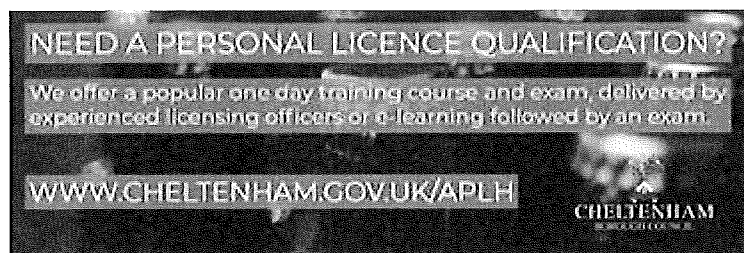
Dear [REDACTED]

We will need your full home postal address to accept your email as an objection against the application.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

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**From:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Sent:** 12 March 2020 10:28  
**To:** Jason Kirkwood <Jason.Kirkwood@cheltenham.gov.uk>  
**Subject:** FW: Ref 20/00454/PRMA

**From:** [REDACTED]  
**Sent:** 12 March 2020 09:49  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Ref 20/00454/PRMA

Dear Sirs

I wish to object to the granting of New Premises Licence to Gibson House, St James Square. The grounds for the objection are that as this is mainly a residential area with a primary school in close proximity there is a danger to children from the discarding of drug related paraphernalia and the public nuisance **associated with late night drinking.**

I trust that these concerns will be taken into consideration when this matter is considered.

Yours faithfully

[REDACTED]

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Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 19:10  
**To:** Internet - Licensing  
**Subject:** Ref:20/00454/PRMA New Premises Licence :St James Club t/a Chemistry

Dear Sir,

I am writing to object to the above planning application. My objection is twofold:

- 1) I believe that there is a great likelihood of an increase in public nuisance due to the consumption of alcoholic beverages.
- 2) We need to protect our children from the harm that the inevitable detritus of broken glass etc. There was also previous evidence of used needles from drug use. Our children must not be exposed to this danger.

Regards

[REDACTED]  
33 Winchester Way  
Warden Hill  
Cheltenham  
GL51 3EZ

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 12:57  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry: objection with with Address  
**Attachments:** image001.png; image002.png; image011.png; image012.png

Dear Sir / Madam,

I object to this proposal as I have young children who attend St Gregorys church sometimes in the early evening and I do not wish them to experience public nuisance or even criminal activity. Children should be kept safe from this risk.

I also object in regards to Public Safety, I have friends and relatives, some elderly, who attend St Gregorys church during late services.

To refuse the above application would help prevent crime and disorder and help protect our parishioners, general public and our children.

Yours faithfully,

[REDACTED]  
St Gregory's Parishioner, Cheltenham.  
97 Broad Oak Way Cheltenham, GL51 9LL

On Sun, 15 Mar 2020 17:21 , <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

We will need your home postal address to accept your email as an objection.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

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**From:** [REDACTED]

**Sent:** 12 March 2020 17:13

**To:** Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>

**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry, Gibson House, St James Sq, Cheltenham.

Dear Sir / Madam,

I object to this proposal as I have young children who attend St Gregorys church sometimes in the early evening and I do not wish them to experience public nuisance or even criminal activity. Children should be kept safe from this risk.

I also object in regards to Public Safety, I have friends and relatives, some elderly, who attend St Gregorys church during late services.

To refuse the above application would help prevent crime and disorder and help protect our parishioners, general public and our children.

Yours faithfully,

[REDACTED]

St Gregory's Parishioner, Cheltenham.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 10 March 2020 20:33  
**To:** Internet - Licensing  
**Subject:** Re: "Reference:20/00454/PRMA. New Premises: St James Club Ltd t/a Chemistry"

My details are

[REDACTED]  
33 Winchester Way  
Cheltenham  
GL513EZ

Sent from my iPhone

> On 10 Mar 2020, at 16:37, Licensing@cheltenham.gov.uk wrote:  
>  
> Dear [REDACTED]  
>  
> Thank you for your email. I am the case officer for this application.  
>  
> I just wanted to give you some feedback on your objection.  
>  
> Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.  
>  
> If you can confirm your postal address, the objection will be duly made to us.  
>  
> Best regards  
>  
> Jason  
>  
>  
> Jason Kirkwood  
> Senior Licensing Officer  
> Public Protection  
> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4163  
>  
> www.cheltenham.gov.uk/APLH  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCCLicensing>  
>  
>  
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>  
>  
>  
>  
> -----Original Message-----  
> [REDACTED]

> Sent: 09 March 2020 17:05

> To: Internet - Licensing <Licensing@cheltenham.gov.uk>

> Subject: "Reference:20/00454/PRMA. New Premises: St James Club Ltd t/a Chemistry"

>

> I am a parishioner at St Gregory's Catholic Church.

> I strongly object to the re opening of Chemistry nightclub for the following reasons.

> There are two nurseries and one large primary school in close proximity, where children will be put in danger of broken glass and hypodermic needles. I have witnessed this many times when the club was previously open.

>

> As a parishioner of St Gregory's we have experienced disruption to our masses on special Feast days. Drunken people have walked into mass shouting and laughing. Litter has been thrown into the grounds.

> I strongly object to Chemisty reopening.

> There have been many problems before and the same will happen again.

>

> Regards

[REDACTED]

> Sent from my iPhone

>

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 19:58  
**To:** Internet - Licensing  
**Subject:** Ref: 20/00454/PRMA.New premises licence: St James Club Ltd t/a Chemistry

I have worked at the playgroup now Pre school / Nursery at St Gregory's School since 1998. I remember searching out and picking up broken glass, bottles and cans of alcohol, needles and used condoms thrown over the wall in the morning before opening up the setting to infants whilst the Gas/ Embassy club was operational. There was vomit and pools of urine collecting in corners by the alleyway and outside Ivanhoe House. This was still a problem when the club had ' outdoor bouncers' for a brief spell. I object to this application on the grounds of 1. The prevention of crime and disorder 2. Public safety 3. The prevention of public nuisance; and 4. The protection of children from harm I should be grateful if you would take these factors into consideration when reaching your decision.

[REDACTED]  
16 Highland Road, Cheltenham GL53 9LT.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 17:23  
**To:** Internet - Licensing  
**Subject:** Re: 20/00454/PRMA New Premises Licences ,Gibson House,St James Club Ltd t/a Chemistry

So sorry not to have included my postcode  
GL523EP  
41 Oakland Avenue

Sent from Yahoo Mail for iPhone

On Sunday, March 15, 2020, 1:59 pm, Licensing@cheltenham.gov.uk wrote:

[REDACTED]

Thank you for your comments. However, please note we will only be able to accept your comments as an objection after we have received your full postal address.

Best regards

Jason Kirkwood  
Senior Licensing Officer  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

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

**From:** [REDACTED]  
**Sent:** 14 March 2020 12:02  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
[REDACTED]  
**Subject:** 20/00454/PRMA New Premises Licences ,Gibson House,St James Club Ltd t/a Chemistry

I want to convey my strongest objections to the above application.  
I remember the disruption when the same building was used as a nightclub in the past. There

was a serious PUBLIC NUISANCE created by the drunken and drug fuelled behaviour of the clientele, to everyone else in the area. St Gregory's Church, opposite, is regularly used for worship in the evenings by many families with children.  
There are PUBLIC SAFETY issues with regards to used needles and broken bottles.  
It is very likely to increase CRIME AND DISORDER in the locality and lead to a decrease in PUBLIC SAFETY at both St Gregory's Church and Chapel Arts Centre.  
Cheltenham is already well supplied with nightclubs Sincerely [REDACTED]

Sent from my iPad

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 19:07  
**To:** Internet - Licensing  
**Subject:** Re: "Reference: 20/00454/PRMA.New Premises Licence:St James Club Ltd t/a Chemistry"

Dear Mr Kirkwood,  
 Please accept my apologies for not including my address and post code.  
 The address is 41 Oakland Avenue Cheltenham GL523EP.  
 Yours sincerely, [REDACTED]

Sent from my iPad

> On 15 Mar 2020, at 13:56, Licensing@cheltenham.gov.uk wrote:

>  
 > [REDACTED]  
 >

> Thank you for your comments. However, please note we will only be able to accept your comments as an objection after we have received your full postal address.

>  
 > Best regards

>  
 >  
 > Jason Kirkwood  
 > Senior Licensing Officer  
 > Public Protection  
 > Cheltenham Borough Council  
 > Municipal Offices, Promenade, Cheltenham  
 > External: 01242 262626 Internal: 4163

>  
 > www.cheltenham.gov.uk/APLH

>  
 > Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

>  
 >  
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>  
 >  
 >  
 >  
 > -----Original Message-----

> From: [REDACTED]  
 > Sent: 14 March 2020 13:10  
 > To: Internet - Licensing <Licensing@cheltenham.gov.uk>  
 > Subject: "Reference: 20/00454/PRMA.New Premises Licence:St James Club Ltd t/a Chemistry"

>  
 > I apologise that my e-mail from the same address was sent unsigned.  
 > Yours Sincerely [REDACTED]  
 >  
 > Sent from my iPad

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 14 March 2020 12:58  
**To:** Internet - Licensing  
**Subject:** "Reference:20/00454/PRMA.New Premises License:St James Club Ltd t/a Chemistry"

I was a practising GP when St James Club was last open and regularly attended Sunday evening masses at St Gregory's church. Our family had to endure the noise and abuse of the clientele who had spilt onto the pavement. It was well known that drugs were being traded there. In addition the corner of St James square and Knapp road was used by club members as part of a race track which was a very frightening experience particularly in trying to cross the road.

Sent from my iPad

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 19 March 2020 11:49  
**To:** Internet - Env Health  
**Subject:** Re: "Reference:20/00454/PRMA.New Premises Licence:At James Club Ltd t/a Chemistry"

[REDACTED]  
7Gravney Court  
Cheltenham  
GL510WD

On Thu, 19 Mar 2020, 11:32 , <[EnvHealth@cheltenham.gov.uk](mailto:EnvHealth@cheltenham.gov.uk)> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

Place and Growth

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.

**From:** [REDACTED]  
**Sent:** 16 March 2020 21:53  
**To:** Internet - Licensing  
**Subject:** "Reference:20/00454/PRMA.New Premises Licence:At James Club Ltd t/a Chemistry"

Dear Sir / Madam

I am writing to you regarding of New Premises Licence for Chemistry as a Parishioner strongly believe the License will increase antisocial behaviour, crime and disorder. Extended hours will affect morning Mass for children and special occasion like Christmas Eve, safety of our kids should be a priority. I hope when you make decision you will consider above objectives.

Thank you and I hope my voice will be heard.

Your Sincerely

Parishioner

This email (and any attachments) is an official Cheltenham Borough Council document. The information in this email and attachments is provided for the intended recipient. If you receive this email in error, please advise the sender by return email and delete the original message from your server. This e-mail is believed to be free of viruses but it is your responsibility to carry out all necessary checks and the council does not accept any liability in connection with it.

The security of any information sent by email to the council cannot be guaranteed. Any information sent to the council may be made available to the public, copied to other council officials or outside agencies in line with legislation and data sharing agreements. Any personal data sent to the council may be used in accordance with the council's Privacy Notices  
[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 10 March 2020 18:25  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

To Jason Kirkwood,  
my postal address is GL51 0UE 16 Darwin Close Cheltenham Gloucestershire  
Thank you and all the best on case!  
Kind regards,  
[REDACTED]

On Tue, Mar 10, 2020 at 4:55 PM <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

If you can confirm your postal address, the objection will be duly made to us and considered by councillors hearing the application in due course.

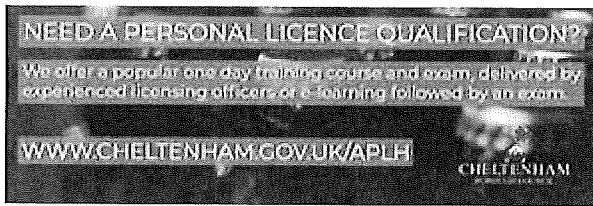
Best regards

Jason

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163





[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 09 March 2020 20:50  
**To:** Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

To Sir/Madam,

I have been informed there has been an application made to the Cheltenham Borough Council for a New Premises Licence, so that it may sell alcohol and provide entertainments to its patrons. I have chosen to contact you about this situation so this application is not accepted. This will result in disruption during Mass and antisocial behaviour. Furthermore, I am sending this for the children's sake. The club will be near St Gregory's school and we do not want strangers potentially harming our children and ourselves for that matter. To conclude, please may you not accept this application for the safety of the community and so we can attend church with no disturbance but happy!

Yours faithfully,

[REDACTED]

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 11 March 2020 07:35  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir/Madam,

I am emailing to you to make my objection for the New Premises Licence at St James Club Ltd t/a Chemistry. My objection is based on prevention of public nuisance, public safety, the prevention of crime and disorder and the protection of children from harm as these would be broken if the licence is granted.

Yours sincerely

[REDACTED]

16 Darwin Close  
Cheltenham  
GL510UE

Jason Kirkwood

**From:** [REDACTED]  
**Sent:** 19 March 2020 13:14  
**To:** Alexander Hamblin  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Hi Alex,

It is 62 Byron Road, Cheltenham, GL51 7EZ,

Many thanks, [REDACTED]

Sent from my iPhone

> On 19 Mar 2020, at 11:28, Alexander.Hamblin@cheltenham.gov.uk wrote:  
>  
> Good morning,  
>  
> I am sorry we can only accept your email as an objection if you provide your full postal address.  
>  
> I look forward to hearing from you so I can add your objection to the license application.  
>  
> Kind regards,  
>  
> Alex Hamblin  
>  
> Business Support Officer  
> Cheltenham Borough Council  
> Public Protection  
> Place and Growth  
> 01242 264300  
> [www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)  
>  
> Thank you for your email. As the organisation continues to support the on-going situation with COVID-19, replies to emails may take longer than usual. We continue to prioritise the delivery of critical services.  
>  
> Thank you for your understanding  
>  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 16 March 2020 20:49  
> To: Internet - Licensing  
> Subject: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry  
>  
> Hello, I would like register my objection to this application as I believe it will be detrimental to the protection of children given the proximity of the Primary school.  
>  
> Many thanks, [REDACTED]

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 10 March 2020 19:39  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir/Madam,

I write this mail to you to make my objection for the New Premises Licence at St James Club Ltd t/a Chemistry. My objection based on 'Prevention of public nuisance, Public safety, The prevention of crime and disorder and the protection of children.

Yours's sincerely

[REDACTED]

41 Norfolk Avenue  
Cheltenham  
GL518DD

Rec 13/3/20

38



## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

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

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

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

39

## Part 2 Continued

## Premises/Club Details

Name of premises/club you are making representation about:	Ref - 20/06 454 /PAMA
Name of Applicant for Licence (if known):	ST JAMES CLUB
Postal Address:	GIBSON HOUSE ST JAMES SQUARE
Post Code:	GL50 3QG

## What are you making a representation about?

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

## 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](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	150 meters (ONE HUNDRED FIFTY METERS)
--	---------------------------------------

Part 2 continued

**What are your concerns?**

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

MAINLY CONCERNED WITH NOISE, DISTURBANCE,  
UNRULY BEHAVIOUR IN FRONT AND ALSO ALYWAY  
WHERE PEOPLE GET GATHERED, SHOUTING, URINATING  
ETC.

ALSO MY GRANDCHILDREN SPEND WEEKEND  
AT OUR HOUSE, I DON'T WANT THEM TO UPSET AND  
DISTURB THEIR SLEEP.

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

(Please continue on a separate sheet if necessary)

Signature:

Capacity:

HOUSEHOLD

Date:

10/3/20

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 16:57  
**To:** Internet - Licensing  
**Cc:** Councillor Tim Harman; Councillor Dilys Barrell; Councillor Diggory Seacome; Councillor Chris Mason  
**Subject:** 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry  
**Importance:** High

Dear Sirs

I am a long-standing parishioner of St Gregory's Church and resident in Cheltenham. I can distinctly recall the very serious issues that took place when the above premises was previously used as a night club; Gas and later Chemistry nightclubs. I do not believe that these serious issues would be any less than they previously were, but instead, I believe they will be even greater. I therefore profoundly object to this new Licence Application, based on both historical knowledge and the significant changes that have since taken place within the St James's Square neighbourhood. My reasons for objecting are as follows:

#### **Crime & Disorder**

- St Gregory's Church and surrounding premises will again be the target for crime, vandalism and disgusting desecration. Our church door was spray-painted/marked with foul language and the porch stained glass windows were twice broken/vandalised. Parishioners had to avoid stepping into pools of vomit or broken glass. Fast-food litter was constantly left on the pavements or behind the church wall and there was regularly evidence of sexual activity behind the church wall. Our assistant priest at the time (Fr Joachim) would, early Sunday mornings, have to remove discarded condoms and female underwear, before parishioners arrived for the Sunday morning Masses.

#### **Public Safety**

- The regular presence of large gatherings of noisy club revelers (many intoxicated) in this recently redeveloped residential area, will be very intimidating for local and passing people. The public will also, as previously, have to contend with the discarded litter, food, broken glass, vomit and drug related material, that was frequently in evidence when the premises was a night club.

#### **Prevention of Public Nuisance**

- Our evening church services would be severely disrupted by the sound of loud music and noisy revelers; some the worse for alcohol. Extended seasonal hours (e.g. Christmas and Easter) would again severely disrupt our parish services and those taking place in the adjoining Old Priory building.
- I can only see a return of this anti-social behaviour, should you approve the entertainment licence to be granted to another nightclub.
- CBC has approved and rightly encouraged significant residential developments within the immediate vicinity. The re-opening of the club would shatter the peace of the neighbourhood,



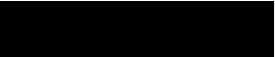
including St Gregory's parish priest's house. People from buying property in the surrounding areas.


**Protection of Children from Harm**

- St Gregory's Primary School is only a short distance away from these premises. The children are constantly having to pass by these premises and they too will have to negotiate past the rubbish, broken glass and vomit. This, together with the vandalism that used to take place (and I'm sure will again) will be an appalling example for these young people to witness, at time when we are all endeavouring to accelerate the much improved care of our local neighbourhoods, towns and planet.
- Discarded drug taking material around the lanes, side streets and more secluded areas close to St Gregory's School, will again be of the utmost concern.

I therefore, for the reasons stated above, appeal to the Council to deny this Licence Application, for the sake of the community - St. Gregory's Primary School and St. Gregory's Church and all the local residents.

Your faithfully,

  
*4 Kemerton Road  
Cheltenham  
Glos GL50 2QB*



**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 25 March 2020 15:30  
**To:** Internet - Env Health  
**Cc:** Jason Kirkwood  
**Subject:** FW: 20/00454/PRMA. New Premises Licence:St James Club Ltd t/a Chemistry

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

**From:** [REDACTED]  
**Sent:** 25 March 2020 14:56  
**To:** Internet - Licensing  
**Subject:** Re: 20/00454/PRMA. New Premises Licence:St James Club Ltd t/a Chemistry

Dear Jason

Here is my postal address so that you can validate my earlier email.

4 Kemerton Road  
Cheltenham  
Glos  
GL50 2QB

I do hope that I am not too late in registering my disapproval of the scheme.

Yours sincerely

[REDACTED]

> On 25 Mar 2020, at 13:39, Licensing@cheltenham.gov.uk wrote:

>

> Dear [REDACTED]

>

> Please see email below, my apologies as it was misaddressed. Please provide your postal address and I can record your comments as a valid objection.

>

> Best regards

>

> Jason

>

>

> Jason Kirkwood

> Senior Licensing Officer

> Public Protection

> Cheltenham Borough Council

> Municipal Offices, Promenade, Cheltenham

> External: 01242 262626 Internal: 4163

>

> Sent: 10 March 2020 16:50  
> To: Jason Kirkwood <Jason.Kirkwood@cheltenham.gov.uk>  
> Subject: FW: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry  
>  
>  
>  
> Kind regards  
>  
> Phillip Bowen  
> Licensing Officer  
> Public Protection  
> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4177  
>  
>  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>  
>  
> This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 10 March 2020 16:38  
> To: Internet - Licensing <Licensing@cheltenham.gov.uk>  
> Subject: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry  
>  
> Dear Sirs  
>  
> I am a long-standing parishioner of St Gregory's Church in Cheltenham, and can remember the disrespectful behaviours of late night revellers from both the Gas and Chemistry nightclubs.  
>  
> As we gathered for church on a Sunday morning, we would have to avoid stepping in pools of vomit. There would be smashed glasses and bottles left within the church boundary wall. There would also be take away trays and litter, as well as evidence of sexual encounters.  
>  
> I can only see a return of this anti-social behaviour, should you approve the entertainment licence to be granted to another nightclub.  
>  
> The council has approved and encouraged residential developments in the immediate vicinity. The re-opening of the club would shatter the peace of the neighbourhood and deter people from buying property in the surrounding streets.  
>  
> I would appeal to the council to deny this application, for the sake of the community - St. Gregory's Primary School and St. Gregory's Church and all the local residents.  
>  
> Yours faithfully  
>  
> [REDACTED]  
>  
>  
>  
>  
>

45

1

909 Alvarado Avenue, # 23  
Davis, CA.95616, USA



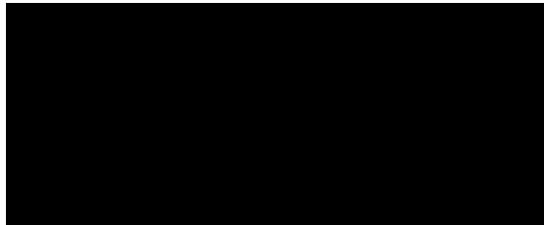
February, 25. 2020

Cheltenham Borough Council  
Licensing Department

Re: 20/0054/PRMA  
Application for a New Premises License  
Cheltenham GL50 9SA

Dear Council Members,

I am resident for much of the year at Somerset House in close proximity to Gibson House. There are many "watering holes" in the near vicinity; another one will add to the public nuisances (drug exchanges, micturition in gardens, noise, litter, vomit) already spoiling an otherwise quiet residential/business area. My chief concern, however, is for the many children at the primary school and two nursery schools close by, who witness the aftermath of drinking and carousing and must negotiate the results on their way to and from school. The country is desperately in need of housing. Why not flats ? Gibson House is a grand old building, sad to see it unused but, please, not another alcohol license !



17 Somerset House  
Knapp Road  
Cheltenham, GL50 3QQ

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 26 March 2020 12:23  
**To:** Internet - Licensing  
**Subject:** Re: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

My full postal address is:-

[REDACTED]  
2, Meadow Close,  
Cheltenham,  
Gloucestershire,  
GL510TZ

TEL: [REDACTED]  
[REDACTED]

Sent from Yahoo Mail for iPad

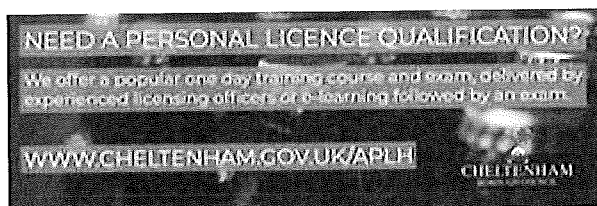
On Thursday, March 26, 2020, 11:50 am, Licensing@cheltenham.gov.uk wrote:

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 17:53  
**To:** Internet - Licensing  
**Subject:** Reference:20/00454/PRMA,New Premises Licence:St James Club Ltd t/a Chemistry

I wish to object to the granting of this licence.

I am a parishioner of St Gregory's Church, Cheltenham which faces the premises.

My objections are on 4 grounds,these are:- 1.The prevention of crime and disorder.

Unless tightly monitored ,some of the attendees are likely to be committing drug offences, disorderly and drinking offences .These could led to instances of fighting and more extreme violence. Very high level of noise is likely effecting church services and events and disturbing the local neighbours.

#### 2.Public Safety

There is likely to be issues around car parking which is limited in the area ,anti social behaviour and public sexual behaviour by some attendees could involve injury/harm to innocent members of the public going about their lawful business who are passing the Premises going into the Church,and the nearby homes/flats,. there could also be undesirable litter 3.The prevention of public nuisance.

As detailed above in 1) and 2)

#### 4.The protection of children from harm.

St Gregory's Primary School is in very close proximity with over 300 children attending. They could be endangered by broken glass ,infection from the remains of vomiting from some of the attendees ,discarded and used drug needles and condoms. The School is open from 8am and with the late closing of the Club ,these items..may not be cleared before the children and their parents arrive for School.

I trust you will seriously consider my 4 strong objections to the granting of this licence.

Kind Regards

[REDACTED]

# APPENDIX 3

## Batch 6

Residents L - M

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 11:20  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear sir/madam,

I am writing to register my objection to the new premises licence application ref 20/00454/PRMA. The basis for opposition is that granting a licence will not promote the licensing objectives, in particular the prevention of public nuisance.

The premises is within 15 meters of a church and is less than 100 meters from a primary school and a nursery. The granting of the license which includes music and serving of alcohol across long and late opening hours will cause a considerable public nuisance for both church and school in terms of noise, littering (in particular unpleasant rubbish such as alcohol containers) and anti-social behaviour from patrons entering and exiting the club.

I am a frequent attendee at St Gregory the Great RC Church and in my capacity as a long standing member of the parish would urge the licence application to be rejected as it is not a suitable location for this type of business.

Kind regards,

[REDACTED]  
29 Galileo Gardens, Cheltenham GL51 0GA  
[REDACTED]



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 15:23  
**To:** Internet - Licensing  
**Cc:** St Gregory the Great Cheltenham  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Sir/Madam

1. The noise and antisocial behaviour likely from the opening of Chemistry will contravene rules on public nuisance: I object to the application.
2. The intoxication of customers using Chemistry will almost certainly lead to discarding of drug needles and packaging: St Gregory's Catholic School has suffered from this disposal on school grounds putting children at risk: I object to the application.
3. There is a direct conflict to the religious celebrations that take place at the Church of Saint Gregory the Great that will emanate from Chemistry; this tension is likely to lead to a minimum of public order offenses on occasions of religious festival such as Christmas Eve and the Easter Vigil: I object to the application.

Your faithfully

[REDACTED]  
**Parishioner of the Church of Saint Gregory the Great**  
[REDACTED]

**197 Bath Road  
Cheltenham  
Gloucestershire  
GL53 7LZ**



Virus-free. [www.avg.com](http://www.avg.com)

**Jason Kirkwood**

**From:** [REDACTED]  
**Sent:** 14 March 2020 12:41  
**To:** Internet - Licensing  
**Subject:** Notice of representations to application for new premises licence: ref.no: 20/000454/PRMA

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Notice of representations to application for new premises licence: ref.no: 20/000454/PRMA**

**By:** [REDACTED] 6, Sandhurst Place, London Road, Charlton Kings, Cheltenham GL52 6YN

[REDACTED]

[REDACTED]

Parishioner of St Gregory's Church, St James' Square, Cheltenham.

I lived at 3, St James' Square, Cheltenham from 2000 until 2016 and therefore have experienced the noise, conduct of the members and guests exiting the previous clubs on this site.

**The prevention of crime and disorder:**

The members and their guests trespassed on to church property, urinating and broken glass was left on the ground.

The Council's CCTV previously put up on the mini roundabout by the car park faced towards the club but the misconduct and unsociable behaviour continued round the corner out of its sight. The club members and guests realised the direction pointed by the CCTV and their behaviour deteriorated accordingly.

Because of the noise we frequently had to phone the police who took our complaints seriously, responding as best they could.

**The prevention of public nuisance:**

I have already mentioned the noise and misconduct that would come about, affecting people living nearby and what St Gregory's has experienced.

The Old Priory (St Gregory's church hall) is very close and hosts many church related events, not least a club for older members.

Also town events of a sensitive nature use the hall weekly as well. It is also let out regularly in the evenings.

**The prevention of children from harm:**

nearby St Gregory's school has suffered nuisance with trespass.

Needles, condoms and broken glass have been left indiscriminately around their playground. This is obviously very dangerous for the children on many fronts.

The suggested smoking area for the club is very small and will be difficult to monitor.

Parents and their children should not be exposed either to cigarette smoke or seeing adults smoking.

The effects of alcohol must be very seriously considered.

I am very concerned the that another premises license may be granted to premises so near a school or church and a residential area for the reasons shown above.



14<sup>TH</sup> March 2020.



Virus-free. [www.avg.com](http://www.avg.com)

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 16:59  
**To:** Internet - Licensing  
**Subject:** Re: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemitry

Dear Mr. Jason Kirkwood,

Thank you for your response to my representation. My postal address is: 10 Overton Park Road, Cheltenham, GL50 3BW.

Before we bought this place at 10 Overton Park Road, I used stay in a flat at 89 St Georges Place GL50 3QB, so I know what exactly what it is like at nights in the neighbourhood. I can only see it will get worse when putting one more pub in the very same area.

Your kind consideration will be greatly appreciated.

Warm regards  
[REDACTED]

[REDACTED]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

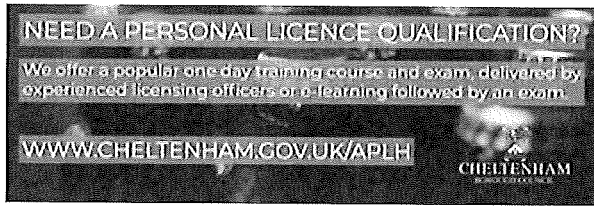
Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

If you can confirm your postal address, the objection will be duly made to us and considered by councillors hearing the application in due course.

Best regards

Jason

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

[REDACTED]

**Sent:** 08 March 2020 14:26

**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>

**Subject:** 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemitry

Dear staff at Licensing office,

I am so shocked to learn that there was an application made to Cheltenham Borough Council for a New Premises Licence to open a night club at Gibson House, St James Square.

I really hope this application will not be granted, due to the following grounds:

1. The prevention of crime and disorder: There are already a few pubs nearby, we have heard enough swearing and frighten by the drunk people wondering between those pubs at nights. Adding one more here can only adding the risk of crime rate.
2. Public Safety: There is a primary school nearby, which is less than 1 minute of walk!! Having one more pubs in the very same area, just put the children and their families in a high risk of meeting drunk people every day. In other words putting them in a higher risk of getting hurt or sword at.
3. The prevention of public nuisance: With the current amount of pubs in the same area, we already see many drunk people wondering about and between those pubs at nights and even during early mornings. Adding one more would encourage more people visiting the pubs and get more drunk and more public nuisance!

So I strongly against the proposal of having one more pub in the very same area!

Your sensible consideration will be greatly appreciated by the public.

[REDACTED]

[REDACTED]

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REP 007①

Flat 14, Somerset House, Knapp Road,  
Cheltenham. Glos. GL50 3QQ

February 26<sup>th</sup> 2020

ref. 20/00454/PRMA

to: Jason Kirkwood - Case Officer:

Licensing Committee

Cheltenham Borough Council,

Municipal Offices,

Promenade, Cheltenham. Glos. GL50 1PP

Please note I am  
not on-line.

Sir -

Dismayed to learn (unofficially) of the further  
planning application for redevelopment of Gibbon House  
(formally: Chemistry night club) as an 'all singing, all  
drinking, all dancing LARGE venue 'open all hours',  
and certainly until late at night. Work has already been  
proceeding at Gibbon & Burton House - I spoke to the workmen  
" Oh, it's going to be a needle exchange"  
" Flats" " Don't ask us - we're bottom of the food chain"

I last wrote in 2017 in opposition for the  
unsympathetic plans, inappropriate and uninspiring plans for  
flats. Nothing has happened in the interim - Now this:  
an application for a premises licence, far more ambitious  
than anything previously seen.

Cheltenham's reputation is already tarnished by its  
history as the venue for stag nights & hen parties - noisy,  
fawcety affairs with drunken punters lurching around the streets  
late at night, taxi doors slamming in the early hours,  
half drunk beer bottles & cans tossed over railings, piles of  
vomit, cigarette butts, take-away litter, urinating against walls.

'The Festival Town' - maybe, but the benefits are thinly spread & don't improve the lives of the majority of the population. These proposals certainly don't & I oppose on the basis of <sup>Please note I am</sup> preventing ~~not on time~~ public nuisance (see above).

We already have to endure the unsalubrious. Bottle of Sauce (take a look at the back area where the rubbish is stored - check the disgusting fluid that runs over the pavement into the gutter of Clarence Street - listen to the relentless "thump-thump" of the loud borse when they hold a late night live music session) - why another venue in a town already overful with dubious drinking & eating places?

Somerset House where I live is a residential home for the elderly. We have come here in retirement to spend our last few years in tranquillity. We can't cope with the sleep disturbance & rowdiness engendered by a large venue like this - quite different from a modest pub -, & we worry about disorder & crime. - the area already sees drug-dealing in the alley-ways & a recent stabbing. There is concern about the proximity of the two infant nurseries and St. Gregory's school & church, especially with opening hours 10.00am - 12.30. Our children need to be protected from harmful influences & there are public safety issues (no safe parking areas - taxis coming & going)

I beg those of you on the licensing committee to reject this application. Yours faithfully. [REDACTED]

Notice of representations to application for new premises licence: ref.no: 20/000454/PRMA

[REDACTED] 6, Sandhurst Place, London Road, Charlton Kings. Glos GL52 6YN.

Correspondence address: 10, St James' Square, Cheltenham. GL50 3PR.

Member of the Clergy serving the Roman Catholic Parish and Church of St Gregory the Great, St James Square, Cheltenham.

[REDACTED]

These representations are on behalf of myself and in support of those made by Rev. David Mills, the Parish priest and Parishioners of St Gregory's. I was a resident of 3 St James Square, Cheltenham, GL50 3PR, during the time when the application premises were open as a nightclub.

The Parish premises comprise not only the Church building itself, directly opposite the applicant's site, but also The Presbytery and Parish Office at 10, St James Square, and the Old Priory (Church Hall), Clarence Street; these latter are both respectively diagonally opposite the application premises.

The applicant site has a history of previous licensed clubs and cause for Licensing Representations, with associated planning problems, clearly showing the premises are not compatible with leisure activities.

Referring to the Licensing Objectives:

**1. The prevention of crime and disorder:**

1. Experience from the previous licensed clubs on this site show that patrons when arriving, but particularly when leaving, loiter noisily around the site, with vehicle doors opening and closing, without regard to the time or nearby existing residents.
2. We have experienced patrons exiting the club, crossing the road and trespassing on to Church premises to trespass and urinate within the Church premises, leaving behind a range of litter including drug related and other items, beyond the range of Security CCTV and staff.
3. St Gregory's Primary School, and other adjoining premises, have experienced trespass and nuisance from previous club patrons.

**2. Public safety:**

This is an issue for the statutory authorities. There are concerns to be addressed by the Police and Fire authorities including their comments and advice as to

(a) the permitted number of members and guests in the restaurant and club area, taking into account the suggested fire exits will be relevant.

(b) Likewise, the enforceability of yellow line enforcement.

I am not confident that sufficient provision has been made by the applicant for the anticipated numbers in the separate areas within the site.

**3. The prevention of public nuisance:**

1. Twice daily during term time, the pupils of nearby St Gregory's Primary School, with and/or without parent, some with vehicles, use the adjoining road for access. From time to time at other times of the day, the pupils will also pass, going to and returning from the Church. This is an obvious serious hazard.
2. Certainly, pedestrian pupils and others would pass well within the effect of the smoking area, and be affected by second-hand smoke and the conduct of the patrons.



3. The proposed smoking area adjoins the public footpath and would be difficult to supervise from within the premises. Indeed, previously, the exterior doors at this site were alarmed and sounded when inadvertently pressed or leant against.
4. It is unrealistic and impracticable to envisage security staff supervising the smoking area whenever the premises are open.
5. There will be a repetition of the noise of car doors, opening and being carelessly closed by patrons and members on leaving the premises late at night. Indeed, some may be walking noisily to and from the St James car park and the Church premises, as already mentioned.
6. Depending on the opening and closing or extended hours, particularly at weekends or during Race Week, there would be a flow of patrons between the nearby licensed premises including, St Georges Vaults, The Bottle of Sauce, The Fire Station and, indeed, from the restaurants in St George's Street.
7. Previously, during the Easter midnight service, I have personally needed to instruct a colleague to go over the road to the predecessor of the Bottle of Sauce to request their entertainment system be adjusted, so that it did not interfere with our own. We still feel at risk at Christmas and Easter, although steps have been taken so that the problem with the Bottle of Sauce should not reoccur. However, it could easily be (as in the past) that a problem such as this will arise from the application premises.
8. Certainly, not only during our own use, but also regular and weekend users to whom we have let the Old Priory, both parochial and secular, including children, families, and elderly, have expressed concern and anxiety about disturbance late in the evening.
9. Obviously, the to and fro of patrons of the proposed club to anywhere in the vicinity would be a public nuisance, particularly if there were extended opening hours.
10. The proposed operating schedule proposes: *"Unless otherwise specified on this licence no licensable activities shall take place at the premises with the exception of pre-booked and/or ticketed events."* Within the framework of the applicant's intent this does not make sense.
11. Nearby residents, myself included, have complained about the significant noise of the arrival of bottles to the site, in delivery vehicles, and, even more so, the regular emptying of bins of the glass empties, about 8am-10.am or so.

**4. The protection of children from harm:**

I have outlined my grave concerns about the pupils of St Gregory's Primary School unavoidably passing so close to the smoking area twice a day during term time, sometimes also when attending St Gregory's church and increased traffic flow to and from the school premises. The atmosphere of smoke and alcohol and, indeed, should any of the patrons be adversely affected by alcohol, would be a significant risk or threat to passing children and, indeed, other passersby. Licensed premises should not be permitted so close to a Primary School.

**The applicants' site notice** has not been available as required. At times, within the statutory period, it has not been visible at all. At other times it has been effectively hidden, because the door on which it was posted has been folded inwardly, whilst work was being undertaken inside the building. It has also moved from one point to another and back again. Others have told me of this difficulty

I am concerned that the applicant company will have difficulty complying with the four objectives of the Licensing Act 2003.

[REDACTED]

Date: 12<sup>th</sup> March 2020.

Jason Kirkwood

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**From:** [REDACTED]  
**Sent:** 13 March 2020 11:07  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St JamesClub Ltd t/a Chemistry

[REDACTED]  
Flat 2, 13 Royal Parade  
Cheltenham  
GL50 3AY

**Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry**

Regarding the above licence application, I would like to lodge an objection.

I live locally (as above), and I attend the Church of St Gregory the Great, St James Square, Cheltenham. I note that the proposed club licence for 'Chemistry' is for a premises located directly over the road from the Church.

My concern is that the very near location of the club will cause a **public nuisance**.

Services at the Church are held into the evenings on many occasions throughout the year and the arrival and departure of people attending the club will be a great nuisance. There will be noise (music plus raised voices), rowdiness, and occasionally intrusions into the Church itself by club-goers. If other 'club-environments' are anything to go by, we could also expect the club to be a cause of **crime and disorder**, such as an increase in vandalism to Church property and the grounds, urinating around the building and disagreements turning into fights. The life of the Church will be severely affected as the very possibility of such activity will deter many parishioners from attending, especially the elderly and the frail.

Such an entertainment facility should be located elsewhere in the town, not so close to the focal Church in Cheltenham for Catholic worshippers and a building of great historical significance – the two are entirely incompatible.

I hope the Council will take these concerns into account as to go ahead with the proposed licence would seriously and detrimentally affect the ongoing life of the Church.

Yours faithfully,

[REDACTED]

.....  
[REDACTED]

[REDACTED]  
Apartment 16  
St James South  
1 Jessop Avenue  
Cheltenham  
Gloucestershire GL50 3SP  
[REDACTED]

Sunday, 15 March 2020

**REF: 20/00454/PRMA**

Mr Jason Kirkwood  
Licensing Department  
Municipal Offices  
The Promenade  
Cheltenham  
GL50 9SA

Dear Sir,

**New Premises Licence, St James Club Ltd, Gibson House, St James Square. (Formerly Chemistry/Gas Night Club)**

As local residents we should like to object to the above application on the following grounds:

1. Prevention of crime and disorder;
2. Public safety;
3. Prevention of public nuisance;
4. Protection of children from harm, as these premises are on a walking route to the nearby St Gregory's School.

Councillor Diggory Seacome has pointed out that any comments would need to relate to problems which occurred when the building was last a late-night entertainment venue, as it has now been closed for several years.

Well, we moved to Cheltenham seven years ago from another county. It is worth noting that this venue had acquired such notoriety at the time, that we were actually warned about it and advised to avoid the neighbourhood!! We think this speaks volumes.

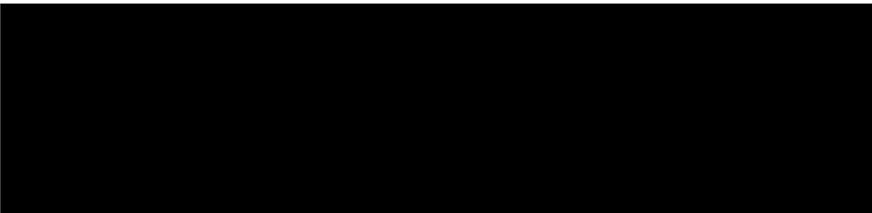
(PTD)

Q

13

at was then and this is now, and in the meantime this area has become a nice, quiet, residential and business area. No-one would wish this to change.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Copies to: Cllr Seacome

Fr David, Parish Priest, St Gregory's, Cheltenham

**Jason Kirkwood**

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**From:** [REDACTED]  
**Sent:** 18 March 2020 15:22  
**To:** Internet - Licensing; the truth  
**Subject:** Re: 20/00454/PRMA NEW PREMISES LICENSE : ST JAMES CLUB NLTD. T/A CHEMISTRY

Dear Licensing Team

Re: 20/00454/PRMA NEW PREMISES LICENSE : ST JAMES CLUB NLTD. T/A CHEMISTRY  
GIBSON HOUSE, ST JAMES SQUARE

My name: [REDACTED]

FLAT 20 ST JAMES NORTH, 1 ST JAMES SQUARE, CHELTENHAM GLOUCESTERSHIRE GL50 3PY

I have serious objections to a license being granted to provide a facility to sell alcohol and provide entertainments at the above address and my reasons are outlined below:

1. St James Square and its surrounding roads are narrow and short roads which are already congested by cabs and taxis finding it a convenient place as a mini depot/hob to pick up customers from nearby locations. parents flood the very small road to drop off and pick up their children. We also have large coaches doing the same with schoolchildren. Also, St James House already creates significant, unberable noise and congestion at times. Their workmen have woken me up on more than 70 ocassions over the last few years. Dumping rubbish and dragging equipment on asphalt on their grounds from 4-7 am and at weekends. Roofing, noise and nuisance from work men whilst placing scaffolds aroound the building, etc.

The alarms for St James House used to go off regularly and frequently for up to 15 min. at a time at 4 am at times and it took them a very long time to deactivate it. St James House Building and their offices routinely generate a disporportionate amount of noise in the area from all sources of noise and not just alarms. They had not paid for the repair of their alarm system and neither had they paid for the maintenance of their alarm systems for a long time according to a workman there!

St James House is constantly and gradually being refurbished and maintained. Too much noise and hassle all the time.

St James House also creates traffic on the road whilst their groundsmen make so much excessive noise for several hours at a time with their lawn mowers.

We can not afford any more congestion and noise!

2. I have already seen arguments, shouting, harrassment and intimidation from parents, St James House employees, van drivers, etc, sounding horns for several minutes at a time. The roads nearby are going to get busier and much noisier with delivery trucks, taxis and people descending upon a new premise.

I have already witnessed fuming arguments over car parking spaces among parents and St James House Building office employees and the need for parents to gain quick access to the school.

3. We already get disturbance, noise, shouting, swearing, beer spillages, etc.from drunk and disorderly people coming out of existing adjacement pubs and clubs nearby every week and more so during festivals.

4. We already have joy riders esp. during summer, the roads to feel even "higher" by speeding and making massive noise with their altered exhaust pipes and larger engines as well as powerful motorbikes.
5. The lovely, peaceful, elegant Catholic Church and its parishioners their would also be in danger from drunk, disorderly, abusive people.
6. There would be a greater risk to the health and wellbeing of children in the neareby school with adults also suffering noise, violence, assaults, burglaries and vandalism.
7. There would be more drug use closer to our residence, curb crawling, increased traffic from taxis and cabs, suspect individuals loitering about, gambling etc.
8. With a new premise, there is very likely going to be abandoned, used contaminated needles found on the roads and pavements with drug dealers hovering about looking for customers.
9. There would be increasing costs and hassle for the council, police, fire and other emergency services and hospital clinical staff to deal with drunks, violent and abusive, threatening people.
- There would be inconvenience and threats against us too decreasing safety and increasing danger for us residents.
10. I personally have poor sleep and little peace and quiet because of noise from parents sounding their horns, as well as from workmen at St James House. At times it is a 24 hour duration noise.
11. The location and functionality of this new premise does not match and is totally inappropriate to the requirements of local residents or the Catholic Church or the schools nearby. Our area is already saturated with pubs and clubs on both sides with the centre of town with those already satisfying certain people's demands for such services.
12. We residents do not wish to get even more disturbance, nuisance, crime or more disorder, less safety, and more potential harm coming our way.

Kind regards  


**Jason Kirkwood**

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**From:** [REDACTED]  
**Sent:** 08 March 2020 13:25  
**To:** Internet - Licensing  
**Subject:** Chemistry Premises license.

Reference 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry.

Dear Sir/Madam,

As members of St Gregory's Catholic Church we are aware that the granting of a license to **Chemistry** will ensure there will be noisy activities that will cause a nuisance to parishioners and other worshipers, as the said premises is directly opposite the church.

This would be particularly noticeable at early morning and evening masses and especially at Christmas time. And therefore would certainly constitute a public nuisance.

We therefore would like to register our objection to the granting of this license.

Yours Truly

[REDACTED]

1, Desert Orchid Rd  
Prestbury  
Cheltenham Glos  
GL52 5FD  
[REDACTED]

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 14:34  
**To:** Alexander Hamblin  
**Subject:** Re: St James club license application

Hi Alex,

The full address is as follows  
Cornerways,  
Daisy Bank Road,  
Cheltenham  
GL53 9QQ

Many Thanks

On Tuesday, 17 March 2020, 12:03:04 GMT, <alexander.hamblin@cheltenham.gov.uk> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

Place and Growth

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)



From: [REDACTED] Page 259 [REDACTED]  
Sent: 15 March 2020 13:00  
To: Internet - Licensing  
Subject: St James club license application

Dear sir/Madam,

I wish to object to the proposed new license for Gibson House, St James Square, Cheltenham **Ref 20/00454/PRMA**

The reasons for my objections are as follows

**1) The prevention of public nuisance.** Nightclubs are noisy and will omit unacceptable levels of noise pollution to local residents. The constant sound of the bass drum beat

and the noise of intoxicated clientele leaving the premise will have a detrimental effect on local residents. The unfortunate individuals who live nearby will see a drastic

reduction in the value of there property if this license is granted. Very unfair.

**2) The protection of children.** St Gregory's primary school is located very close to the premises. Last time this building was a nightclub needles, smashed bottles, vomit

and urine were often to be found in the vicinity. All of which are potentially harmful to young children.

**3) The prevention of crime and disorder.** I believe having a large number of potentially intoxicated people in this locality will cause a rise in petty crime such vandalism, fighting,

drug usage, urinating in public and general antisocial behaviour. When put together this is an unacceptable level of nuisance to local residents.

**4) Public Safety-** The capacity of this venue will no doubt run into the many hundreds. Such a large number of people will inevitably led to public safety concerns such as fighting

outside the premises and large numbers of people spilling out onto the public highway.

When all these concerns are put together they represent a significant threat to the wellbeing of local residents and for this reason I urge you not to grant a license to this premises.

The town center would be a more appropriate site for a nightclub not a semi residential area like St James's Square. Surely with all the vacant premises in the town center a better

location could be found.

16<sup>th</sup> March 2020

Licensing Team,  
Public Protection Team,  
Cheltenham Borough  
Council,

Municipal Offices,  
Promenade,  
Cheltenham.

GL50-1PP

11, OXFORD WAY,  
WARDEN HILL,  
CHELTENHAM,  
GLOUCESTERSHIRE.  
GL51 3HH.

Reference:- 20/00454/PRMA. NEW PREMISES  
LICENCE: ST JAMES CLUB LTD t/a CHEMISTRY

Dear Sir or Madam

My wife and I would like to raise  
our objection to the GIBSON HOUSE, ST JAMES  
SQUARE. OVER THE ROAD FROM THE CHURCH.

becoming a place of entertainment again.  
The entertainment will be a  
major nuisance from discarded  
take-away meals, beer bottles and beer  
cans. Many of these will find their way  
into the church yard opposite the  
venue.

The venue will attract illegal drugs, alcohol and drug-taking will lead to trouble which will involve the police and medical services. Loud music during church services will be a major nuisance to the church congregation.

The venue noise will be a major nuisance to the priests living in the presbytery attached to the church particularly during the hours of rest from 8 PM to 8 AM.

There is a St Gregory's Junior School just up the road from the proposed new venue. The children from this school regularly visit the church in large groups and the presence of this open venue during these visits will have a bad influence on them.

Parking of the patrons of this new venue will cause a dangerous situation at

school pick-up time. The situation at present is potentially dangerous to parents and pupils and the additional new parking and traffic will further increase the danger.

A health hazard will be caused by patrons urinating up against the church wall, vomiting over the wall and leaving unsanitary objects in the church yard.

The above objections are the result of hard and bad experiences when the proposed venue was known as GAS and subsequently the EMBASSY in the past.

Yours faithfully,



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 18 March 2020 23:44  
**To:** Internet - Licensing  
**Subject:** Ref:20/00454/PRMA.New Premises licence:st James club Ltd t/a Chemistry

[REDACTED]  
78-80 London Road  
Cheltenham  
GL52 6eq

Dear sir/Madam,

I'm writing in connection with the above planning application,I wish to object to this application for the following reasons;

1:Protection of children from harm;This club is situated around the school (St.Gregory primary and Nursery school )so children will be exposed by some object left behind.

2:The prevention of crime and disorder;Due to the nature of this business our church property and the property near by will suffer from vandalism and littering problems .

This are my foremost objection for this application.

Kind regards  
[REDACTED]

Sent from Yahoo Mail for iPhone

**Jason Kirkwood**

---

**From:** pa@cheltenham.gov.uk  
**Sent:** 07 March 2020 12:35  
**To:** Jason Kirkwood  
**Subject:** Comments for Licensing Application 20/00454/PRMA

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:34 PM on 07 Mar 2020 from [REDACTED]

**Application Summary**

**Address:** Gibson House St James Square Cheltenham  
Gloucestershire GL50 3QG  
**Proposal:** Application for New Premises Licence  
**Case Officer:** Mr Jason Kirkwood  
[Click for further information](#)

**Customer Details**

**Name:** [REDACTED]  
**Email:** [REDACTED]  
**Address:** 15 Springbank Way, Cheltenham, Gloucestershire GL51  
OLH

**Comments Details**

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Licensing Application  
**Reasons for comment:**  
**Comments:** 12:34 PM on 07 Mar 2020 Dear Sir/Madam,  
I would like to rise objection against the above application.  
1/ The property is in very close neighbourhood with the primary school. The facilities of such a type will have negative impact on pupils. The school staff and children may be exposed to massive disturbance finding stuff like alcohol bottles (some semi empty), drug leftovers, condoms etc which is common in places around the pubs and clubs. Not talking about urine smell.  
2/ There is also main church right next to the property. One of the dominants of Cheltenham. The noise and activities related to clubbing will cause massive disturbance to services and visitors, increase the risk of historical building damage.  
3/ It is area where many retired and disabled people live. I think they deserve their peace in the night too especially in thin wall houses like they are around.  
4/ as being one of the Street Pastors I know it is outside of our walking periphery. Those vulnerable who may need our help will be then left out of reach.

I don't think it is good idea to use Gibson House for that

purpose. I am sure there are other properties in town center which can be used instead.

With trust



**Jason Kirkwood**

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**From:** [REDACTED]  
**Sent:** 16 March 2020 17:48  
**To:** Internet - Licensing  
**Subject:** St James' Club Ltd

From [REDACTED] 35 Keynsham Rd, Cheltenham GL53 7PU, UK

Reference: 20/00454/PRMA.

New Premises License: St James Club Ltd t/a Chemistry

I am a parishioner of St Gregory's church. Bearing in mind the experience of parishioners when the club was open before, I have the following concerns:

Chemistry played very loud music and will want to do so again. This noise was, and would be again, a nuisance to residents and parishioners alike.

Chemistry would almost certainly be asking for extended hours at times like Christmas and Easter, when late night services are conducted in St Gregory's church.

Unruly behaviour, often associated with night clubs, can be quite threatening to local residents, many of whom are elderly who would be easily intimidated. Parishioners attending an evening Mass, particularly in winter, could also be intimidated.

The interests of the primary schoolchildren at St Gregory's School nearby has to be paramount. The detritus left by patrons on the pavement such as broken glass and needles poses a significant potential hazard to them.



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 20:42  
**To:** Internet - Licensing  
**Subject:** Proposed Chemistry nightclub.

Reference: 20/00454/PRMA.

New Premises License: St James Club Ltd t/a Chemistry

I am a parishioner of St Gregory's church. Remembering when the club operated previously my concerns are:

Noise. Very loud music, noisy and disorderly behaviour of patrons which was and again would be, a nuisance to residents and parishioners alike.

Concern about the possibility of extended hours at times like Christmas and Easter, when late night services are conducted in St Gregory's church.

Further real concern is for the primary schoolchildren attending St Gregory's School nearby, as previously when a night club operated on this site needles were lying about, which is a potential harm.

With night clubs, disorderly behaviour is quite threatening to those needing to use the area. There are many elderly residents who would be easily intimidated. I personally would be so intimidated when attending the church later in the evening.

[REDACTED]  
35 Keynsham Rd, Cheltenham GL53 7PU, UK

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 18:40  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry OBJECT

Dear Sirs,

I OBJECT to this application for the following reasons:

1. couple of times I reprimanded people trying to find place to urinate nearby St Gregory's church because they were drunk and thrown out from the pub (some more sober spotted there is a CCTV camera);
2. in school and church premises there are frequently children dedicated events and such a neighbourhood will expose children for traumatic harm;
3. in the exhibition centre and the church premises there are also cultural events and projects that were already disturbed by accidental drunk passers-by so the night club will be a cause of guaranteed public nuisance;
4. in this area there are: a school, a day nursery, an exhibition centre, a church, offices and one pub on the corner (its managers directed their profile in more ambitious customers), this is one of few places where is a normal activity and silence and serenity during whole weeks. Adding to this a night club will be a nuisance for all participants and sooner than later will cause antisocial behaviour and crime.

Yours faithfully [REDACTED]

14 Robins Close

Cheltenham GL52 5LU

**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 09 March 2020 11:40  
**To:** Jason Kirkwood  
**Subject:** FW: Ref.no: 20/000454/PRMA. Notice of Objection to application for new premises licence St James Club Ltd t/a Chemistry:

**From:** [REDACTED]  
**Sent:** 09 March 2020 11:31  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Ref.no: 20/000454/PRMA. Notice of Objection to application for new premises licence St James Club Ltd t/a Chemistry:

**From:** [REDACTED]  
[REDACTED] priest to the Roman Catholic Parish and Church of St Gregory the Great, St James Square, Cheltenham GL50 3PR  
[REDACTED]

I am making these objection representations on behalf of:

1. The Parish and Congregation of St Gregory the Great, St James Square, Cheltenham GL50 3PR, which uses the church and adjoining Old Priory Hall (used by a number of secular organisations, as well as the parish), both of which are directly opposite and in very close proximity to the application premises; and
2. Myself, as resident of 10, St James Square, diagonally opposite and in close proximity to the application premises.

My representations refer to the Licensing Objectives.

**1. The prevention of crime and disorder:**

Previous experience from a club on the same premises operating over a period of time showed patrons engaging in anti-social conduct including leaving litter and objects (including drug paraphernalia) in the church grounds and in the street, urinating against and within the Church boundary walls, noise and disruption to nearby premises.

I, and my predecessors, have been consulted by St Gregory's Primary School, which also adjoins the application site, in relation to anti-social behaviour, trespass and articles left on the school premises by past users of the former club premises.

**2. Public safety:**

This is an issue for the statutory authorities.

**3. The prevention of public nuisance:**

We have already experienced noise and disturbance from the proximity of The Bottle and Sauce, Ambrose Street, as, indeed, have users of St Gregory's church hall, the Old Priory. In the past, the nuisance has been intolerable on occasions. One of my predecessors at St Gregory's, [REDACTED], contacted me to remind me of some of the difficulties he had experienced. He said *"I read with dismay that the club "Chemistry" is attempting to reopen. In addition to the problems you highlight in the newsletter was the emergency exit double doorway which opens out at the front (to the left of the entry doors – I think the panels are somewhat boarded rather than glass filled) These were alarmed but were constantly pushed open by patrons exiting the club at the end of the night (2-3am) when everyone was spilling out, setting off the alarm. This noise was worse than the whooping and shouting in the street. In other words staff/management did not ensure that emergency exits were not abused. As my rooms were the 3rd floor front the club was a real nuisance and the alarm sounded, it seemed, every night the club opened. Another thing - Patrons were not allowed park on the roadway leading to the school. This caused a problem one Christmas Eve when parishioners attempting to enter to park in the school grounds (as was the custom on Christmas Eve/Easter Vigil) were turned away by the bouncers. I had to call the police."*

Another predecessor here was forced to sleep in the basement of the house due to noise.

The fact that the premises applying for a licence is in a listed building with single glazing raises real questions about its suitability as a venue to play music, and have dancing etc. There are real issues about noise pollution which the Council has a duty to address as it would almost certainly be within the parameters of a statutory nuisance.

I have no reason to believe that control of the premises would be any more successful in the future. It is inevitable that there will be noise and anti-social behaviour because it is in the nature of licensed premises that the consumption of alcohol by patrons leads to loss of inhibition.

#### **4. The protection of children from harm:**

The proposed operating hours include periods when the children will be leaving St Gregory's school. I am particularly concerned that advertising material which is age-inappropriate for the children will be exhibited at the premises, that the children will be exposed to the dangers of passive smoking because of smoke emanating from the outdoor smoking area, and that patrons may act inappropriately towards the children by their language or conduct. I question whether it is appropriate for licensed premises to be in such close proximity to a school.

I will also be forwarding a copy of this objection via post

[REDACTED]  
St Gregory's Presbytery  
10 St James Square  
GL50 3PR

Clifton Diocese Registered Charity No: 1170168

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25 Pittville Court,  
Albert Road,  
Cheltenham,  
GL52 3JA.

**"Ref: 20/00454/PRMA. New premises licence: St. James Club Ltd/a Chemistry"**

With reference to the above I wish to put forward my objection to having a night club in this area.

- 1/ Crime and disorder. During church services as in past years when there was a night club here, the amount of disruption and disturbances were very bad and upsetting not alone to the congregation and children but to the clergy.
- 2/ Public safety can be compromised when several people are drunk and disorderly.
- 3/ Public nuisance and distressing when church goers have to come along in the mornings before service and clean up the foul mess and the area of the church grounds, the place is used as a public lavatory.
- 4/ It is harmful to the children to see the mess as they approach and attend services from the mess of the night before and during the Easter and Christmas services.

I do hope you will please take some of these considerations on board as you deliberate your verdicts. Thank you.

Yours Sincerely,

A large black rectangular redaction box covering the signature area.

**Jason Kirkwood**

**From:** [REDACTED]  
**Sent:** 16 March 2020 11:07  
**To:** Internet - Licensing  
**Subject:** RE: Objection to License Application No. 20/00454/PRMA - For the attention of: Mr [REDACTED]

Dear Jason,

Sorry for the confusion. My objection is for the licensing application.

Thanks and regards

**From:** Licensing@cheltenham.gov.uk [mailto:Licensing@cheltenham.gov.uk]  
**Sent:** 13 March 2020 20:17  
**To:** [REDACTED]  
**Subject:** FW: Objection to License Application No. 20/00454/PRMA - For the attention of [REDACTED]

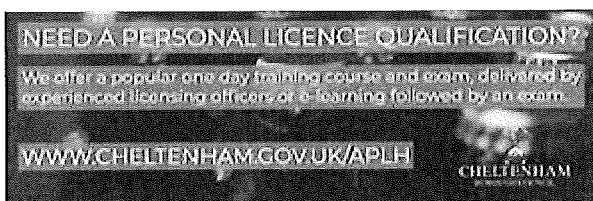
Dear [REDACTED]

We are currently in consultation for an application for a premises licence under the Licensing Act 2003 to sell alcohol and provide entertainment. Please confirm whether your objection is in respect of a planning matter or the licensing application, as your comments were sent to the Planning Team.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



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**From:** Internet - Planning Comments <[Internet-PlanningComments@cheltenham.gov.uk](mailto:Internet-PlanningComments@cheltenham.gov.uk)>  
**Sent:** 13 March 2020 15:59  
**To:** Jason Kirkwood <[Jason.Kirkwood@cheltenham.gov.uk](mailto:Jason.Kirkwood@cheltenham.gov.uk)>  
**Subject:** FW: Objection to License Application No. 20/00454/PRMA - For the attention of: Mr Chris Morris

---

**From:** [REDACTED]  
**Sent:** 13 March 2020 14:02  
**To:** Internet - Planning Comments  
**Cc:** [REDACTED]  
**Subject:** Objection to License Application No. 20/00454/PRMA - For the attention of: Mr [REDACTED]

For the attention of: Mr. Chris Morris

Cheltenham Borough Council PO Box 12 Municipal Offices Promenade Cheltenham Gloucestershire GL50 1PP

13th March 2020

Dear Sirs

LETTER OF OBJECTION:

I am the owner of Flat 21, Shaftsbury Hall, close to Gibson House.

**Gibson House - St. James' Square (opposite St Gregory's Church)**

The owners of the above premises have applied to the Council for an Alcohol License (Refer to License Application No. 20/00454/PRMA) relating to an Events Venue site they wish to open in the Basement of the above building. The building has previously been a Nightclub which was detrimental to the area and since closing the owners have applied for various other uses – the only one which the residents of our surrounding area supported was to convert the building into residential flats – this did not go ahead.

The events would be held **7 days a week 10.00am to Midnight, extended to 2.00am on Christmas Eve, New Year's Day, all Bank Holidays and all races held at Cheltenham Racecourse.**

Events would cover **Live Music, Recorded Music, Films and Performance of Dance**

I wish to submit an objection as I feel such a venue would be detrimental to Chelsea Square and the surrounding area. Particularly:

- This area has evolved into a residential area over the last decade or more, with many families with school age children moving into the area
- The residents already experience anti-social behaviour late at night, into the early hours of the morning and another venue serving alcohol would increase this issue
- Increased traffic issues
- Increased parking issues

We also feel that this will be just the start of conveying back to a Nightclub which would be disastrous for our community.

Yours faithfully,

[Redacted signature]

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Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 13:17  
**To:** Internet - Licensing  
**Subject:** Reference;20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sirs

I would like to make representation and express my concern of the likely effect of granting a licence or certificate for the above referenced premises under the prevention of public nuisance and prevention of crime and disorder. I object strongly to the issue of the Licence.

Regards

[REDACTED]  
26 Wellington Lane  
GL50 4JF  
Cheltenham

Sent from my iPad

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 14 March 2020 10:06  
**To:** Internet - Licensing  
**Subject:** License for Chemistry premises, St James Square Cheltenham

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To The licensing team  
Reference: 20/00454/PRMA

I am very concerned to hear about the application made to Cheltenham Bo Co. for yet another night club to open in St Jame's Square, opposite ST Gregory's church, in the old GAS building.

I remember when the Gas night club there, and the disruption, noise, and antisocial behaviour was horrendous.

There are late night services at St Gregory's church, especially at Christmas and Easter times, when parishioners who hold 'blue badge' permits attend the Masses will need to park and there would be no room for them if that club was there.

The services would be disrupted by the noise and often fighting outside the old club, which, no doubt recur if the club re opens.

On Sunday mornings, in 'Gas club' days there would be litter, beer cans, and often broken bottles thrown into the church grounds where children and families had to walk over to get to church. Often there was vomit on the surrounding pavements.

I feel it would be bad for Cheltenham to risk those problems returning if another club opens so near to our church.

I am 100% against this proposal which would create nuisance, and crime, and disorder. Public safety would be compromised, and I hate to think that parishioners, and local residents would have to be subjected to this anti social behaviour again.

I suggest the building would be better turned into LOW COST apartments, Starter homes, which would ease the housing shortage in Cheltenham.

SINCERELY,

[REDACTED]  
12 All Saints Court  
Cheltenham,  
Glos GL52 2HE



Virus-free. [www.avast.com](http://www.avast.com)

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 14:14  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

[REDACTED]  
Apartment 14, St James North 1  
St James' Square  
Cheltenham  
Gloucestershire  
GL50 3PY

[REDACTED]  
15th March 2020

**Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry**

Dear Sir / Madam, to whom it may concern,

I am writing to make a representation concerning a New Premises Licence application made for a late night drinking venue, "Chemistry", at Gibson House, St James' Square, Cheltenham (ref: 20/00454/PRMA).

As a local resident living on St James' Square, just around the corner from Gibson House, I wish to express my concerns about and objections to the New Premises Licence application based on the limited grounds of three of the Licensing Objectives.

Firstly, with reference to the Licensing Objective of the Prevention of Public Nuisance, I believe that the sale of alcohol and playing of regulated entertainment until 00:00 hours Monday-Saturday, and until 22:00 hours on Sundays, will cause unsociable noise nuisance both during the premises' opening hours and at unacceptably late times after closing as people leave the premises and pass through the neighbourhood. The apartments located in the middle of the building in which I reside, my apartment included, are fitted with full-length windows only on the side of the building closest to Gibson House, and do not have any other windows. This means that in order to get fresh air and an air flow, particularly in the summer months, there is no other option but to open these large windows which face the direction of Gibson House, meaning that any noise nuisance would most definitely affect residents.

Additionally, where alcohol is sold in bottles, it is likely that these will be left as litter around the premises. The premises are in very close proximity to a primary school, and glass bottles, whether broken or whole, may cause harm to young children as they make their way to and from school.

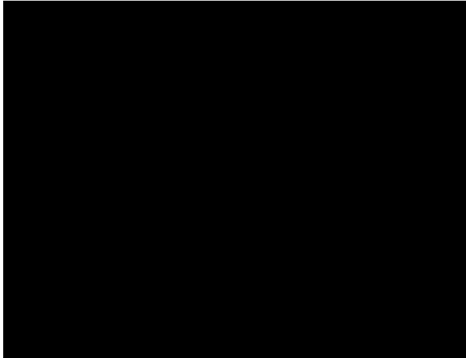
Secondly, with reference to the Licensing Objective of the Prevention of Crime and Disorder, people who have drunk large or excessive amounts of alcohol may be likely to act in a disorderly manor outside or when leaving the premises, disturbing others and making the neighbourhood a less-desirable place to live and visit. Street car parking is located immediately outside the premises, and vehicles may suffer damage from drunk and disorderly people leaving the premises.

Finally, with reference to the Licensing Objective of Public Safety, if smokers crowd the area on the pavement outside of the entrance to the premises, pedestrians may be forced to step into the road when passing by.

In conclusion, I would like to object to the establishment of a new late night drinking venue at Gibson House, St James' Square, on the basis that it will cause unsociable noise and litter nuisance, may cause crime and disorder, and may pose a risk to public safety, including children's safety.

Thank you for your time and consideration.

Yours faithfully,



Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 18 March 2020 20:04  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises licence: St James Club Ltd t/a Chemistry

To whom it may concern.

20/00454/PRMA. New Premises licence: St James Club Ltd t/a Chemistry

As a regular attender at St Gregorys I would like to make a strong objection to the granting of the above license on the following grounds:

- 1) It would lead, at times, to disorderly conduct, particularly noise, during times of worship
- 2) Disorderly conduct could also lead to unseemly items of a sexual and drug related nature being left around the church and priory grounds and in the school children's playing areas.

Yours faithfully,

[REDACTED] GL54 5NL, Brookfurlongs.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 18 March 2020 20:48  
**To:** Internet - Licensing  
**Subject:** re:20/00454/PRMA. New Premises Licence:St James Club Ltd t/a Chemistry

To whom it may concern

As a regular attender at St Gregory's church I would like to make a strong objection to the granting of the above licence on the following grounds:

- 1) It would lead at times to disorderly conduct, particularly noise, during times of worship.
- 2) Disorderly conduct could lead to unseemly items of a sexual or drug related nature being left around the church and priory grounds and in the school play areas.

Yours faithfully,

[REDACTED]  
Brookfurlongs  
GL54 5NL

# APPENDIX 3

## Batch 7

Residents N - R

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 23:03  
**To:** Internet - Licensing  
**Subject:** 20/00454/PRMA New Premises Licence :St James's Club Ltd t/a Chemistry

I am [REDACTED] years of age and been managing to attend Mass at St Gregory's Church for the last 25 years.

With age I have becomes wary youngsters these days, especially when in they are in groups, barge straight on towards you without due respect on pavements. The Church is the one place one looks forward to find peace from the noise of the world. Hence I am inclined to object to the tranquility of the Church premises destroyed by the use of a noisy Club opposite the Church.

[REDACTED]  
100 Ryeworth Road  
GL52 6LT



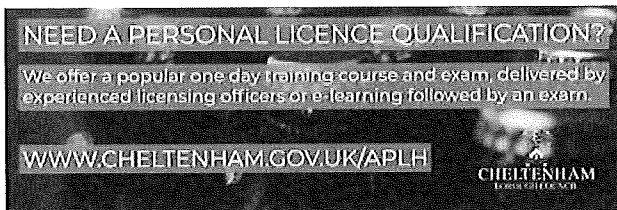
**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 26 March 2020 11:37  
**To:** Jason Kirkwood  
**Subject:** FW: Reference:20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

Kind regards

Phillip Bowen  
 Licensing Officer  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4177



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**From:** [REDACTED]  
**Sent:** 26 March 2020 11:30  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Re: Reference:20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

Hi Jason,

Hope you are keeping well, working from home and enjoying this beautiful weather.

Of course.

Many thanks,

[REDACTED]

Dear planning committee

Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

We are writing to object about the application for a New Premises Licence at Gibson House St James Square.

**Background to location:**

We are a primarily a residential street, although St Georges Terrace is located close to the town centre, we are located on the residential side of St Georges Place, which would appear the natural cut off for restaurants/bars/clubs in our area. There are already numerous

Page 284  
restaurants and brasserie style eateries along this road and on the other side of it. The bus station and taxi rank, being located where they are, mean that current footfall from restaurants and bars do not tend to encroach on our road.

Although The Old Firestation is a small restaurant/bar, it is separated from the residential properties of St James Square, as it is the end property and relatively small with limited covers. However, we can find festive periods and race weeks particularly troublesome with noise and disturbance. Given the size and location of Gibson House we fear considerable night time footfall and consequently disturbance, noise, litter, vandalism and local crime may increase as a result.

**Public nuisance:**

**Noise disturbance:**

Our property is grade 2 listed. The sash windows in our property are glazed in original thin crown glass, secondary glazing is not an option. We are therefore worried about night time noise disturbance while people walk to and from bars in town or to the local taxi rank.

**Protection of children from harm:**

**Adult content conversations and swearing**

Given our children sleep at the front of the house, we are gravely concerned they will be exposed to inappropriate adult conversation and swearing as people walk past, arriving or leaving the premises. This we feel is potentially harmful and unavoidable if the application were granted.

**Traffic and safety crossing the roads**

The road in front of Gibson House is already hazardous to cross. With increased delivery vehicles parking up outside the property, obscuring the mini roundabouts and increased traffic caused by increased footfall, this is likely to increase exponentially. Not only are we concerned for the safety of our own children and those that live within our neighbourhood, but also those walking to the local school (St Gregorys).

**Public safety:**

**Traffic congestion and road crossing danger**

Given the limited space for parking in our area, it is likely vehicles will double park to drop off outside the venue. This is potentially very dangerous, given its close proximity to the roundabouts and bus stop. There is no safe crossing at all on St James Square, with increased parking, delivery vehicles, refuse collection in the street, this is likely to become more hazardous.

**Prevention of crime and disorder:**

**Vandalism, theft and damage:**

We have had local vandalism within our area, cars have been damaged, graffiti to local buildings and items stolen from outside the house historically. Given the increased footfall and increased number of people under the influence of alcohol this is again likely to increase.

Looking at local police crime reports, there is evidence of an increased number of criminal activities on St Georges Place, compared to St James Square/St Georges Terrace. Likely to directly relate to the number of licensed properties in these vicinities.

Evidence of local crime would be likely to increase again and this can be supported by the increase in number of crime rates within our area when Chemistry was open, compared to recent years, when we have become an entirely residential neighbourhood.

**Places of worship:**

The property involved is opposite a place of worship. It is a place for quiet reflection and part of our history as a town. It would appear entirely inappropriate to have a potentially busy and noisy restaurant/club directly opposite a quiet place of worship and contemplation.

**Conclusion:**

We are not in objection to Gibson House being developed into flats as previously proposed, in fact we would love to see the historic building restored to its former glory as a residential property or offices, where the foot fall, noise disturbance, smoking issues would be significantly less in what is a friendly residential community.

We feel very strongly regarding this matter and strongly object to the application on the basis of noise disturbance, increased crime and vandalism and increased litter, all resulting in public nuisance, in what is a residential community area.

Thank you for your consideration.

Yours sincerely

[REDACTED]  
8 St Georges Terrace

Sent from my iPhone

On 26 Mar 2020, at 11:20, licensing@cheltenham.gov.uk wrote:



Unfortunately, I cannot open the document you submitted. Can you copy and paste the contents into an email?

Best regards

Jason

**Jason Kirkwood**

**Senior Licensing Officer**

Public Protection

Cheltenham Borough Council

Municipal Offices, Promenade, Cheltenham

External: 01242 262626 Internal: 4163

<image005.png>

<image006.png>

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**From:** [REDACTED]

**Sent:** 17 March 2020 21:58

**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>

**Subject:** Fwd: Reference:20/00454/PRMA. New Premises License: St James Club Ltd t/a Chemistry

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 20:51  
**To:** Internet - Licensing  
**Cc:** [REDACTED]  
**Subject:** Re: New Premises Licence: St James Club Ltd T/a Chemistry

Dear Mr Kirkwood

Thank for your prompt reply.

Our residential address is 17 Ratcliff Lawns, Southam, Cheltenham GL52 3PA.

Referring to specific problems with the objectives stated below, I have added some comments:

1. The prevention of crime and disorder;

Anti Social behaviour is the largest crime type in Cheltenham. From February 2019 to January 2020, it accounted for 31.52%. (Police UK). Another entertainment venue serving alcohol until midnight would increase the problem in a largely residential area with a church opposite and a primary school nearby.

2. Public safety;

I do not believe the area is monitored by CCTV and is a bit away from main town centre, so harder to police.

3. The prevention of public nuisance;

I understand that the licence requests that they may sell alcohol and provide entertainment to its patrons from 10 am to midnight (Sundays 10PM). This would result in the real possibility of noise affecting Parish services and activities.

Respect and quiet should be given to places of worship. For example, Christmas Eve Church Mass would be greatly affected by the noise and disruption.

and

4. The protection of children from harm

There is a real possibility of glasses/bottles and undesirable items being discarded around the vicinity of the school especially the alleyway in Knapp Road and left in the Church grounds.

I trust the above comments are satisfactory in support of our strong objection.

Yours sincerely

[REDACTED]

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 10:31  
**To:** Alexander Hamblin  
**Subject:** Re: 20/00454/PRMA Gibson House St James Square Cheltenham

Apologies

38 Alstone Avenue Cheltenham GL518EH

Kind regards

Sent from my iPhone

> On 17 Mar 2020, at 09:28, <Alexander.Hamblin@cheltenham.gov.uk>  
> <Alexander.Hamblin@cheltenham.gov.uk> wrote:  
>  
> Good morning,  
>  
> I am sorry we can only accept your email as an objection if you provide your full postal address.  
>  
> I look forward to hearing from you so I can you objection to the license application.  
>  
> Kind regards,  
>  
> Alex Hamblin  
>  
> Business Support Officer  
> Cheltenham Borough Council  
> Public Protection  
> Place and Growth  
> 01242 264300  
> [www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 16 March 2020 13:51  
> To: Internet - Licensing  
> Subject: 20/00454/PRMA Gibson House St James Square Cheltenham  
>  
> To whom it may concern,  
>  
> I wish to object to the above application on the grounds of public safety due to its close proximity  
> to a primary school and indeed church.  
> If this application is successful, I have no doubt that there would be an increase in anti social  
> behaviour which would directly impact on the local community- namely church attendees, primary  
> school children and local residents due to intoxicated customers, drug usage/ discarded drug  
> paraphernalia etc.  
>  
> Submitted for your information/ action as necessary  
>

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 15:04  
**To:** Internet - Licensing  
**Subject:** Reference 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Sir or Madam

I would like to object to the granting of a new alcohol and entertainment licence for the premises at Gibson House, St James Square.

The location is most unsuitable for a nightclub given it's proximity to St Gregory's school. When the club was last operational the area was contaminated with broken bottles and even discarded drug paraphernalia. Therefore my objection falls under the headings of public safety and the protection of children from harm.

In addition As a parishioner of St Gregory's church who often attends the 6.00pm Sunday mass I am concerned that the public nuisance created by the noise coming from the club would be considerable. Gibson House is a listed building with single glazed windows, consequently the noise levels outside the premises are considerable.

[REDACTED]  
 3 Albert House  
 Pittville Place  
 Cheltenham  
 GL52 3HZ

**Jason Kirkwood**

**From:** [REDACTED]  
**Sent:** 26 March 2020 12:06  
**To:** Internet - Licensing  
**Subject:** RE: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

[REDACTED]  
 53 Hesters Way Road,  
 Cheltenham  
 Glos  
 GL51 0RD

Sent from my Samsung Galaxy smartphone.

----- Original message -----

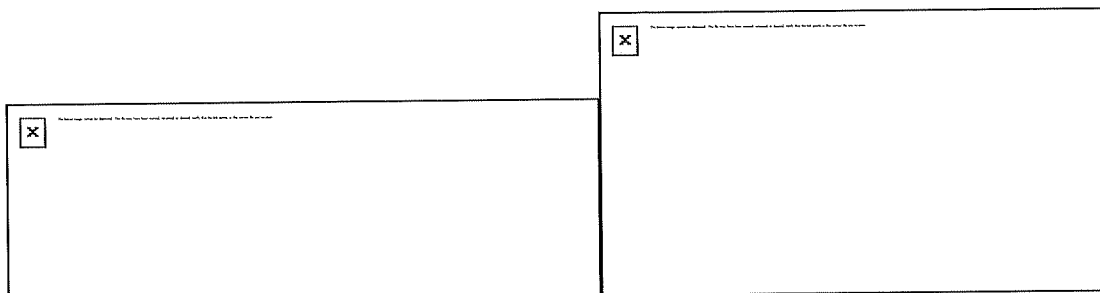
**From:** Licensing@cheltenham.gov.uk  
**Date:** 26/03/2020 11:50 am (GMT+00:00)  
**To:**  
**Subject:** Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4163



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 20:56  
**To:** Internet - Licensing  
**Subject:** New Premises Licence: St James club LTD t/a Chemistry

Dear Sirs,

It is our understanding that an application has been made to Cheltenham Borough Council for a new premises licence at the above location.

As parents of two young children at the Catholic School of St Gregory the Great, my husband and I oppose this licence request, as we feel our children, and all others at the school, could be put in danger with any paraphernalia or glass bottles that may be thrown over the playground wall from people attending the new premises, as previously occurred when the building was opened last time.

It is also likely that crime in the area will increase due to drunken behaviour of the people attending the new premises, which we feel extremely uncomfortable exposing our children to.

Public safety also extends to the parishioners of St Gregory's Church across the road from the new premises, of which our family attend each Sunday. It is not fair for our children, or elderly parishioners, to have to witness people drinking or causing public nuisance when they are trying to attend a Church service.

It is our job as parents to protect our children, and we hope that our local council will support us in this.

Yours sincerely

[REDACTED]

Sent from my Samsung Galaxy smartphone.



Rec 9/3/20

10

**Part 2****LICENSING ACT 2003 -REPRESENTATION FORM (INTERESTED PARTY)**

On completion this form and any additional sheets or other accompanying documentation should be returned to; The Licensing Team, Public Protection Division, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP.  
e mail: [licensing@cheltenham.gov.uk](mailto: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:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	/
Your full Postal Address or that of the organisation or body you represent	12 SOMERSET HOUSE. KID APP RD. CHELT.
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

Part 2 Continued

**Premises/Club Details**

Name of premises/club you are making representation about:	ST JAMES CLUB · CHEMISTRY
Name of Applicant for Licence (if known)	/
Postal Address:	Gibson House ST JAMES SQUARE GL50 3QG ↓
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)
CRIME DISTURBANCE GEN DISORDER & NOISE

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	100 metres approx
--	-------------------

Part 2 continued

**What are your concerns?**

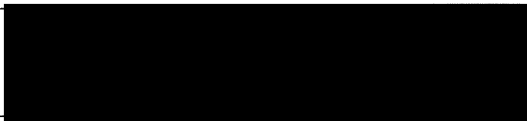
Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.  
(Please continue on a separate sheet if necessary)

Unsociable behaviour re alcohol.  
noise in unsociable hours in a quiet area.  
Leaving litter etc.  
Noise disturbing church services at certain times (affects me)  
Inhibits sale possibly of my flat??

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)

Nothing I can think of could be done to any issues if application is agreed. to change any issues I have!!!

Signature:



Capacity:

Householder.

Date:

08-03-2020

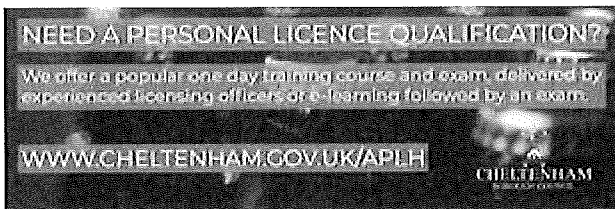
**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 13 March 2020 15:12  
**To:** Jason Kirkwood  
**Subject:** FW: 20/00454/prma

Kind regards

Phillip Bowen  
Licensing Officer  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4177



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 13 March 2020 15:00  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** 20/00454/prma

please find attached copies of completed form interested parties



## LICENSING ACT 2003

### REPRESENTATIONS BY INTERESTED PARTIES

This leaflet consists of two parts. The first part provides information and guidance on making a representation. The second part is the representation form, which on completion should be signed in ink and returned to the Licensing Authority. Before completing this form please read the guidance notes. 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 or typed in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

#### Part 1

##### Introduction

The Licensing Act 2003 enables "Interested Parties" such as residents and businesses in the vicinity of the premises or club applying for a new licence or variation to a licence or certificate to make "relevant representations"

For a representation to be relevant it must:

- be made by an "interested party", (see notes 1 on page 2)
- not have been withdrawn;
- if made by an interested party, must not be 'impetuous, invidious or vexatious' and
- be received by the Licensing Authority within the statutory time limits, (see notes 4 & 5 on page 2)
- relate to one or more of the licensing objectives

The four Licensing Objectives are:

- The Prevention of Public Nuisance
- Public Safety
- The Prevention of Crime and Disorder
- The Protection of Children from Harm

If a relevant representation is made, the Licensing Authority must hold a hearing to consider the representation(s), unless all parties agree by giving a notice in writing that they consider a hearing is unnecessary. (Section 16(1)(a) Licensing Act 2003)

If a hearing is held all relevant parties will be given the opportunity to attend that hearing and invited to comment at the hearing on their representation, but they may if they wish choose to rely on their written representation.

Any person or body that makes a representation will have the opportunity to attend any subsequent hearing relating to that representation before the Licensing committee. Please note that for the purposes of effective administration of the hearing hearing, where there are a number of representations or where there are repetitive representations on a common theme, the council may ask for a spokesperson to be selected from amongst those making representations to present the comments to the committee. Your individual written representations will still be presented to the committee.



Ref 20/00456 / PRMA New Bonser Lc  
St James Church

## 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](mailto: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: <i>AS ABOVE</i>	
Name of the organisation/body/person you represent	N/A
Your full Postal Address or that of the organisation or body you represent	Apartment 23 St James North 1 ST JAMES SQ CHELTENHAM GL50 3PY
Post Code	GL50 3PY
Daytime contact telephone number	
Email address - If you would prefer to correspond via email please enter your email address. (optional)	

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

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

Part 2 Continued

Premises/Club Details

Name of premises/club you are making representation about:	[REDACTED]
Name of Applicant for Licence (if known)	[REDACTED]
Postal Address:	Gissen HSE ST James Sq
Post Code:	

What are you making a representation about?

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

Which of the Licensing Objectives does your representation refer to?

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk)

Please indicate the distance (in metres) between your address and the premises subject of your representation.	20475
--	-------

**What are your concerns?**

[illegible]

~~Go on~~ Continue on a separate sheet if necessary)

- Exit Situated At New Leeward Battery, Barbados
- The Large Vented Airship Close To Chicago's North  
To Summer & Winter
- The Vented To Be Kept Close Near Barbados - This  
Proposed Flight At 1000

[illegible]

Figure 1 shows a top-down view of the experimental setup. A subject is seated at a table, looking at a video screen. A camera is positioned above the screen. A target is visible on the screen. The subject's hand is positioned near the target. The diagram illustrates the spatial relationship between the subject, the screen, the camera, and the target.

13 March 2020



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 15:06  
**To:** Internet - Licensing  
**Subject:** RE: "Reference: 20/00454/PRMA"

Our address is 7 Somerset House, Knapp Road, Cheltenham GL50 3QQ. At present the flat is let out, but we plan moving there shortly.

[REDACTED]

Sent from Samsung tablet.

----- Original message -----

From: Licensing@cheltenham.gov.uk  
Date: 15/03/2020 16:22 (GMT+00:00)  
To: [REDACTED]  
Subject: RE: "Reference: 20/00454/PRMA"

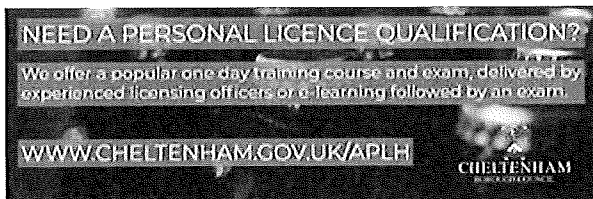
To accept your email as a valid objection, I will need your full postal address.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**

Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 12 March 2020 13:37  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** "Reference: 20/00454/PRMA

Dear Sirs,

We wish to voice our objection to the above application for a New Premises  
Licence on the grounds that it will be a public nuisance.

We own a flat in Somerset House, Knapp Road, which is for people over  
65 and fear that there could be excessive noise and anti social behaviour.

Yours faithfully

[REDACTED]

cc Max Dickson, Andrews Letting Agent

This email (and any attachments) is an official Cheltenham Borough Council document. The information in this email and attachments is provided for the intended recipient. If you receive this email in error, please advise the sender by return email and delete the original message from your server. This e-mail is believed to be free of viruses but it is your responsibility to carry out all necessary checks and the council does not accept any liability in connection with it.

surrounding residents - particularly  
to the Catholic Church  
opposite but also to the  
other residential people who  
live in the buildings nearby.  
The package as a whole  
would be an invitation  
for crime and law &  
disorder & create a public  
nuisance particularly as  
there is a pre-school &  
primary school close by.  
Yours for [redacted]

17, Lewis Carroll  
Lodge,  
North Place,  
Cheltenham,

GL50 4FH.

Re-application for New  
Premises Licence at Gibson  
House, St. James Square,  
Cheltenham.

Page 301

Dear Sir - or Madam with  
reference to a licence being  
given for use of alcohol and  
entertainment to the above  
premises, I object strongly  
It would be an affront  
and an insult to the

20

[REDACTED]  
17, LEWIS CARROLL LODGE,  
NORTH PLACE  
CHELTENHAM.  
GL50 4FH.

16/3/2020

Dear Sir/Madam.

Re: Nightclub re-opening in  
St. James Square.

I would like to register my  
opposition to this nightclub  
re-opening. I am an attendee  
at St Gregory's Church and  
my recollection of when it  
was previously open is of  
drug paraphernalia - needles etc -  
being dumped in the church  
grounds and harassment of  
parishioners, particularly at

P. T. O

Christmas & Easter, of  
parishioners attending  
midnight mass and other  
services. With its  
proximity to St. Gregory's  
primary school plus  
2 other nurseries for  
pre school children I  
family believe this is  
not the right location  
for a nightclub.

Yours faithfully



Rec. 13/3/20



## 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](mailto:licensing@cheltenham.gov.uk)

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

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

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

**Contact details (of person completing form)**

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

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

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

## Part 2 Continued

## Premises/Club Details

Name of premises/club you are making representation about:	REF/ 20/00454/PRMA
Name of Applicant for Licence (if known):	ST JAMES CLUB
Postal Address:	GIBSON HOUSE ST JAMES SQUARE
Post Code:	GL50 3QG

## What are you making a representation about?

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

## Which of the Licensing Objectives does your representation refer to?

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	150 METERS
--	------------

Part 2 continued

**What are your concerns?**

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

CONCERNED WITH NOISE DISTURBANCES AT REAR  
WHICH IS OUR ENTRANCE DRUG USERS, URINATING  
INTIMIDATION ETC.

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

(Please continue on a separate sheet if necessary)

CRIME, NOISE, DISORDER

Signature



Capacity

TENANT

Date

10.03.2020



1 Drayton Close  
Swindon Village  
Cheltenham  
GL51 9QB

The Licensing Team  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP  
16th March 2020  
Your Ref: 20/00454/PRMA.

Dear Sirs

**Re. New Premises Licence: St. James Club Ltd. T/a Chemistry**

I refer to the above application and wish to make representations against the granting of the application for the following reasons.

**The prevention of Crime & Disorder**

In its previous incarnation, it has been said that there were many instances of anti-social behaviour by the club's customers in and around the environs of St. Gregory's school and St. Gregory's church. Discarded needles were found in the area clearly suggesting the use of prohibited substances.

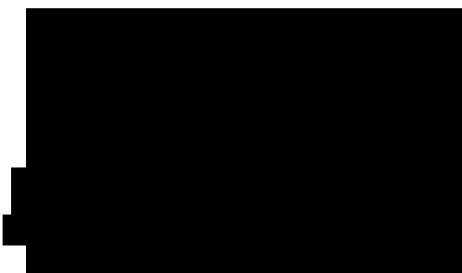
**The prevention of Public Nuisance**

Freedom of religion and worship is recognised as a fundamental and legal human right and that it should be enjoyed in reasonable peace and quiet. With the club in full operation, there will be intrusive and distracting noise in the Church during regular services made even worse when the windows of the club are open. Also, it is likely that customers of the club would regularly be present in numbers outside of the premises both for the purpose of smoking tobacco and/or other substances and queuing for entrance. Parishioners are therefore likely to be unable to avoid encountering individuals or groups of individuals in varying degrees of intoxication as they make their way to and from Church. With the current popular contempt for church going, it is almost certain that parishioners would be subject to some form of verbal and/or other abuse.

Furthermore, it would appear that previously when the club was open, individuals were observed in the the environs of both the school and the church engaging in certain forms of anti-social behaviour which would be better kept within the constraints of private property.

If public nuisances were to occur and parishioners were to suffer such that their human rights were infringed, it is possible that the view could be taken that the Council, by virtue of facilitating this behaviour by the grant of the licence, were vicariously liable for the damage suffered. This is not a risk any responsible council should take.

Yours Sincerely

A large black rectangular redaction box covering the signature and any accompanying text or stamp.

4 Shaftesbury Hall  
St Georges Place  
Cheltenham GL50 3PX

15<sup>th</sup> March 2020

Dear Licensing Department,

**Licence Application 20/00454/PRMA  
Basement, Gibson House**

I write to raise objections to this Alcohol License application.

I find it strange that someone is planning to re-open only the Basement of a building that has been empty since, I believe, 2005. Last time the owner invited local residents to visit the site, it was in poor condition.

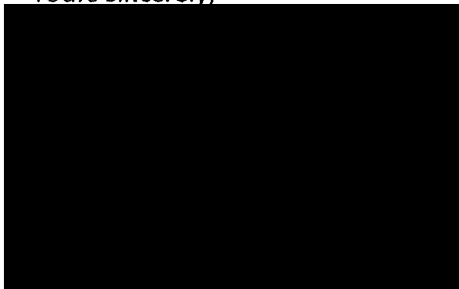
In its previous incarnation at Chemistry Nightclub, there were numerous problems relating to noise and anti-social behaviour. Although I appreciate this may not be relevant if the applicant is a different potential licensee.

However, since the building was originally converted into an entertainment venue and granted an alcohol licence, the area has changed significantly and become much more residential. The university's Shaftesbury Hall site has been converted into a development of 70 flats and 14 houses. Offices on St James Square have been converted to flats and there have been new-build flats behind Waitrose. These residents are well served by local, well-run pubs, cafes and restaurants.

The Council may still, technically, regard this address as "town centre" and thus relevant to the night-time economy but this does not make sense if you walk round the area.

Additionally, there is very limited parking for residents, let alone customers.

Yours sincerely,



Rec. 13/3/20

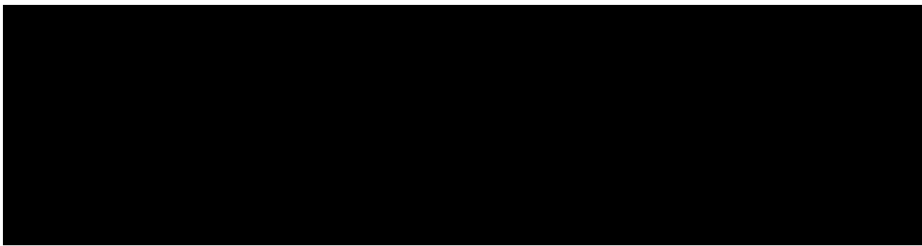
To: Licensing Department Municipal Offices Promenade Cheltenham GL50 9SA  
Refer to License Application No. 20/00454/PRMA B

Flat 18 Shaftesbury Hall  
Chelsea Square  
Cheltenham  
GL 50 3 PX

Dear Sir or Madam

I would like to register an objection to the planning application for Gibson House *licensing*  
basement, details above.

This venue has caused considerable noise nuisance in the early hours of the morning  
and impacts the area negatively



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 17:30  
**To:** Internet - Licensing  
**Subject:** Ref:20/00454/PRMA. New premises licence:St James Club Ltd t/a Chemistry

As a parishioner of St Gregory's I would like to record an objection to the application on the grounds of public safety and nuisance.

The services and activities of the church are not limited to Sunday mornings. The intended use and hours of the club, and the potential anti-social behaviour of those using it, would inevitably conflict substantially with the rights of those using the church and the associated Old Priory.

[REDACTED]  
54 Quat Goose Lane, Swindon Village, Cheltenham GL51 9RP

Sent from my iPad

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 17:04  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA.New Premises Licence: St James Club Ltd t/a Chemistry

Thank you for your email. My postal address is as follows:  
35 Oakdene, Lansdown Road,  
Cheltenham GL51 6PX

[REDACTED]  
With thanks.  
[REDACTED]

Sent from my iPad

> On 9 Mar 2020, at 16:59, <Licensing@cheltenham.gov.uk> <Licensing@cheltenham.gov.uk> wrote:  
>  
> Dear [REDACTED]  
>  
> Thank you for your email. I am the case officer for this application.  
>  
> I just wanted to give you some feedback on your objection.  
>  
> Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.  
>  
> If you can confirm your postal address, the objection will be duly made to us and considered by councillors hearing the application in due course.  
>  
> Best regards  
>  
> Jason  
>  
>  
> Jason Kirkwood  
> Senior Licensing Officer  
> Public Protection  
> Cheltenham Borough Council  
> Municipal Offices, Promenade, Cheltenham  
> External: 01242 262626 Internal: 4163  
>  
> [www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)  
>  
> Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>  
>  
>  
> This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.  
>

>  
>  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 09 March 2020 12:03  
> To: Internet - Licensing <Licensing@cheltenham.gov.uk>  
> Subject: Reference: 20/00454/PRMA.New Premises Licence: St James Club Ltd t/a Chemistry  
>  
> As a parishioner of St Gregory's church I object to the granting of this licence on the following grounds:  
>  
> 1. The prevention of crime and disorder.  
> This could encourage a criminal element by the extension of hours for the sale of alcohol. There are already two public houses in the vicinity -Ambrose Street and St James Square.  
> 2.Public safety.  
> People walking to and from services at the church and hall could be intimidated by persons exiting the said club.  
> 3. The prevention of public nuisance.  
> Past experience of the club occupying the premises resulted in detritus including discarded needles used for drugs being thrown over the wall of the church. The said wall was frequently used as a toilet.  
> 4. The protection of children from harm.  
> There is a large Primary school in the vicinity as well as two Nursery schools. These children and their parents would be subjected to discarded needles from clients of the club being left in the road on their way to school.  
> [REDACTED]  
> Sent from my iPad  
>  
> This email (and any attachments) is an official Cheltenham Borough Council document. The information in this email and attachments is provided for the intended recipient. If you receive this email in error, please advise the sender by return email and delete the original message from your server. This e-mail is believed to be free of viruses but it is your responsibility to carry out all necessary checks and the council does not accept any liability in connection with it.  
>  
> The security of any information sent by email to the council cannot be guaranteed. Any information sent to the council may be made available to the public, copied to other council officials or outside agencies in line with legislation and data sharing agreements. Any personal data sent to the council may be used in accordance with the council's Privacy Notices  
[https://www.cheltenham.gov.uk/info/81/how\\_we\\_use\\_your\\_data](https://www.cheltenham.gov.uk/info/81/how_we_use_your_data)

**Jason Kirkwood**

---

**From:** pa@cheltenham.gov.uk  
**Sent:** 18 March 2020 22:09  
**To:** Internet - Licensing  
**Subject:** Comments for Licensing Application 20/00454/PRMA

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:09 PM on 18 Mar 2020 from [REDACTED]

### Application Summary

**Address:** Gibson House St James Square Cheltenham  
Gloucestershire GL50 3QG

**Proposal:** Application for New Premises Licence

**Case Officer:** Mr Jason Kirkwood

[Click for further information](#)

### Customer Details

**Name:** [REDACTED]

**Email:** [REDACTED]

**Address:** 11 St James North, 1 St James Square, Cheltenham,  
Gloucestershire GL50 3PY

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

**Comments:** 10:09 PM on 18 Mar 2020 This application is not in keeping with the surrounding properties which includes a church, a school, two nurseries and residential properties.  
The proposal for a nightclub in this location is inappropriate as it is away from the main central leisure areas of Cheltenham.  
The application states that no parking will be provided as there is nearby parking, however this is all permitted with restricted times of usage and is already an issue for residents in the area.  
This street is positioned away from the main night life of Cheltenham and is a quiet residential area, therefore this proposal would dramatically increase noise pollution and anti-social behaviour.

33

Flat 2  
Swift Court  
Pilgrove Close  
Cheltenham  
GL51 0SL  
10 March 2020

Dear Sir

Ref: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

I wish to register my objection to the above licencing request.

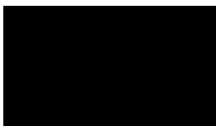
The previous use of this facility for similar purposes led to numerous occasions of public nuisance to the church situated opposite and to residents, many elderly living locally. This should not be allowed to happen again.

In addition, the school nearby should not again be subjected to the possibility of needles or broken glass from discarded bottles/glasses being left in its vicinity and surrounds by those frequenting the facility in question. I know this to be the case in the past as my child attended the school and I dreaded the possibility of him finding and potentially being pricked by a used needle. No parent should have to endure this worry.

Already in this area there are sufficient hostelryes – the Fire Station, Railway, Tavern to name but three, without an additional licence being granted.

As such I want to register my objection to this request and hope the Licencing team does so.

Yours faithfully





**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 26 February 2020 15:39  
**To:** Jason Kirkwood  
**Subject:** FW: Comments for Licensing Application 20/00454/PRMA

**From:** pa@cheltenham.gov.uk <pa@cheltenham.gov.uk>  
**Sent:** 26 February 2020 15:38  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Comments for Licensing Application 20/00454/PRMA

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:38 PM on 26 Feb 2020 from [REDACTED]

**Application Summary**

**Address:** Gibson House St James Square Cheltenham  
Gloucestershire GL50 3QG

**Proposal:** Application for New Premises Licence

**Case Officer:** Mr Jason Kirkwood

[Click for further information](#)

**Customer Details**

**Name:** [REDACTED]

**Email:** [REDACTED]

**Address:** 20 St James South, 1 Jessop Avenue, Cheltenham,  
Gloucestershire GL50 3SP

**Comments Details**

**Commenter Type:** Other

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

**Comments:** 3:38 PM on 26 Feb 2020 The nightclub is very close to the church and to the local primary school. The main problem is the amount of rubbish and human waste that is generated by such an establishment. Previously, when there was a nightclub there, the church and school grounds were constantly used as toilets, somewhere to vomit and somewhere for drug use. Drug use paraphernalia is abandoned by users and left as a danger to children at the school or church goers.

There are many late night pubs and nightclubs in the town. There is no need to bring late night merry-makers

into side streets, residential streets, the proximity  
of the school/church.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 18:11  
**To:** Internet - Licensing  
**Subject:** 20/00454/PRMA

License St James Club Ltd t/a Chemistry

With regards the above licence application I would like to object to this application on the basis the club is in a quiet backwater of the town centre surrounded mainly by residential properties thus it would cause a great deal of public nuisance, where there is a club there will be crowds and where there are crowds there will be trouble, crime and disorder putting public safety at risk.

Regards

[REDACTED]  
19 St Michaels Cl  
Cheltenham  
GL53 9DW

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# APPENDIX 3

## Batch 8

Residents S

[REDACTED]  
14 Clarence Walk  
Chelsea Square  
Cheltenham  
GL50 3RG  
[REDACTED]

For the attention of:

Licensing Department  
Municipal Offices Promenade  
Cheltenham  
GL50 9SA

14 March 2020

Dear Sirs,

Letter of Objection – License Application No. 20/00454/PRMZ  
Basement, Gibson House

I am writing to lodge my objection to Gibson House being granted an alcohol licence relating to an Events Venue. As a local resident I am objecting due to the following reasons:

1. The area is a quiet residential area and the noise pollution at unsociable hours would be detrimental to the families living close to the venue
2. Gibson House is a listed building, located in a Central Conservation Area
3. A venue serving alcohol late at night would increase anti-social behaviour and noise
4. There is no parking available, which would add to increased traffic and parking issues

It is my understanding that the owner or occupier of Gibson House cannot operate the premises as a 'Club'.

Please can this objection be noted in light of the application.

Yours faithfully,

[REDACTED]

Rec. 12/3/20<sup>2</sup>**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](mailto: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="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	[REDACTED]
Your full Postal Address or that of the organisation or body you represent	GROUND FLOOR FLAT 2 ASHBURN VILLA ST JAMES SQUARE CHELTENHAM
Post Code	GL50 3QG
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional). [REDACTED]	

**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:	"ST JAMES CLUB" CHEMISTRY
Name of Applicant for Licence (if known)	AGENT NAME MR C PETCH
Postal Address:	GIBSON HOUSE, ST JAMES SQUARE CHELTENHAM
Post Code:	GL50 3QG

**What are you making a representation about?**

Please indicate which part of the licence/certificate application you are making a representation about (eg crime, disorder, noise, disturbance etc)
ALL THATS POINTED OUT IN THE EXAMPLE CRIME, disorder, noise, disturbance

**Which of the Licensing Objectives does your representation refer to?**

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	20 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)

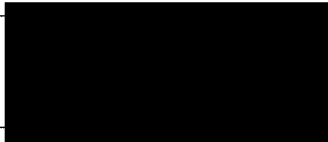
I have lived here for 18yrs and know how things were when the Chemistry was open. Since they closed down more buildings in the area have been converted to flats, one right at the back and an office block next to the church.  
When it was opened it was a night mare for residents in the area. Police getting pulled out in the early hours of the morning, fights happening people using cars, drive as a prison. you can add another hour on to the closing times before people have cleared off  
continued on separate sheet

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

(Please continue on a separate sheet if necessary)

IF THE premises were made into apartments or even into offices I would have no objection.

Signature:



Capacity:

Vicinity

Date:

11-03-2020

Other concerns are the noise of music from the basement, it would reverberate those sounds into our adjoining buildings, as it did in the past.

From Monday to Friday when St James office block and the school, and nurseries are open the traffic down this short cul-de-sac can be very busy with van deliveries to the schools and offices and parents dropping off kids and picking them up. When Saturday and Sunday comes the road is nice and quiet again, opening up this club would end all that, it would also effect property prices.

We all know drugs will be passed around at a club, god knows what stuff will be left outside the building, that could be picked up by kids the following morning going to school.

Closing up. Clubs are fine as long as they are nowhere near a residential area and school.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 26 March 2020 12:03  
**To:** Internet - Licensing  
**Subject:** Re: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

Hello  
My full postal address is

6 Hamlet Close  
Cheltenham  
Gloucestershire  
GL51 7HS

Thank you 🙏 stay well 🌸

Sent from my iPhone

On 26 Mar 2020, at 11:50, <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

<[image001.png](#)><[image002.png](#)>  
[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 21:54  
**To:** Internet - Licensing  
**Subject:** The old chemistry premises

Dear Sirs,

It is my understanding that an application has been made to Cheltenham Borough Council for a new premises licence at the above location.

As parents of two young children at the Catholic School of St Gregory the Great, my partner and I oppose this licence request, as we feel our child, and all others at the school, could be put in danger with any paraphernalia or glass bottles that may be thrown over the playground wall from people attending the new premises, as previously occurred when the building was opened last time.

It is also likely that crime in the area will increase due to drunken behaviour of the people attending the new premises, which we feel extremely uncomfortable exposing our children to.

It is our job as parents to protect our children, and we hope that our local council will support us in this.

Yours sincerely

[REDACTED]

Received By  
HAW 16/3/2020



## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☒  
☐  
☐  
☐
**Contact details (of person completing form)**

Name	[REDACTED]
Name of the organisation/body/person you represent (if appropriate)	FROM NEW RESIDENTIAL PREMISES RE? LICENSING REF NO 20/000454/PRMA
Your full Postal Address or that of the organisation/body you represent	56 CLARENCE STREET. CHELTENHAM.
Post Code	GL50 3LE
Daytime contact telephone number	—
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

Name of the person/organisation/body (as appropriate)	/
Full Postal Address of the person/organisation/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 representations about	ST JAMES CLUB, "CHEMISTRY".
Name of Applicant for licence (if known)	LICENSING REF No 20/000454/PRMA
Postal Address	GIBSON HOUSE, ST JAMES SQUARE, CHELTENHAM.
Post Code	GL50 3RG

## What are you making a representation about?

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

CRIME — INEBRIATED PEOPLE WILL BE FIGHTING & SHOUTING & ENGAGING IN IMMORAL & ILLEGAL & SEXUAL ACTIVITY IN PUBLIC AS THEY DID BEFORE WHEN THIS ALCOHOL PURSING VENTURE OPERATED.

DISORDER — DRUNK & VIOLENT PEOPLE WILL BE OUTSIDE THE PREMISES DURING OPERATING HOURS & PARTICULARLY FIGHTING & SHOUTING AGGRESSIVELY AT CLOSING TIME (EXACTLY WHEN THE NEED IS FOR QUIET SO THAT NEIGHBOURS CAN SLEEP).

NOISE — EXCESSIVE AND DISTURBING NOISE WILL COME FROM DRUNKEN REVELLERS ARRIVING & LEAVING & THUMPING LOUD MUSIC WILL BE HEARD.

DISTURBANCE — SLEEP WILL BE DISTURBED IN THE AREA (THERE ARE NOW MORE RESIDENTIAL USE IN THE IMMEDIATE AREA).

Which of the Licensing Objectives does your representation refer to?

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

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

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](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation	70 METRES
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Part 2 continued

## What are your concerns?

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

- ① THERE ARE NOW MORE RESIDENTIAL PREMISES IMMEDIATELY NEARBY AS COMMERCIAL PROPERTIES HAVE BEEN CONVERTED TO RESIDENTIAL.
- ② THIS MEANS THAT EVEN MORE CHILDEWOMEN RESIDENTS WILL BE ADVERSELY AFFECTED BY THE NOISE/DRUNK CARDS/LEWD PUBLIC ACTS (INCLUDING FULL PUBLIC SEX IN GARDENS & ON PAVEMENTS)/LOUD SHOUTING/SINGING LOUDLY LATE AT NIGHT/AND PUBLIC URINATION IN ALLEYS & DOORWAYS AND GARDENS/AND ARGUMENTS WITH RESIDENTS RE DAMAGES TO THEIR PROPERTIES.
- ③ THE SUGGESTION OF 10% OF OVERALL CAPACITY TO BE ALLOWED TO BE OUTSIDE AT ANY TIME IS LUDICROUS & MEANS THAT HUGE NUMBERS OF DRUNK PEOPLE WILL BE OUTSIDE DRINKING & SMOKING AND MAKING NOISE. IT IS A RECIPE FOR DISASTER & CONFLICT.
- ④ CHILDREN IN THIS BUILDING (AND OTHERS) WILL HEAR THE LOUD SUBBACH AT NIGHT.

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

- ① RE SMOKING AREA OUTSIDE - IF THE PROPOSAL WAS ACCEPTED LICENSING SHOULD PERMIT A MAXIMUM OF FOUR PERSONS TO BE ALLOWED OUTSIDE OF THE PREMISES FOR SOLELY THE PURPOSES OF QUIETLY SMOKING WITHOUT ANY FORM OF DRINK OF ANY TYPE AND ALSO SHOULD NOT PERMIT THE APPLICANT TO ISSUE "PASSES" THAT ALLOW CUSTOMERS TO LEAVE THE CLUB (FOR THE PURPOSES OF SECRET SERVICE IN MOST CASES IN THE PAST) AND BE ABLE TO RETURN TO THE PREMISES. "PASSES" THAT PERMIT RETURN WOULD BE A MOCKERY OF ANY RULES THAT LICENSING APPLIES TO THE PREMISES AT THEY ARE THEN PERSONS WHO ARE NOT ABLE TO BE CONTROLLED BY THE CLUB IN THEIR PREMISES.

Signature

[Redacted Signature]

Capacity

NEARBY NOW RESIDENT

Date

14<sup>TH</sup> MARCH 2020

- ② IF PERMITTED THE CLUBS SHOULD BE REQUIRED TO HAVE AT LEAST TEN SECURITY STAFF OUTSIDE AT ALL TIMES AS THE SIX THAT THEY HAD BEFORE WERE INSUFFICIENT!
- ③ THE CLUBS SHOULD BE REQUIRED TO HAVE AT LEAST TWO POLICE INSIDE THE PREMISES & TWO OUTSIDE THE PREMISES TO INVESTIGATE THE MANIFEST PROBLEM OF THE TAKING & SELLING OF DRUGS.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 17:54  
**To:** Internet - Licensing  
**Subject:** Re: Reference 20/00454/PRMA  
**Attachments:** image005.png

Dear Jason  
Thank you for your email.  
My address is: 56 Langdale Rd, Cheltenham GL51 3LY, UK

I attend church at st Gregory's, and I also work in festival house on Jessop avenue

A while back we were in offices in Rodney Road with 2 night clubs around the corner  
There was always vomit and other undesirable objects around the pavements when walking in that area  
which was not pleasant  
In this instance, the noise right opposite the church is going to be a concern, the children walking to and  
from school past there....  
The elderly folk that park right outside the proposed night club when coming to church I think is going to be  
a challenge for them

Those are my thoughts

[REDACTED]

On Mon, 9 Mar 2020 14:22 , <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection. Firstly, it will not be accepted as a relevant representation, until you have provided your postal address.

In addition, I suggest that you refer to specific problems associated with the licensing objectives that you list in your email. If you were to provide your address and then subsequently attended the hearing, you could only 'amplify or clarify' the points that you have made in your objection. This would mean that you could not provide further specific evidence at that point beyond listing the points below.

I can call you to explain if you need further information.



1. The prevention of crime and disorder
2. Public Safety
3. The prevention of public nuisance
4. The protection of children from harm


Kind regards



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Rec 13/3/20

  
10 Mill Street  
Prestbury, GL52 3BG

10<sup>th</sup> March 2020

**Reference: 20/00454/PRMA. New Premises Licence: St. James Club Ltd. t/a Chemistry**

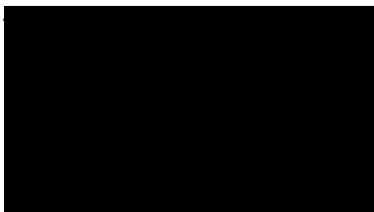
Regarding the Gibson House application for New Premises Licence.

The proposed purpose for this premises is in contradiction of the existing, accepted public use in this area: I am objecting on the grounds of potential Disorder, Public Nuisance and Harm to Children. Smokers litter, air and noise pollution abound in the streets outside such public houses.

This location is in close proximity to Churches, an Infant School and nearby cultural and educational facilities. St. Gregory's Church is immediately opposite, the Infants School is around the corner on the same St. James Square, where the only road access is to pass by Gibson House. The "Old Priory" meeting rooms are just around the corner on Clarence Street, as are the Cheltenham Public Library, St. Mathew's Church and The Wilson Museum. Close by is Chapel Arts on Ambrose Street, a popular cultural facility.

The intended use of Gibson House and its projected hours and days of operation presents a real potential Harm to Children, Disruption of the Peace to Church and Meeting attendees and a Public Nuisance for visitors to the Library, Museum and Galleries in that vicinity.

**I urge you, and trust you, to carefully consider this application --- and reject it.**



Rec 3/3/20

**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](mailto:licensing@cheltenham.gov.uk)

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

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

☒  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	—
Your full Postal Address or that of the organisation or body you represent	FLAT 7. SOMERSET HOUSE KNAPP ROAD CHELTENHAM
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

**Premises/Club Details**

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

**What are you making a representation about?**

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

**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](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	30 mtrs approx.
--	-----------------

Part 2 continued

**What are your concerns?**

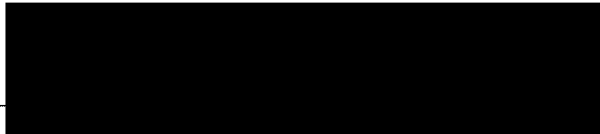
Please provide full details of your concerns regarding the application and include or enclose with the form any evidence you may have in support of it.  
(Please continue on a separate sheet if necessary)

I LIVE AT STREET LEVEL ALMOST  
OPPOSITE THE BUILDING AND I AM  
82 YRS OLD. THE NOISE AND DIS-  
RUPTION WOULD REALLY AFFECT MY  
QUALITY OF LIFE. I WOULD EXPECT  
TO PAY NO COUNCIL TAX IF PROJECT GOES  
AHEAD!!

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)

IT IS NOT POSSIBLE TO MINIMISE ANY  
OF THE CONCERNS RELATING TO  
A NIGHT CLUB IN A RESIDENTIAL  
AREA.

Signature:



Capacity:

Date:

3-03-20

Rec. 12/3/20

59 NAUNTON LANE

GL 537BJ.

9/3/20

Dear Sir or Madam

I strongly object  
to the re-opening of Former  
CHEMISTRY NIGHTCLUB on the  
grounds of disturbance to  
neighbours & churches nearby.

Yours faithfully,



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 14:51  
**To:** Internet - Licensing  
**Subject:** Re: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry:

Thank you for your email.

My address is

44 Hatherley Road  
Cheltenham  
GL51 6EE

Kind regards

[REDACTED]

On Sun, 15 Mar 2020, 13:48 , <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

[REDACTED]

Thank you for your comments. We can only accept this as an objection when we have received your full postal address.

Best regards

Jason Kirkwood  
Senior Licensing Officer  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

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

**From:** [REDACTED]  
**Sent:** 15 March 2020 10:06  
**To:** Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>  
**Subject:** Ref: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry:

Dear Sir

I am a parishioner of St Gregory's Church, which is over the road from the Chemistry premises. I understand an application has been made to Cheltenham Borough Council for a New Premises Licence so that it may sell alcohol and provide entertainments to its patrons, for every day of the week from 10am until midnight (10 pm on Sundays) with the possibility of extended hours on special occasions including Christmas Eve.

I strongly object to the application. I would like to point out that when the nightclub was open before, it impacted seriously on the life of the Church and St Gregory's School. Church services were affected by late night noise and disruption. Needles and other undesirable objects were left behind or thrown over the walls. There were other incidents of anti-social nuisance committed around the Church and school.

It is paramount that you consider the safety of the public and our children, the prevention of crime and disorder before approving this application.

Kind regards



--

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 15:46  
**To:** Internet - Licensing  
**Subject:** Ref 20/00454/PRMA New Premises Licence

Reference: 20/00454/PRMA New Premises Licence: St James Club Ltd t/a Chemistry

As a long-term parishioner of St Gregory's Church, which is located directly opposite the above premises, I wish to object to the grant of this new licence for the following reasons.

1. When the Chemistry Cub was operating previously, noise generated by the club was a public nuisance which in particular disturbed evening services at St Gregory's Church.  
Much of the noise was generated by groups of people arriving or departing or standing outside smoking, so could not be controlled by the licensee, but was a consequence of the use of the building. The acoustic insulation of Gibson House also appeared to be inadequate, as frequently music and noise from within the club could be heard in the street.  
This nuisance was particular bad at times such as Christmas and Easter, when larger numbers at the club coincided with church services.
2. Another consequence of the use of Gibson House as licenced premises was the deposit of hazardous materials (needles, broken glass, vomit) around the entrance to the church.  
This constituted a hazard for parishioners (including young children) coming to the daily morning services in the church before the a clean-up could take place.
3. The presence of needles and other drug equipment in the church area suggested that drug users were taking advantage of the church grounds for covert activity. This ceased when the Chemistry Club closed, which implies that it was associated with users of the licenced premises.

[REDACTED]  
Richmond House  
Malvern Road  
Cheltenham GL50 2JH

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 20:13  
**To:** Internet - Licensing  
**Subject:** Planning application for Chemistry

Reference: 20/00454/PRMA New Premises Licence: St James Club Ltd t/a Chemistry

I have been a parishioner of St Gregory's Church, opposite the above premises, for many years and I remember the difficulties that we experienced when there was a night club operating there. I am very much against permission being given for the re-opening of a night club, in an area which is largely residential, and wish to make the following comments.

1. Noise generated by the club was a nuisance and disturbed evening services at St Gregory's especially at Easter and Christmas. Our parishioners who lived in the nearby flats were disturbed late at night by the noise. Often people stood outside the premises smoking or drinking and crossed the road to the church area. Evening services were disturbed by people congregating outside the door and shouting and damage was caused to the church building.
2. Large groups of people arriving and departing from the premises created a lot of noise and confusion. Parishioners trying to cross the road when there were many people milling about on the road found the situation very dangerous. Vehicles enter the Square from Ambrose Street very quickly and traffic from the roundabout, near the car park also moves quickly making it difficult to cross the road safely even when sober!
3. It was obvious from the discarded needles and other drug equipment which we found in the garden area and behind the church that the area was used by drug takers and the appearance of condoms suggested that other activities took place.
4. Broken glass and needles around the church area are a hazard for children entering, or walking round, the church and vomit can be a hazard for children and elderly people alike who may not notice it until too late.

It was a relief when the nightclub closed.

[REDACTED]  
Richmond House  
Malvern Road  
Cheltenham  
GL50 2JH



## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☒  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	N/A
Your full Postal Address or that of the organisation or body you represent <u>PERSON</u>	18, SOMERSET HOUSE, KNAPP ROAD, CHELTENHAM, GLOS.
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

Name of the person/organisation/body. (as appropriate)	[REDACTED]
Full Postal Address of the person/organisation or body making representation	10, SOMERSET HOUSE, KNAPP ROAD, CHELTENHAM.
Post Code	GL50 3QQ
Daytime contact telephone number	[REDACTED]
Email address - If they would prefer to correspond via email, please enter their email address. (optional). N/A	

I have asked [REDACTED] to complete the form as I have arthritis in my hands.

[REDACTED]

## Part 2 Continued

## Premises/Club Details

"CHEMISTRY"

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

## What are you making a representation about?

Please indicate which part of the licence/certificate application you are making a representation about	
(eg crime, disorder, noise, disturbance etc)	NUISANCE + CRIME + NOISE
<p><u>NUISANCE</u> : to elderly residents in housing for older people.</p> <p><u>CRIME</u> : to property and vehicles of elderly residents</p> <p><u>NOISE</u> : to quiet enjoyment of my home (I am 93 years old)</p>	

## Which of the Licensing Objectives does your representation refer to?

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	I don't know - but Burton House is diagonally across the road outside Somerset House where I live.
--	--

Part 2 continued

**What are your concerns?**

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

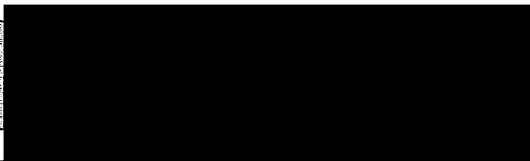
I was living here when the nightclub was open before. We had people coming onto our property and being sick and using our front and back gardens as a toilet. It was disgusting. Then, we had a warden living here. We don't now. We are all elderly people and the thought of having all this trouble again is very frightening.

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

(Please continue on a separate sheet if necessary)

I cannot think of anything that would help - why does it have to be open from 10.00 in the morning for all those hours until the night?

Signature:



Capacity:



Date:

13 March 2020

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 18:42  
**To:** Internet - Licensing  
**Subject:** Re: Reference : 20/00454/PRMA

Ref your email, apologies. My full postal address is as follows  
10 Wessex Drive  
Cheltenham  
GL52 5AU

Regards

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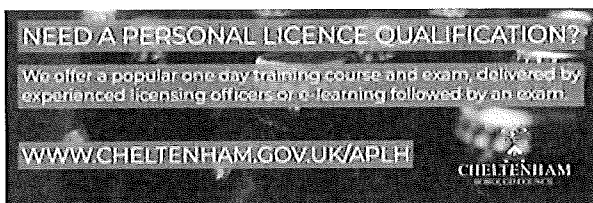
---

**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** Sunday, March 15, 2020 5:53:38 PM  
**To:** [REDACTED]  
**Subject:** RE: Reference : 20/00454/PRMA

I am sorry we can only accept your email as an objection if you provide your full postal address.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



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**From:** [REDACTED]  
**Sent:** 15 March 2020 15:25  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Reference : 20/00454/PRMA

As a parishioner of St Gregory's Church, I am writing to express my concern at the possible granting of an alcohol and entertainment licence to the above premises, allowing it to operate from 10 am until midnight Monday to Saturday and until 10pm on Sunday.

The premises' close proximity to both a church and a primary school is inappropriate. There is a considerable risk of drug use near the premises and therefore the potential for drugs paraphernalia being found by children on their way to or from the nearby primary school. The all-day licence also potentially exposes the children to drink-related anti-social behaviour. Similarly church-goers attending services or other events at the church might be exposed to the same anti-social behaviour creating a public nuisance and a potential risk to public safety. This is especially likely on Christmas Eve and Easter.

I request, therefore, that the licence application be rejected on the grounds of prevention of public nuisance, protection of children and potentially public safety.

Regards.



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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 26 March 2020 20:22  
**To:** Internet - Licensing  
**Subject:** Re: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

Dear Mr Kirkwood,

Thank you for your email....My address ....Marwell, Selkirk Close, Cheltenham, Glos, GL52 2QN

Regards,

[REDACTED]  
On 26 Mar 2020, at 11:50, <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163  
< <[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 18:39  
**To:** Internet - Licensing  
**Subject:** CHEMISTRY NIGHT CLUB

Dear Sir/Madam,

**Ref:-**

**20/00454/PRMA**

I am appalled at the prospect of this Night Club re-opening.....Memories must be short !

1. There is a school directly behind this building with children up to the age of 11 years passing by. In the past needles, syringes, broken glasses and bottles have littered the pavement----dangerous, easy picking for these for children.
2. St Gregory's Church services have been disrupted in the past by individuals and groups 'high' on drugs and/or alcohol entering the Church causing disturbance and fear, particularly to the elderly and young children. Also on occasions thieving.
- 3 The noise caused by revellers and the thumping 'Bass', when attending evening services, particularly at Easter and Christmas is disturbing, not to mention the disruption to people living in the area. It would certainly make me think twice about buying a property in the area. I now understand why there is a glut of properties on the market in the St. James area.

Thank you for taking my concerns into consideration. I do not support this application.

Yours faithfully'

9 Rosehip Way  
Bishop's Cleeve  
Cheltenham  
Gloucestershire  
GL52 8WP



Monday 9 March 2020

Licensing Team  
Public Protection Team  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

**Reference: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry**

I am writing to object to the granting of New Premises Licence to the St. James Club Limited, also known as "Chemistry."

This will result in; **1) public safety issues** and **2) protection of children issues** for the local school "St. Gregorys School" and the local nursery "Elephant Moon" and the church "St Gregory The Great" due to broken bottles, discarded small gas canisters, used needles and used condoms. As well as take away food litter and people urinating in doorways and alleys around the club.

There will also be considerable **3) public nuisance** issues as people leave the nightclub especially late at night along with vehicles and taxis. Previously there have been fights and public order issues outside the nightclub at closing time. If the club is opened at 10am in the morning these public nuisance issues will occur all day and when the children are at school.

Finally nightclubs attract drug dealers and this is extremely worrying with such close proximity to a school and will present a real **4) crime and disorder issue** especially if it is open all day and during school hours.

Therefore I would respectfully ask you to refuse this application.

Yours faithfully



9 Rosehip Way  
Bishop's Cleeve  
Cheltenham  
Gloucestershire  
GL52 8WP



Tuesday 10 March 2020

**Application: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry**

I am writing to ask you to please refuse the granting of New Premises Licence to the St. James Club Limited, also known as "Chemistry."

There is a school and a nursery right next to the building and when this was last a club there was considerable problems with children and parents walking to school and nursery past piles of vomit, broken bottles and even needles.

The reopening of this club will result in serious protection of children issues, public safety issues and public nuisance issues.

Therefore please will you refuse this application.

Thank you

Yours faithfully



9 Rosehip Way  
Bishop's Cleeve  
Cheltenham  
Gloucestershire  
GL52 8WP

11 March 2020

To the Licensing Team, Cheltenham Borough Council

Number: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry

I am writing to ask you please not to grant a New Premises Licence to the St. James Club Limited, also known as "Chemistry."

When the club was last opened there was considerable public nuisance and public safety problems when people arrived at the club dropping the empty alcohol bottles, takeaway food – mostly in people's gardens and in the church yard of *St. Gregory's Church*.

Also as people leave the club, often drunk, there were crime and disorder problems involving the police which is a major nuisance to anyone living nearby especially in the early hours of the morning.

Also the building is next to both a school *St. Gregory's School* and the *Elephant Moon Day Nursery* and having a club open all day and during school hours is a real protection of children problem from both the previous night's litter and people entering and leaving the club during school hours.

Please can I ask you to carefully consider the risks / nuisance and refuse this application.

Yours faithfully



Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 18 March 2020 19:02  
**To:** Internet - Licensing  
**Subject:** reference: 20/00454/PRMA New premises License St. James Ltd t/a Chemistry (Representation)

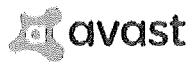
Dear Sir,

Reference the above, I make the following representation (objection) to the license 20/00454/PRMA New premises License St. James Ltd t/a Chemistry, on the grounds that the new premises license would result in

1. an increase in crime and disorder
2. an increase of public nuisance
3. a risk to children attending the local school

Regards

[REDACTED]  
8 Polefield Gardens  
Cheltenham  
GL51 6dY



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# APPENDIX 3

## Batch 9

Residents T - Z

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 12 March 2020 13:49  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Reference: 20/00454/PRMA.

New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sirs/Mesdames,

It would be a grave error to grant the above application for Licence due to –

1. The proposed location is near a Primary Children`s School with the usual traffic of small children and parents who could be put in danger of finding and picking up dangerous and unacceptable items typically thrown carelessly out by clientele usual to such as these proposed public premises. **Our Children most particularly are surely entitled to expect protection from such harm.**
2. The noise from and propinquity of such premises **would cause serious public nuisance** by seriously disturbing Worship in near St Gregory the Great Church, most particularly over Christmas, New Year, Easter and such other special congregational worshipping occasions, as well as be very upsetting for all congregations at Services throughout the Week which include Funerals, Baptisms, etc. where the public should be entitled to expect quiet use of their Church for Worship & contemplation with reverence.
3. Furthermore, such as these premises proposed are known to frequently become **targets for crime and disorderly behaviour** so this application to place in such near juxtaposition to a Children`s Primary School, and Place of Quiet & Reverent Worship is surely an obviously completely and totally unacceptable siteing for such new premises?

- I am a member of the Congregation and of the teams working to help at St Gregory the Great Church and a visitor to the Primary School near.

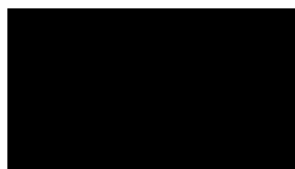
Look forward to hearing from you,



kind regards,

Page 355

2



Whitminster House,  
Wheatenhurst, Whitminster,  
Gloucestershire, GL2 7PN



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**Jason Kirkwood**

---

**From:** pa@cheltenham.gov.uk  
**Sent:** 11 March 2020 08:17  
**To:** Internet - Licensing  
**Subject:** Comments for Licensing Application 20/00454/PRMA

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:16 AM on 11 Mar 2020 from [REDACTED]

### Application Summary

**Address:** Gibson House St James Square Cheltenham  
Gloucestershire GL50 3QG

**Proposal:** Application for New Premises Licence

**Case Officer:** Mr Jason Kirkwood

[Click for further information](#)

### Customer Details

**Name:** [REDACTED]

**Email:** [REDACTED]

**Address:** 2 Blake House, 23 Knapp Road, Cheltenham GL50 3QH

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

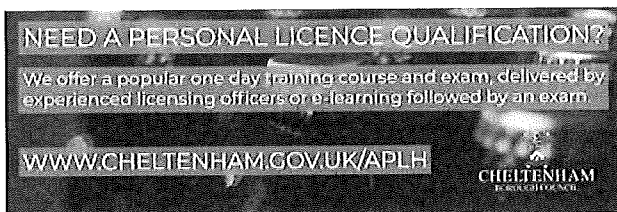
**Comments:** 8:16 AM on 11 Mar 2020 I live right behind this building. I can already hear the workmen in the back yard carrying through my back wall - I live with my wife and and 4 year old daughter and fear that we will have a major disruption to our quiet lives. Historically any licensed premises here have caused a major social upheaval with crime, antisocial behavior, noise and road traffic. There is a pub over the road but this never causes us any problems. The area is mainly residential with some office use and a school nearby. This is not the place to have a live entertainment venue; it would be better suited to the centre of town. Standard residential use would seem more appropriate and would be welcomed.

**Jason Kirkwood**

**From:** Internet - Licensing  
**Sent:** 12 March 2020 15:20  
**To:** Jason Kirkwood  
**Subject:** FW: licensing application 20/00454/PRMA St James Club Limited

Kind regards

Phillip Bowen  
 Licensing Officer  
 Public Protection  
 Cheltenham Borough Council  
 Municipal Offices, Promenade, Cheltenham  
 External: 01242 262626 Internal: 4177



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**From:** [REDACTED]  
**Sent:** 12 March 2020 14:14  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** licensing application 20/00454/PRMA St James Club Limited

Dear Cheltenham Licensing,

I am writing in relation to the following licensing application :

20/00454/PRMA Application for New Premises Licence St James Club Limited James Elias

I wholeheartedly object to the granting of this license for the following reasons :

**Personal**

I am owner occupier of a ground floor flat which backs onto Gibson House and it's land / footprint. I live in my flat with my husband and [REDACTED] daughter. To date this has been a largely peaceful and enjoyable place to live.

My flat address is

2 Blake House, 23 Knapp Road, Cheltenham, GL50 3QH

If the license is granted, a club operating minimum 12-14 hours a day will be literally right behind us. Unless smokers are allowed to spill onto the pavement, the only place I can foresee the smoking area will be adjacent to my property - a metre or two from where my child is playing and sleeping. Noise from the workmen, who appear to have already started on the property, travels through to my home already. The noise of a club until midnight six days a week and with extensions for holidays and race week would be

extremely distressing for my family and could be **Page 358** upsetting for a small child. I have lived in more central areas of Cheltenham and when one can hear people leaving clubs there are often screams and squeals and it's difficult to tell if it is revellers or someone coming to harm.

I would feel very vulnerable sleeping in my own home if my husband (a Doctor who does evening on calls) was not present.

### **Safety**

The junction / corner of Knapp Road and St James Square is already very busy. One has to use full concentration when crossing from Knapp Road to St Gregory's church, or Knapp Road one side to the other. There is poor visibility due to parked cars, so even when sober in the daytime one has to judge one's moment carefully. People arriving and leaving from this junction in dusk or dark under the influence of alcohol and with the distractions of socialising could be fatal. Parking and cars are already an issue here with people parking and waiting on double yellows and residents bays being used by non-residents. Adding a club to this would further stress a limited capacity.

### **Community**

The area where Gibson house is situated is where Cheltenham starts to turn more residential. There is a nursery and retirement home on Knapp Road as well as a Nursery and Primary school on St James Square. A nightclub is not what this area needs. There are often funerals being held directly opposite where this club would be, a club would be totally inappropriate.

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 12:05  
**To:** Internet - Env Health  
**Subject:** RE: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Alex

Apologies. I have amended my original email below.

Many thanks  
 [REDACTED]

**From:** EnvHealth@cheltenham.gov.uk <EnvHealth@cheltenham.gov.uk>  
**Sent:** 17 March 2020 12:00  
**To:** [REDACTED]  
**Subject:** RE: Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer  
 Cheltenham Borough Council  
 Public Protection  
 Place and Growth  
 01242 264300  
[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 09:45  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Licensing

I would like to object to the licencing of St James Club Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry.

- I have two children, one at St Gregorys Primary school and one at Elephant Moon day nursery. I believe a club in this area would lead to inappropriate rubbish, sick and behaviour in the area of three under 11 education/care settings (there is also bright eyes nursery nearby).
- The location is near two alleyways where unsuitable behaviour would likely happen, one of these alleyways runs between the nursery and school which is on the block of the proposed nightclub.
- I understand there is historical evidence from when the club was last open that drug paraphernalia and condoms were regularly found in the playgrounds and that equipment was removed.

- 7
- I suspect there would be a high incidence or **Page 360** against the premises (particularly the nursery), potentially contaminating areas where young children play.

Regards

[REDACTED]

Parent of children at Elephant Moon Nursery and St Gregorys school, St James Square and [REDACTED] of St Gregory PTA.

10 Flora Close

Prestbury

Cheltenham

GL52 3HY

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Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 10:19  
**To:** Internet - Env Health  
**Subject:** RE: 20/00454/PRMA.New Premises License: ST James Club Ltd t/a Chemistry

hi  
Sorry I did not know that

this is my address:

27 LANSDOWN PLACE  
GL50 2HX  
CHELTENHAM

Regards  
[REDACTED]

---

**De:** EnvHealth@cheltenham.gov.uk <EnvHealth@cheltenham.gov.uk>  
**Enviado:** martes, 17 de marzo de 2020 10:29

**Asunto:** RE: 20/00454/PRMA.New Premises License: ST James Club Ltd t/a Chemistry

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can you objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer  
Cheltenham Borough Council  
Public Protection  
Place and Growth  
01242 264300  
[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 19:08  
**To:** Internet - Licensing  
**Subject:** 20/00454/PRMA.New Premises License: ST James Club Ltd t/a Chemistry

Hello good evening

Please do not let the new premises open, this is going to afect families with children and elderly people who attend to church.

Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 10 March 2020 19:48  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir/Madam,

I make this opportunity to let you know my objection for the New Premises Licence at St James Club Ltd t/a Chemistry. My objection based on 'The prevention of crime & disorder, Prevention of public nuisance, Public safety and the protection of children.

Yours's sincerely

[REDACTED]

16 Darwin Close  
Cheltenham  
GL510UE



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 12:19  
**To:** Internet - Env Health  
**Subject:** Re: Reference: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry"

**Categories:** Alex H

Good afternoon,

Thank you for your email.

Please find below our full postal address:

Flat  
76 London Road  
GL52 6EQ  
Cheltenham

Kind regards,

[REDACTED]

On Tue, 17 Mar 2020, 11:59 , <[EnvHealth@cheltenham.gov.uk](mailto:EnvHealth@cheltenham.gov.uk)> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

**From:** [REDACTED]

**Sent:** 15 March 2020 23:38

**To:** Internet - Licensing

**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry"

Reference: 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry"

To whom it may concern,

As a parishioner of St. Gregory the Great Church and a parent of three young children attending St. Gregory's the Great Primary School and Nursery in Cheltenham, I am greatly concerned over the application made for the New Premises Licence, to sell alcohol in such a short distance from the above.

My husband and I strongly object to this proposal on the grounds of prevention of crime and disorder, public nuisance and also protection of children from harm.

New Premises operating for the whole week, since morning till evening will inevitably cause nuisance and disturb mass and other services ie. children First Communion meetings or funerals, taking place in church just across the road. Any loud noise or shouting from outside can be easily heard while in church, also parishioners on the way to/ from school could be targeted by drunken patrons of the New Premises.

I do not wish to see broken bottles, leftovers of drugs and vomits (!) all around my church, while going to morning mass or walking my children to school just around the corner from the Premises. And this is a reality if the New Premises will be granted a licence to open and sell alcohol everyday of a week till midnight (10pm on Sundays) even more so, during special events like Race days etc.

We are strongly concerned about the safety of our children as bottles and other paraphernalia could also be thrown over the fence to the nursery and pre-school playground as it used to happen regularly when the club was open a number of years ago. Children walking to/ from school could witness antisocial behavior or inappropriate language, which we won't be able to protect them from.

Therefore, please take this as our objection to the **Page 365**; Premises license as stated in the application.

12

Kind regards,



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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 15 March 2020 20:19  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA, New Premises Licence: St James Club t/a Chemistry

Please consider the following objection from

[REDACTED]  
12 Russet Road  
Cheltenham GL51 LW

---

**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** 15 March 2020 17:16  
**To:** [REDACTED]  
**Subject:** RE: Reference: 20/00454/PRMA, New Premises Licence: St James Club t/a Chemistry

Thank you for your email. Unfortunately, we can only accept it as an objection once you have provided your full postal address.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

**From:** [REDACTED]  
**Sent:** 09 March 2020 16:36  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Reference: 20/00454/PRMA, New Premises Licence: St James Club t/a Chemistry

I have serious reservations about the wisdom of permitting the above licence application.

At present, the area is one of mixed use, including 2 public houses and a restaurant (the Fire Station), in conjunction with places of worship, schools and cultural facilities, as well as many residential properties, including for the elderly. A balance in the type of groups using this area is necessary to make it work for all of them. I believe that use of Gibson House, as outlined in its application, would cause a public nuisance to nearby properties by upsetting the balance that currently allows peaceful and respectful co-existence. Many buildings in the area, including St Gregory's Church, are not able to be double or triple glazed and are particularly sensitive to environmental factors.

The traffic and pedestrian arrangement of St James Square/Clarence Street/Ambrose Street/ Knapp Road is already busy, including being a major bus route, and with very limited parking space. Access to Gibson House would be problematic, especially when it involved people congregating on the pavement as part of

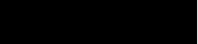
the use of the premises. I believe it would cause Page 367 be less safe in using the pavements and crossing the road.

14

Previous experience of the Chemistry nightclub by parishioners of St Gregory's Catholic Church (opposite Gibson House) involved a substantial amount of unsavoury refuse being left on the church walls or thrown into the church gardens: drinks containers, condoms, waste food. Loud noise, shouting and swearing, and occasionally unsociable or aggressive behaviour inevitably accompany late-night entertainment. This would be distressing for residents and passersby, but especially for elderly people and children attending church services or church-related events in the adjoining Old Priory. The proximity of St Gregory's School and Elephant Moon nursery would unavoidably expose very young children to these undesirable consequences.

Without making any judgement about the nature of the New Premises Licence being applied for, I believe the location of Gibson House makes it an unsuitable venue for this licence, and that representations and assurances to the contrary could not realistically be met.

Sincerely



Daily parishioner and church worker at St Gregory the Great Catholic Church, St James Square

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**Jason Kirkwood**

**From:** [REDACTED]  
**Sent:** 16 March 2020 13:48  
**To:** Internet - Licensing  
**Subject:** Re: 20/00454/PRMA. New Premises License: St. James Club Ltd t/a Chemistry

My full postal address

[REDACTED]  
2, Royal Parade  
Bayshill Road  
Cheltenham  
GL50 3AT

Best regards  
[REDACTED]

---

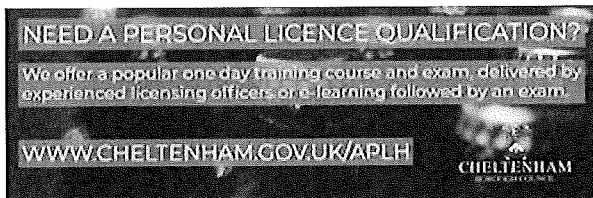
**From:** Licensing@cheltenham.gov.uk <Licensing@cheltenham.gov.uk>  
**Sent:** 15 March 2020 13:42:56  
**To:** [REDACTED]  
**Subject:** RE: 20/00454/PRMA. New Premises License: St. James Club Ltd t/a Chemistry

Dear [REDACTED]

Thank you for your comments. We can only accept this as an objection when we have received your full postal address.

Best regards

**Jason Kirkwood**  
**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)



Stay up to date with licensing in Cheltenham on twitter: <http://twitter.com/#!/CBCLicensing>

This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

From: [REDACTED] Page 369

Sent: 15 March 2020 11:48

To: Internet - Licensing <Licensing@cheltenham.gov.uk>

Subject: Ref: 20/00454/PRMA. New Premises License: St. James Club Ltd t/a Chemistry

## Objection

Crime and disorder are contained round the existing nighttime venues in the town centre. An outlying venue would dilute available control resources.

This would also lead to danger to public safety and prevention of nuisance in this residential area.

[REDACTED]  
Bayshill Road, Cheltenham

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 19 March 2020 13:05  
**To:** Internet - Env Health  
**Subject:** RE: Reference 20/00454/PRMA. New Premises Licence: St.James Club Ltd t/a Chemistry

**Categories:** Alex H

[REDACTED]  
5 Harefield Grove  
Cheltenham  
Glos.  
GL50 2SJ

On 2020-03-19 11:27, EnvHealth@cheltenham.gov.uk wrote:

> Good morning,  
>  
> I am sorry we can only accept your email as an objection if you  
> provide your full postal address and full name.  
>  
> I look forward to hearing from you so I can add your objection to the  
> license application.  
>  
> Kind regards,  
>  
> Alex Hamblin  
>  
> Business Support Officer  
> Cheltenham Borough Council  
> Public Protection  
> Place and Growth  
> 01242 264300  
> [www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)  
>  
> Thank you for your email. As the organisation continues to support the  
> on-going situation with COVID-19, replies to emails may take longer  
> than usual. We continue to prioritise the delivery of critical  
> services.  
>  
> Thank you for your understanding  
>  
>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: 17 March 2020 10:34  
> To: Internet - Licensing



- > Subject: Reference 20/00454/PRMA. New **Page 371**ence: St.James Club  
 > Ltd t/a Chemistry  
 >  
 > Reference 20/00454/PRMA. New Premises Licence: St. James Club Ltd t/a  
 > Chemistry  
 >  
 > The adjacent road leads to a large primary school and Day Nursery  
 > where access at busy times will be further compromised by the presence  
 > of a club opening from 10.00 am with inevitable issues from parked  
 > vehicles including delivery vans, taxis and individual personal transport.  
 >  
 > Young children and their parents will be passing this proposed  
 > establishment during opening hours, an exposure to possible harm and  
 > possible distress that is not necessary in this mainly residential  
 > area.  
 > This is neither a safe or appropriate position for a night club to  
 > open so close to a place of learning for young persons.  
 >  
 > Alcohol in excess together with potential recreational drug use,  
 > inevitably leads to a reduction in good behaviour from some  
 > individuals, which will spill out from the club into the surrounding  
 > roads and alleyways, potentially leading to public disorder,  
 > antisocial behaviour and a threat to personal safety to residents,  
 > local churchgoers and passers by.  
 >  
 > The nuisance from revellers is bound to impact on the church of St.  
 > Gregory the Great especially for evening services. The serenity within  
 > the church might be severely compromised from raucous and antisocial  
 > behaviour from those going to or from the club. This would be of a  
 > particular nuisance at Christmas and during religious festivals and  
 > race meetings.  
 >  
 > Please note that at the moment St. Gregory is one of the few churches  
 > in Cheltenham open during the day for prayer and quiet contemplation.  
 > This would have to stop if this access is abused, a great loss to  
 > those in need of a space to reflect in peace.  
 >  
 > There would also be a detrimental impact on other activities at the  
 > church including the taking place of funerals. Social events in the  
 > Old Priory may also be badly affected. Security in all surroundings  
 > buildings would needless need reviewing and lead to extra expense.  
 >  
 >  
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 > checks and the council does not accept any liability in connection  
 > with it.  
 >  
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 > guaranteed. Any information sent to the council may be made available

Flat 10  
Homespring House  
Pittville Circus Road  
Cheltenham

Cheltenham Borough Council  
licensing@cheltenham.gov.uk

13<sup>th</sup> March 2020

**Ref: 20/00454/PRMA New Premises Licence: St. James Club Ltd t/a Chemistry**

We believe an application has been made to Cheltenham Borough Council for a New Premises Licence at the old 'Chemistry' premises, allowing the sale of alcohol and providing entertainment to its patrons – every day of the week from 10.00am until midnight (10.00pm on Sundays), and with the possibility of extended hours on special occasions including Christmas Eve, New Year's Eve and Race Days.

Obviously this will become a noise pollution problem and more than likely we can anticipate some anti-social behaviour toward the people/premises in the locality along with St. Gregory's Church opposite the venue. The Church in particular and School/businesses in the area will have to tolerate the same problems for which the Club was renowned in the past and I am aghast that Cheltenham Borough Council would find good enough reasons to re-institute problems again; in light of the amount of children and families who travel the area daily.

We wish to complain about this application and request that a licence is not granted based on the following Licencing Objectives:

1. The prevention of crime and disorder:
2. Public safety:
3. The prevention of public nuisance:
4. The protection and Safeguarding of children and vulnerable adults.

Previous operations at the Chemistry premises led to a range of issues arising and there is every possibility of repeating history – in today's circumstances the situation may be considerably worse.

Drug needles and residue as well as used contraceptives were found previously in St Gregory's Church surroundings and local resident's premises. This is an obvious safeguarding issue and a concern in terms of health and safety.

The above would no doubt be repeated and pose a highly significant risk to a lot of people young and old. Safeguarding children, young people and older adults in particular, could become a significant Safeguarding threat and should be a major concern for the Council. We already have enough pulls on budgets and need to consider our depleted Police force, and NHS (who end up picking up the outfall) both under extreme pressure to manage an already unbearable load. The Council must recognise its Duty of Care to the residents of the town, basing any judgement on the effects and costs to the local community of such a move.

We understand that the owners of the Chemistry premises might suggest they will take measures to prevent any anti-social behaviour occurring – but we also recognise they have no responsibility for so called mature adults once outside of their premises, particularly under the influence of drink and drugs. We live in uncertain times, where respect and concern for the elderly and vulnerable young children/teenagers no longer appear to be a priority in the wider community and it is in this regard I would ask that the Council take full responsibility for protecting the citizens of this town.

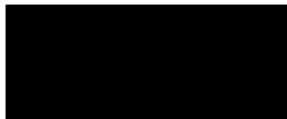
Noise pollution would affect all in the surrounding area and beyond. Re-opening Chemistry presents a major blot on the landscape of Cheltenham and does little to rid Cheltenham of a larger-lout culture. The Council is supposedly trying to remove anti-social behaviour and promote a more sophisticated culture, to even consider this proposal is a negative in terms of this town. Already we have witnessed outside 'Cavendish House' young people rolling drugs and gathering along the Promenade – Cheltenham's finest area is already becoming a blot on the landscape.

We need a Council prepared to make difficult decisions and find the conviction to promote Cheltenham as a fine place to live, visit and enjoy. Our roads and pavements are beginning to look shabby and we have many homeless people appearing on the streets; which is another concern. It is wrong to bend to propositions which can only end in tears, inflicting anxiety on local residents and patrons/or businesses in the area. We should be encouraging our young people to have a healthy lifestyle, not to be found in late night bars and clubs, as history has shown us.

I hope that the Council see fit to reject this application on both moral and financial grounds. We need to recognise we are only leading our young people down the road of destruction. Goodness me, enough of our own generation have done enough damage in the past; wouldn't it be sad to watch our young people and those with little hope to end up in the gutter along with the residue of their bad habits; thrust upon them by those with less than scrupulous intentions.....

Duty calls

Yours faithfully



21  
Hewlett Place  
Cheltenham

12 March 2020

21 Spring Team  
21. 20/00454/PRMA

Sis,

I write to object to  
granting of a licence to the  
istly Night Club premises.

believe this would cause  
nuisance and disorder, based  
what went on before.  
a parishioner of St Gregory's  
member a previous priest  
telling me he had to  
in the basement of the  
intend to try and escape -

worst of the Page 375, is.

22

seems very unsuitable so  
to the church.

Yours truly,



Jason Kirkwood

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 16:02  
**To:** Internet - Env Health  
**Subject:** Re: reference 20/00454/PRMA

[REDACTED]  
14 Glebe Road  
Prestbury  
GL523DG

Sent from Yahoo Mail for iPhone

On Tuesday, March 17, 2020, 12:02 pm, EnvHealth@cheltenham.gov.uk wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

Place and Growth

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 12:39

reference 20/00454/PRMA New Premises Licence: St James Club Ltdt/a Chemistry

Dear Sir/Madam

I am concerned to learn that an application for licence is being considered for the above venue.

Considering the premises is in a *residential area* with a *church opposite* and a *primary school round the corner* I am opposed to the granting of this licence.

Such long hours of drinking alcohol is bound to cause a **public nuisance** to all those living close by especially the residents of the next door flats, the clergy living at the church and the children attending the school. Noise from the venue and inevitable rowdy and anti-social behaviour on the streets around it, especially when people are trying to sleep, is inevitable.

As a community we have **a duty to protect children from harm** and the opening of a nightclub next door to a school is not a way to ensure this.

My family and I strongly feel that this is an inappropriate setting for such a venue and respectfully request you turn down the application.

Thank you for your consideration.

Yours,



Cheltenham resident

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 09:26  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

From  
[REDACTED]  
14 Glebe Road, Prestbury, Cheltenham GL52 3DG  
[REDACTED]

Reference: 20/00454/PRMA. New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir/Madam

I am writing to object to the above licensing application on the following grounds:

- The prevention of public nuisance
- The protection of children from harm

1) The prevention of public nuisance.

Past experience with licensed premises at this location shows that public nuisance is highly likely if granted, in view of the largely residential character of the neighbourhood. Residents would be exposed to loud music until late at night, with limited opportunity for soundproofing what is, I understand, a listed building. Loud music at night that is outside one's own control, heard from within one's own home, leads to a severe deterioration of quality of life. Any services held in St Gregory's Church on the other side of the road at times when the club is open would be likely to be disturbed by music.

Local residents would also inevitably be disturbed late at night by patrons arriving at and leaving the club adding further public nuisance.

Nightclubs often lead to a higher level of rubbish and debris in the immediate area, including drug paraphernalia, and this would also constitute a public nuisance for the residents. This again was evident when the premises was a nightclub previously.

2) The protection of children.

The proposed nightclub is in close proximity to St Gregory's Primary School, which I believe is not consistent with the protection of children from harm. When arriving at the school they would be likely to have to negotiate debris from the night before, and if the club opens at 10am there is the likelihood of primary school children and patrons mixing. Without wishing to presume the worst of people I believe this is likely to result in a reduction in the safety of the environment for the children.

Please register my objection on these grounds.

Yours faithfully

[REDACTED]



PS In case you are unaware, the link for public access to licensing applications on the Council website does not work - it takes you to planning not licensing - so it is not possible to see the application online. This surely damages the integrity of consultation on this and other licensing applications.

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 26 March 2020 15:13  
**To:** Internet - Licensing  
**Subject:** Re: Premises Licence Application - Chemistry - Reference : 20/00454/PRMA

Hi,

Thank you for your reply. My address is as follows:

15 Goldfinch walk  
Brockworth  
GL34qx

Regards,  
[REDACTED]

Sent from my iPhone

On 26 Mar 2020, at 11:50, "Licensing@cheltenham.gov.uk"  
<Licensing@cheltenham.gov.uk> wrote:

I am sorry we can only accept your email as an objection to this application if you provide your full postal address. I need to receive your address by 5pm tomorrow, at the latest, to effectively manage the next steps of the process.

Best regards

**Jason Kirkwood**

**Senior Licensing Officer**  
Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163

<image001.png>

<image002.png>  
[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

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**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 21:10  
**To:** Internet - Licensing  
**Subject:** Ref number 20/00454/PRMA

To whom ever it may concern,

We understand that an application has been made to Cheltenham Borough Council for a new nightclub near St Gregory's Primary School.

We have two young children at the School and because of this, [REDACTED] and I oppose this licence request. We feel our children, and others at the school, could be put in danger from harmful objects that may be thrown over the playground wall by people attending the nightclub (which I am told happened in the past when the building was last occupied as a nightclub).

We hope that our local council will support us in this and refuse this application.

Regards,

[REDACTED]

Sent from my iPhone

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 17 March 2020 12:06  
**To:** Internet - Env Health  
**Subject:** Re: Reference: 20/00454 PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry

**Categories:** Alex H

Many thanks. My address is 38 the Broadwalk, Imperial Square, Cheltenham GL50 1QG.

On Tuesday, 17 March 2020, 11:59:38 GMT, <envhealth@cheltenham.gov.uk> wrote:

Good morning,

I am sorry we can only accept your email as an objection if you provide your full postal address.

I look forward to hearing from you so I can add your objection to the license application.

Kind regards,

Alex Hamblin

Business Support Officer

Cheltenham Borough Council

Public Protection

Place and Growth

01242 264300

[www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)

---

**From:** [REDACTED]  
**Sent:** 16 March 2020 12:25  
**To:** Internet - Licensing  
**Subject:** Reference: 20/00454 PRMA. New Premises Licence: St. James Club Ltd t/a Chemistry

Dear Sirs,

I write to object to the application for the above new premises license.

I am a parishioner who regularly attends church services at St. Gregory's Church, Cheltenham. I believe that, if granted, the license applied for would result in public nuisance, crime and disorder and be harmful to the children of the Parish. I therefore appeal to the local authority not to grant the licence for the protection of children, prevention of public nuisance, crime and disorder.

Yours faithfully,

[Redacted Signature]

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**Jason Kirkwood**

---

**From:** Internet - Licensing  
**Sent:** 13 March 2020 09:50  
**To:** Jason Kirkwood  
**Subject:** FW: Reference: 20/00454/PRMA. New Licence: St James Club Ltd t/a Chemistry

**From:** [REDACTED]  
**Sent:** 12 March 2020 22:31  
**To:** Internet - Licensing <Licensing@cheltenham.gov.uk>  
**Subject:** Reference: 20/00454/PRMA. New Licence: St James Club Ltd t/a Chemistry

I would like to object to the above new licence application as it will contravene the four licensing objectives as below. Those affected will be:

- local residents in Knapp Road, Clarence Street (including Manchester Court Residential Care Home), St James's Square and Chelsea Square
- local businesses
- St Gregory's school
- St Gregory's church

1. The prevention of crime and disorder:

- crime and disorder, such as urinating in public and dropping litter, are likely to be caused by a certain number of nightclub customers - it doesn't take many to do a lot of damage, and at risk particularly is the church opposite the venue, which is a grade 2 listed building.

2. Public safety

- public safety will be at risk from extra vehicular traffic, particularly if queues of customers form outside the venue as is often the case at nightclubs, plus unpredictable behaviour of some customers leaving the nightclub.

3. The prevention of public nuisance

Noise disturbance will be caused by:

- loud, recorded music into the early hours of the morning
- rowdy, drunken behaviour by customers of the premises late at night and in the early hours of the morning
- extra vehicular traffic picking up customers late at night and in the early hours of the morning
- in the case of St Gregory's church, church services are likely to be affected during the most important Christian festivals of the year - Christmas and Easter - when services are held late in the evening and, in the case of Christmas, go on beyond midnight. Services have been held on the site of St Gregory's church for over 200 years. The church also holds charity concerts on Saturday evenings from time to time.

4. The protection of children from harm

- St Gregory's primary school is located very near the premises. Children and parents arriving at school in morning will have to contend with large amounts of litter, likely including broken glass bottles and possibly even used needles, on their journey to the school. Many parents still remember the unpleasant impact of Gas/Chemistry in previous years.

[REDACTED]

55, Eldon Road  
Cheltenham  
GL52 6TX

Jason Kirkwood

**From:** [REDACTED]  
**Sent:** 17 March 2020 10:07  
**To:** Alexander Hamblin  
**Subject:** Re: 20/00454/PRMA, New Premises Licence: St James Club Ltd t/a Chemistry

Dear Alex Hamblin,

Thank you for your email. I append my full postal address to enable you to accept my objection to the licence application:

31 Harp Hill  
 Cheltenham  
 GL52 6PY

Kind regards,

[REDACTED]

> On 17 Mar 2020, at 09:27, Alexander.Hamblin@cheltenham.gov.uk wrote:  
 >  
 > Good morning,  
 >  
 > I am sorry we can only accept your email as an objection if you provide your full postal address.  
 >  
 > I look forward to hearing from you so I can you objection to the license application.  
 >  
 > Kind regards,  
 >  
 > Alex Hamblin  
 >  
 > Business Support Officer  
 > Cheltenham Borough Council  
 > Public Protection  
 > Place and Growth  
 > 01242 264300  
 > [www.cheltenham.gov.uk/report-it](http://www.cheltenham.gov.uk/report-it)  
 >  
 > -----Original Message-----  
 > From: [REDACTED]  
 > Sent: 16 March 2020 12:22  
 > To: Internet - Licensing  
 > Subject: 20/00454/PRMA, New Premises Licence: St James Club Ltd t/a Chemistry  
 >  
 > Dear Planning Department,  
 >  
 > I strongly object to the above application on the following grounds:  
 >  
 > 1. Crime and disorder will escalate in a predominantly residential area.  
 >  
 > 2. Public safety will be put at risk with rubbish, needles, vomit and smoke as well as an increase in noise at unsociable hours.

>  
> 3. The public nuisance arising would be great and very disturbing for local residents and church goers.

>  
> 4. Children at the local school and nurseries would be subject to unnecessary pollution caused by extra filth and danger from residual smoke, detritus and vomit.

>  
> Yours sincerely,

>  
>   
>

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34

Flat 14 St Georges Tower  
Chelsea Square  
Cheltenham  
GL50 3PW

Licensing Department  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

18 March 2020

**Re: Licensing Application – 20/00454/PRMA**

Dear Sir/Madam,

I am writing to submit my objection to the above alcohol licensing application in Gibson House. I am a resident of Chelsea Square, which is located close to the venue for which the application is being made.

Approval of the application is very likely to have a substantial negative impact on local residents. There are multiple areas of concern.

My primary concern is that another venue serving alcohol would worsen the anti-social behaviour we already experience late at night and into the early hours of the morning.

A few examples of this anti-social behaviour are:

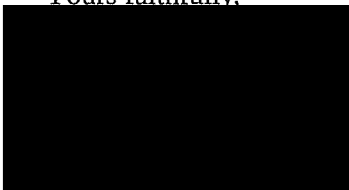
- Damage to a resident's car parked on Clarence Street overnight. (Based on the damage it appeared that someone had jumped repeatedly on the car roof.)
- Damage to the stone sculpture on top of the pillars supporting the gates at the entrance to the Square.
- Excessive noise in the early hours of the morning.

The new venue would also put us at risk of increased traffic on already busy roads, and exacerbation of existing parking issues.

As someone who has lived in this area for many years, it is evident that the area has changed in nature over the last decade. It is now primarily residential. The plans therefore have the potential to disrupt the daily life of our usually peaceful community.

I would be very grateful if this objection can be taken into consideration when the Application is reviewed.

Yours faithfully,



35  
Rec. 13/3/20

## 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](mailto:licensing@cheltenham.gov.uk)

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

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

☐  
☐  
☐  
☐
**Contact details (of person completing form)**

Name:	[REDACTED]
Name of the organisation/body/person you represent. (If appropriate)	[REDACTED]
Your full Postal Address or that of the organisation or body you represent	60 CLARENCE STREET CHELTENHAM
Post Code	GL50 3LG
Daytime contact telephone number	[REDACTED]
Email address - If you would prefer to correspond via email, please enter your email address. (optional).	

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

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

## Part 2 Continued

## Premises/Club Details

Name of premises/club you are making representation about:	REF /20/00454/PRMA
Name of Applicant for Licence (if known):	ST JAMES CLUB
Postal Address:	GIBSON HSE ST JAMES SQUARE GL50 3QG
Post Code:	GL50 3QG

## What are you making a representation about?

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

## Which of the Licensing Objectives does your representation refer to?

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

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

Information on the Licensing Act 2003 and the Act's objectives is available from the Department of Media, Culture and Sport and on their website at [www.culture.gov.uk](http://www.culture.gov.uk).

Please indicate the distance (in metres) between your address and the premises subject of your representation:	150 METERS
--	------------

Part 2 continued

**What are your concerns?**

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

MAINLY CONCERNED WITH UNRULY BEHAVIOURS,  
CRIME, DISTURBANCES ETC.

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

(Please continue on a separate sheet if necessary)

Signature

Capacity

TENANT

Date

10.3.20

**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 16:34  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA.New Premises Licence: St James Club Ltd t/a Chemistry

Hi Jason,

Sure my postal address is

Flat 7 26 bath street  
Cheltenham  
G150 1YA

Anything else you need please let me know

Thank you  
[REDACTED]

On Mon, 9 Mar 2020 at 16:28, <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

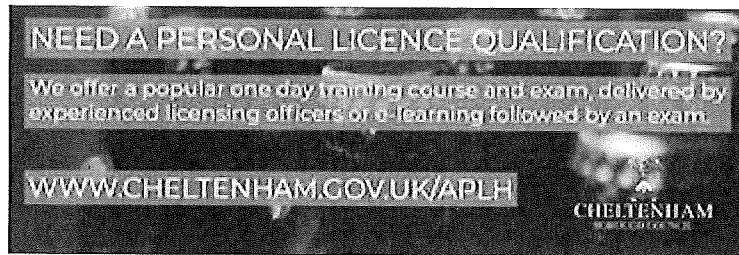
If you can confirm your postal address, the objection will be duly made to us and considered by councillors hearing the application in due course.

Best regards

Jason

**Senior Licensing Officer**

Public Protection  
Cheltenham Borough Council  
Municipal Offices, Promenade, Cheltenham  
External: 01242 262626 Internal: 4163



[www.cheltenham.gov.uk/APLH](http://www.cheltenham.gov.uk/APLH)

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This email may contain information which is privileged and confidential. Please do not forward to anyone else without my consent.

**From:** [REDACTED]  
**Sent:** 08 March 2020 09:38  
**To:** Internet - Licensing <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)>  
**Subject:** Reference: 20/00454/PRMA.New Premises Licence: St James Club Ltd t/a Chemistry

Dear Sir/Madam,

it is with great sadness that I have been made aware **Page 393** road from the church- St Gregory's Church - that myself and many young , older people and families attend on a daily basis and especially weekends an application has been made for a New Premises License which will allow entrepreneurs to serve alcohol, be noisy and of course allow for drunk people and irresponsible behaviour to occur.

From personal experience I live on Bath Street opposite night clubs and pubs. We would be naive to suggest that once alcohol is served everything ends there..instead this is where and when the mess begins.. drugs, violent behavior, people naked on the streets shouting and yelling from 10:00 at night to 08:00 in the morning. I experience this every day.

I wish to express my firm disagreement as a citizen and resident of Cheltenham to this Licence being approved. This is based on the following grounds:

- The church is a space which is friendly, calm and welcoming for people. A place where people - including myself- go to exercise their faith to pray, feel calm, feel at peace and experience a joy among the community members despite the struggles we daily experience. This is all based on a polite, respectful and peaceful atmosphere. The lack of which (calm atmosphere) due to the potential opening of this new business will cause a massive disruption to the community and will turn away its people. This means that the church itself will experience damage and so will its community.

- In being specific about the word "damage" I refer to what we all know that happens when facilities that serve alcohol are established in a place;

- Danger to public safety; this is a road that is crossed daily and during weekends from the young generation and kids as well as older people - ie vulnerable groups- that wish to attend the church and its services at all times especially early mornings or late at night depending on the service. Myself too when i visit I am at peace to know that this is a safe place to walk and be. Due to experience, I am confident that the new premises will cause public nuisance and will only enhance crime , drug dealings and disorders as I experience opposite my house daily.

And I am asking; in Cheltenham we have various roads where this business initiative can take place. Roads that are more appropriate , for example, a road where there is already a series of similar ventures. We have also many other pubs , clubs etc... maybe more than enough...HOW MANY roman catholic churches do we have that is worth sacrificing a whole community in the name of alcohol and partying? I am afraid you know the answer to this.

I believe this would also be discriminating as an act against people that wish to peacefully practice their religion. I don't want to believe that Cheltenham council will allow this.

I welcome the opportunity to discuss further my cPage 394more details. Please do not hesitate to contact me and I am hoping to hear from you soon.

Kindest Regards,

[Redacted signature]

--

[Redacted text]



[Redacted text]



[Redacted text]

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[Redacted text]



**Jason Kirkwood**

---

**From:** [REDACTED]  
**Sent:** 09 March 2020 16:51  
**To:** Internet - Licensing  
**Subject:** Re: Reference: 20/00454/PRMA.New Premises Licence: St James Club Ltd t/a Chemistry

Hi Jason,

I would also like to add one more thing on my email below.

The church does a lot of good work for the community of Cheltenham. Which allows Cheltenham to have good /nice people. The church helps people that feel lost or are not okay at their homes/families in Cheltenham and by welcoming they ensure they are loved and cared for so that they don't become the next generation of criminals of Cheltenham....

And i think this should also be taken into account for the sake of our town. There is a good mission and a social purpose that shouldn't be undermined

I would appreciate it if you could add this to my points below

Many many thanks  
[REDACTED]

On Mon, 9 Mar 2020 at 16:34, [REDACTED] wrote:  
Hi Jason,

Sure my postal address is

Flat 7 26 bath street  
Cheltenham  
G150 1YA

Anything else you need please let me know

Thank you  
[REDACTED]

On Mon, 9 Mar 2020 at 16:28, <[Licensing@cheltenham.gov.uk](mailto:Licensing@cheltenham.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email. I am the case officer for this application.

I just wanted to give you some feedback on your objection.

Unfortunately, your email will not be accepted as a relevant representation until you have provided your postal address.

If you can confirm your postal address, the objection will be duly made to us and considered by councillors hearing the application in due course.

Best regards

Jason

**Jason Kirkwood**

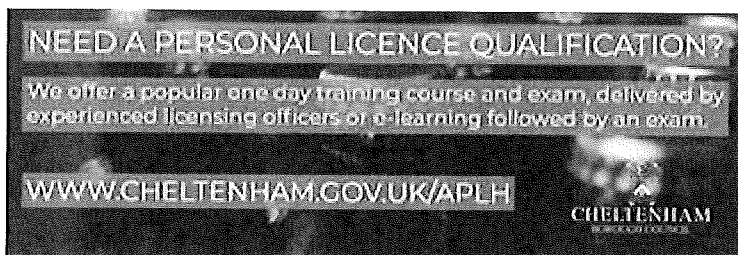
**Senior Licensing Officer**

Public Protection

Cheltenham Borough Council

Municipal Offices, Promenade, Cheltenham

External: 01242 262626 Internal: 4163



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## Comments for Licensing Application 20/00454/PRMA

### Application Summary

Application Number: 20/00454/PRMA

Address: Gibson House St James Square Cheltenham Gloucestershire GL50 3QG

Proposal: Application for New Premises Licence

Case Officer: Mr Jason Kirkwood

### Customer Details

Name: [REDACTED]

Address: 4 Somerset House, Knapp Road, Cheltenham, Gloucestershire GL50 3QQ

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 9:52 AM on 23 Feb 2020 Objection.

St James Square and surrounding area is a mainly a quiet residential and office area comprising of houses, apartments and senior citizens sheltered housing at Somerset House. If Gibson House is allowed to reopen as a nightclub it will result in the area being plagued by antisocial behaviour, drunkenness, drug use and dealing, people urinating and having sex in our garden. We know this to be a fact because of previous experience when Gibson House was The Gas Nightclub. The reopening of this nightclub will plight the whole area and result in the police having unnecessary extra work.

## Comments for Licensing Application 20/00454/PRMA

### Application Summary

Application Number: 20/00454/PRMA

Address: Gibson House St James Square Cheltenham Gloucestershire GL50 3QG

Proposal: Application for New Premises Licence

Case Officer: Mr Jason Kirkwood

### Customer Details

Name: [REDACTED]

Address: Nexus House, Knapp Road, Cheltenham, Gloucestershire GL50 3QQ

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 11:19 AM on 25 Feb 2020 While I would love to see this building renovated and put to some use, I have some serious concerns about that use being a club. Particularly with it being in a residential/business neighbour hood:

Noise: Despite being close to the town centre, its an extremely quiet neighbourhood currently. The combination of an application for a license to sell alcohol as well as playing music from 10am-12am (10pm on Sunday) 7 days a week, is with out question going to create noise and be a public nuisance. Also there will inevitably be noise from the smoking area, as well as the people coming and going. A late night club full of 100s of people is just not suitable for the area:

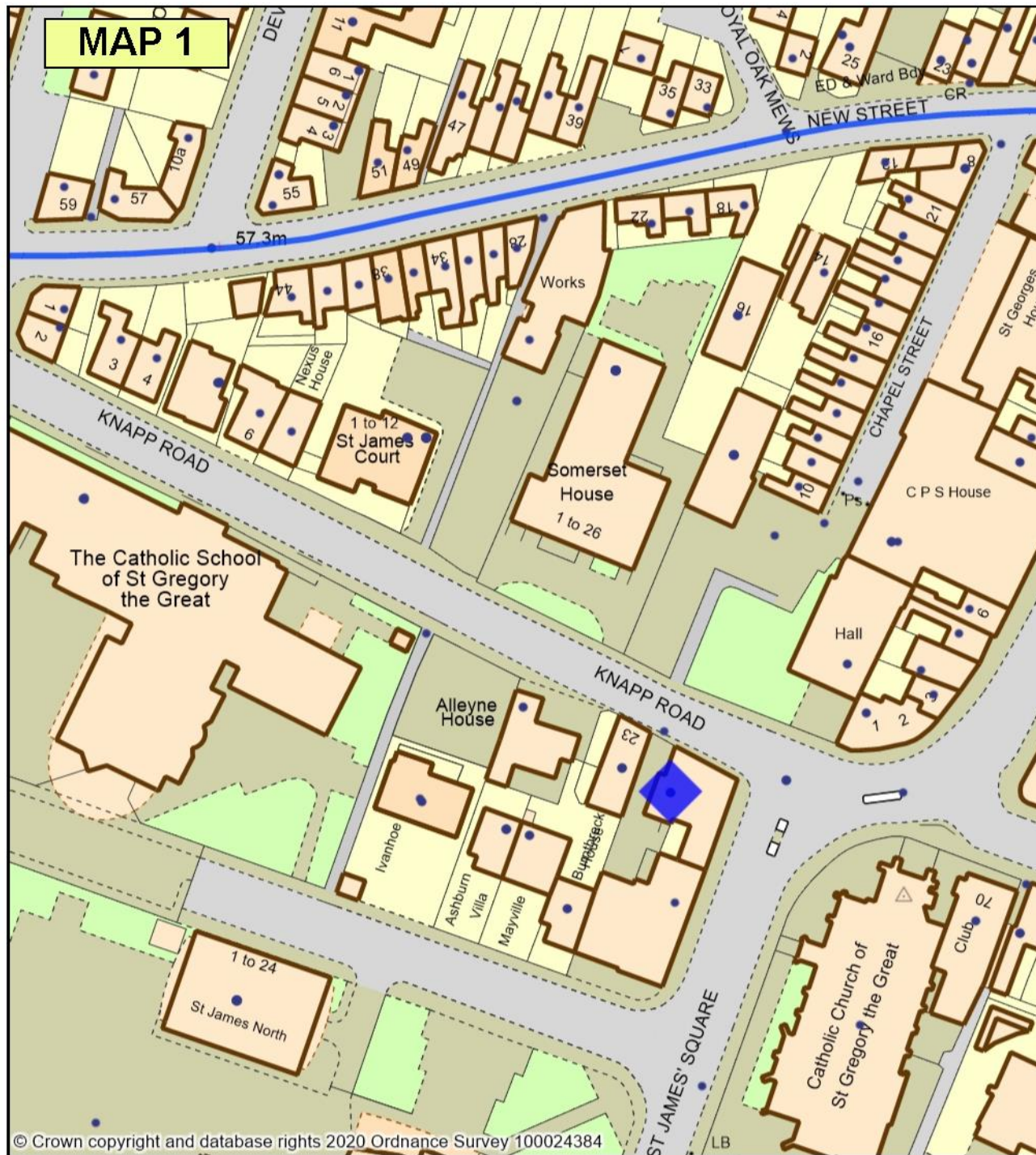
- Parking: The streets in this parking zone are already really congested. I don't see how the club could have any dedicated parking for all their customers or staff either.

- House Prices: This area has improved enormously in recent years, with lots of people spending a huge amount of money improving their homes, and the overall character/look of the area. This makes me extremely concerned, as I don't think having a club at the end of the road will help anyone when it comes to selling/renting in the future.

- I don't think having a club so close to a school or nurseries is a very responsible idea either.

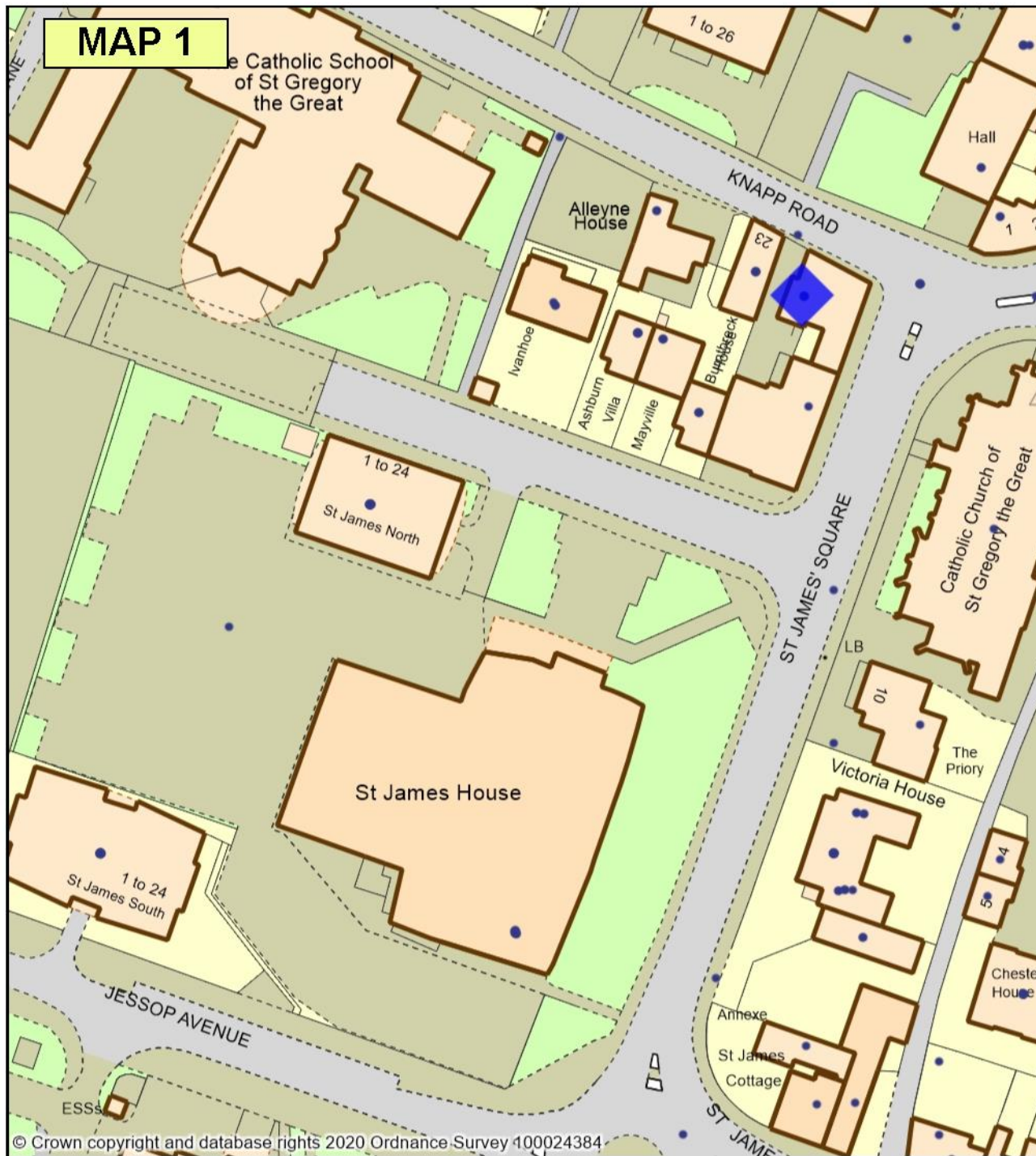
- Similar applications have been made in the last 10 years and the licensing committee refused the application on the grounds of public nuisance, crime and disorder. Surely exactly the same would be true now

I hope you can understand my points, and take the above into consideration.



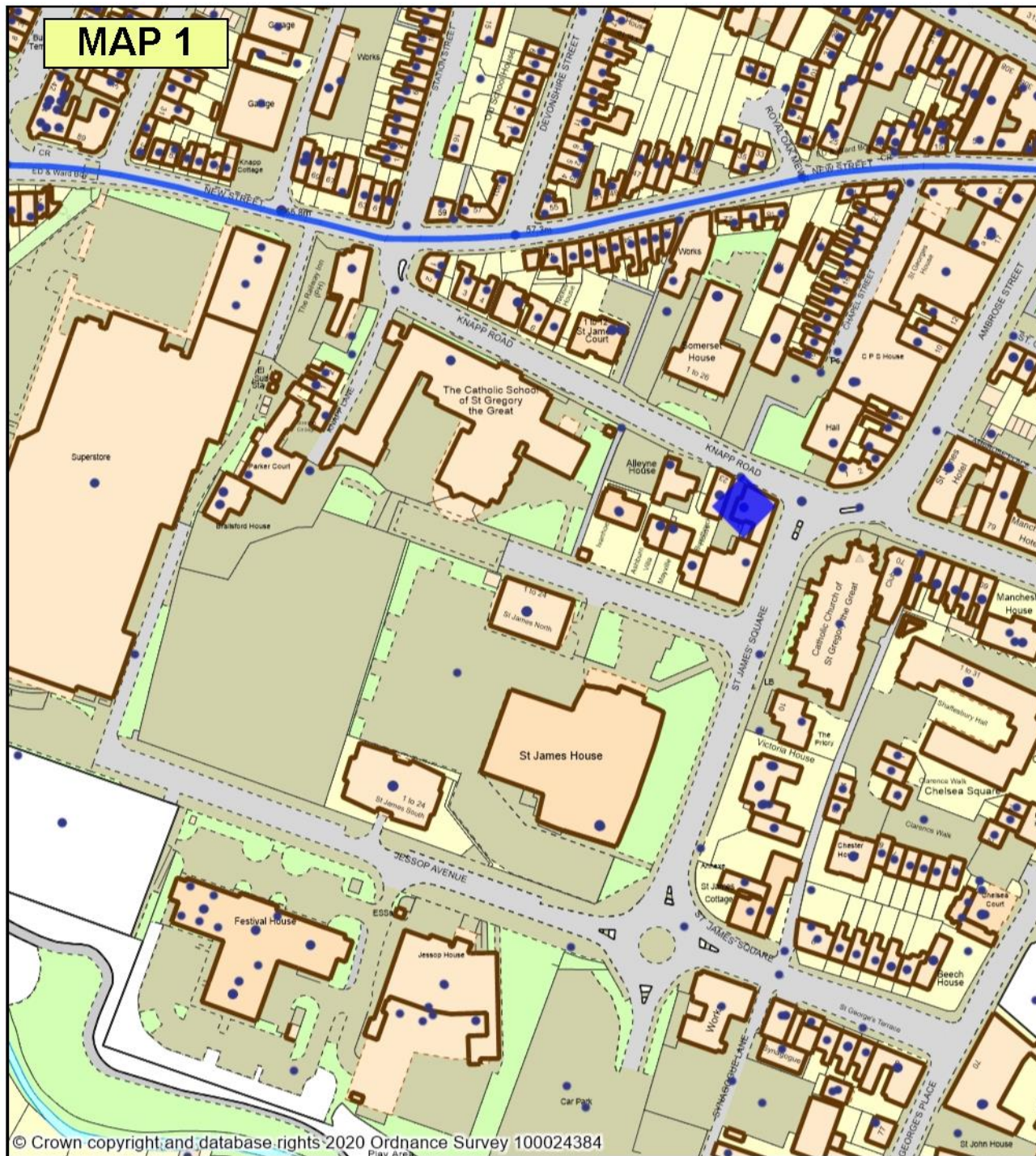
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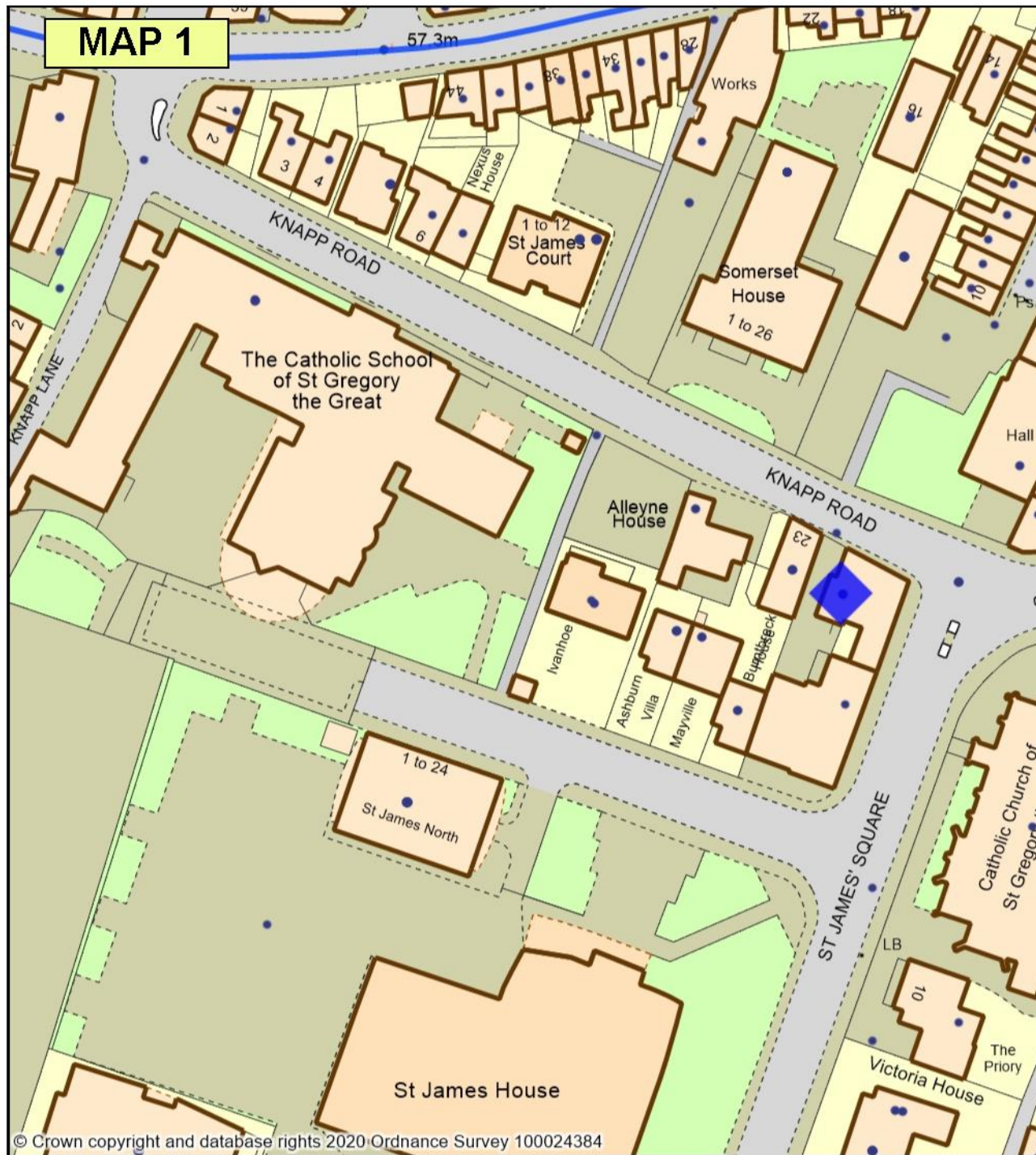
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## **Revised Guidance issued under section 182 of the Licensing Act 2003 - April 2018**

### Contents

1. Introduction
2. The licensing objectives
3. Licensable activities
4. Personal licences
5. Who needs a premises licence?
6. Club premises certificates
7. Temporary Event Notices (TENs)
8. Applications for premises licences
9. Determining applications
10. Conditions attached to premises licences and club premises certificates
11. Reviews
12. Summary reviews
13. Appeals
14. Statements of licensing policy
15. Licence fees
16. Regulated entertainment
17. Early morning alcohol restriction orders

### 1. Introduction

#### The Licensing Act 2003

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

#### **1.3 The licensing objectives are:**

- **The prevention of crime and disorder;**
- **Public safety;**
- **The prevention of public nuisance; and**
- **The protection of children from harm.**

1.4 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.

**1.5 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.**

The guidance

1.6 Section 182 of the 2003 Act provides that the Secretary of State must issue and, from time to time, may revise guidance to licensing authorities on the discharge of their functions under the 2003 Act. ....

Purpose

1.7 This Guidance is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

...

Legal status

**1.9 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.**

1.10 Nothing in this Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on any public authorities under human rights legislation). This Guidance does not in any way replace the statutory provisions of the 2003 Act or add to its scope and licensing authorities should note that interpretation of the 2003 Act is a matter for the courts. Licensing authorities and others using this Guidance must take their own professional and legal advice about its implementation.

## Licensing policies

**1.11 Section 5 of the 2003 Act requires a licensing authority to determine and publish a statement of its licensing policy at least once every five years. The policy must be published before it carries out any licensing functions under the 2003 Act.**

1.12 However, determining and publishing a statement of its policy is a licensing function and as such the authority must have regard to this Guidance when taking this step. A licensing authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives. But once again, it is important that it should be able to give full reasons for departing from its published statement of licensing policy. Where revisions to this Guidance are issued by the Secretary of State, there may be a period of time when the licensing policy statement is inconsistent with the Guidance (for example, during any consultation by the licensing authority). In these circumstances, the licensing authority should have regard, and give appropriate weight, to this Guidance and its own existing licensing policy statement.

...

## General principles

**1.15 If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from responsible authorities or other persons, the licensing authority must grant the application, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions. It is recommended that licence applicants contact responsible authorities when preparing their operating schedules.**

## Licence conditions – general principles

**1.16 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;
- 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.

## Each application on its own merits

**1.17 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.**

...

## Other relevant legislation

1.19 While licence conditions should not duplicate other statutory provisions, licensing authorities and licensees should be mindful of requirements and responsibilities placed on them by other legislation. Legislation which may be relevant includes:

- The Gambling Act 2005
- The Environmental Protection Act 1990
- The Noise Act 1996
- The Clean Neighbourhoods and Environmental Act 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Health and Safety at Work etc. Act 1974
- The Equality Act 2010
- The Immigration Act 2016
- Regulators' Code under the Legislative and Regulatory Reform Act 2006

## 2. The licensing objectives

### Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

...

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed



premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

### Public safety

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Maintenance and repair

2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

### Public nuisance

2.15 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.

2.16 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 may 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.

2.17 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 persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 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.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate 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.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial 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, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

### Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at

which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;

- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

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### 3. Licensable activities

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### 8. Applications for premises licences

...

8.2 Section 13 of the 2003 Act defines the parties holding important roles in the context of applications, inspection, monitoring and reviews of premises licences.

### Authorised persons

8.3 The first group –“authorised persons”– are bodies empowered by the 2003 Act to carry out inspection and enforcement roles. The police and immigration officers are not included because they are separately empowered by the 2003 Act to carry out their duties.

8.4 For all premises, the authorised persons include:

- officers of the licensing authority;
  - fire inspectors;
  - inspectors with responsibility in the licensing authority’s area for the enforcement of the Health and Safety at Work etc Act 1974;
  - officers of the local authority exercising environmental health functions
- 8.5 Local authority officers will most commonly have responsibility for the enforcement of health and safety legislation, but the Health and Safety Executive is responsible for certain premises. In relation to vessels, authorised persons also include an inspector or a surveyor of ships appointed under section 256 of the Merchant Shipping Act 1995. These would normally be officers acting on behalf of the Maritime and Coastguard Agency. The Secretary of State may prescribe other authorised persons by means of regulations, but has not currently prescribed any additional bodies. If any are prescribed, details will be made available on the GOV.UK website.

8.6 Where an immigration officer has reason to believe that any premises are being used for a licensable activity, the officer may enter the premises with a view to seeing whether an offence under any of the Immigration Acts is being committed in connection with the licensable activity.

### Responsible authorities

8.7 The second group –“responsible authorities”– are public bodies that must be fully notified of applications and that are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a premises licence. These representations must still be considered ‘relevant’ by the licensing authority and relate to one or more of the licensing objectives. For all premises, responsible authorities include:

- the relevant licensing authority and any other licensing authority in whose area part of the premises is situated;
- the chief officer of police;
- the local fire and rescue authority;
- the relevant enforcing authority under the Health and Safety at Work etc Act 1974;
- the local authority with responsibility for environmental health;
- the local planning authority;
- a body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm;
- each local authority’s Director of Public Health (DPH) in England and Local Health Boards (in Wales);
- the local weights and measures authority (trading standards); and
- Home Office Immigration Enforcement (on behalf of the Secretary of State).

8.8 The licensing authority should indicate in its statement of licensing policy which body it recognises to be competent to advise it on the protection of children from harm. This may be the local authority social services department, the Local Safeguarding Children Board or another competent body. This is important as applications for premises licences have to be copied to the responsible authorities in order for them to make any representations they think are relevant.

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#### **Other persons**

**8.13 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.**

**8.14 While any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, a Member of the Welsh Government, or a local ward or parish councillor who can all act in such a capacity.**

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#### **Steps to promote the licensing objectives**

**8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.**

**8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:**

- **the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;**
- **any risk posed to the local area by the applicants' proposed licensable activities; and**
- **any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.**

**8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are**

also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

**8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.**

## 9. Determining applications

### General

9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and



92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

Where no representations are made

9.2 A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn. In these cases, the licensing authority must grant the application in the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions under the 2003 Act. This should be undertaken as a simple administrative process by the licensing authority's officials who should replicate the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable licence conditions. Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed.

Where representations are made

9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

### **The role of responsible authorities**

9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

**9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.**

### Licensing authorities acting as responsible authorities

9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.

9.14 Licensing authorities are not expected to act as responsible authorities on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the licensing authority in their own right, and it is reasonable for the licensing authority to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and the licensing authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as responsible authority.

9.15 It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder.

Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.

9.16 The 2003 Act enables licensing authorities to act as responsible authorities as a means of early intervention; they may do so where they consider it appropriate without having to wait for representations from other responsible authorities. For example, the licensing authority may (in a case where it has applied a cumulative impact policy) consider that granting a new licence application will add to the cumulative impact of licensed premises in its area and therefore decide to make representations to that effect, without waiting for any other person to do so.

9.17 In cases where a licensing authority is also acting as responsible authority in relation to the same process, it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority.

9.18 In these cases, licensing authorities should allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the licensing authority) must be a different person from the officer who is acting for the responsible authority. The officer acting for the responsible authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the licensing authority. For example, discussion should not take place between the officer acting as responsible authority and the officer handling the licence application regarding the merits of the case. Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities. Representations, subject to limited exceptions, must be made in writing. It is for the licensing authority to determine how the separate roles are divided to ensure an appropriate separation of responsibilities. This approach may not be appropriate for all licensing authorities and many authorities may already have processes in place to effectively achieve the same outcome.

9.19 Smaller licensing authorities, where such a separation of responsibilities is more difficult, may wish to involve officials from outside the licensing department to ensure a separation of responsibilities. However, these officials should still be officials employed by the authority.

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### Hearings

9.31 The Licensing Act 2003 (Hearings) Regulations 2005 governing hearings may be found on the [www.legislation.gov.uk](http://www.legislation.gov.uk) website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, where the applicant and all of the persons who made relevant representations have given notice to the authority that they consider a hearing to be unnecessary. Where this is the case and the authority agrees that a hearing is unnecessary, it must forthwith give notice to the parties that the hearing has been dispensed with. Notwithstanding those regulatory provisions, in cases where the licensing authority believes that a hearing is still necessary, it is recommended that the authority should, as soon as possible, provide the parties with reasons in writing for the need to hold the hearing. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to

notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.

9.32 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. The 2005 Hearings Regulations permit licensing authorities to extend a time limit provided for by those Regulations for a specified period where it considers this to be necessary in the public interest. For example, if the application is amended at the last moment, the licensing committee should consider giving other persons time to address the revised application before the hearing commences. Where the authority has extended a time limit it must forthwith give a notice to the parties involved stating the period of the extension and the reasons for it.

9.33 The 2005 Hearings Regulations require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.

9.34 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.

9.35 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. This local authority officer representing other responsible authorities may be a licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.

9.36 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.

**9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.**

**9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:**

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;

- **its own statement of licensing policy.**

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

9.41 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

**9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.**

**9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.**

**9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.**

Considering cases where licensing and planning applications are made simultaneously

9.45 Where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

### 10. Conditions attached to premises licences and club premises certificates

#### General

10.1 This chapter provides further guidance in relation to conditions attached to premises licences and club premises certificates. General principles on licence conditions are set out in Chapter 1 (see paragraph 1.16).

**10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.**

**10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.**

#### Proposed conditions

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

#### Consistency with steps described in operating schedule

10.6 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 or any other person, 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 under the 2003 Act.

10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

#### Imposed conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

## Proportionality

**10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.**

## Hours of trading

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.14 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

## Mandatory conditions in relation to the supply of alcohol

10.25 The 2003 Act provides for the following mandatory conditions to be included in every licence and/or club premises certificate in the circumstances specified.

## Arrangements for the mandatory licence conditions

10.36 The mandatory conditions made under sections 19A and 73B of the 2003 Act (the conditions governing irresponsible promotions, dispensing alcohol directly into the mouth, provision of free tap water, age verification, small measures and the prohibition on sales of alcohol below the permitted price) do not have to be physically included in the licence or certificate but nonetheless will apply to every licence and certificate authorising the sale and supply of alcohol for consumption on the premises. The mandatory conditions set out in section 19 of the 2003 Act (the requirement for a DPS and for all sales to be made or authorised by a personal licence holder) do, however, have to be physically included in the licence. The mandatory licence conditions do not apply to activities (including the supply of alcohol) authorised by a temporary event notice.

## Irresponsible promotions

10.39 Under this condition, the “responsible person” (defined in the 2003 Act as the holder of a premises licence, designated premises supervisor, a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18 or a member or officer of a club present on the club premises who can oversee the supply of alcohol) should be able to demonstrate that they have ensured that staff do not carry out, arrange or participate

in any irresponsible promotions. An irresponsible promotion is one that fits one of the descriptions below (or is substantially similar), is carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises. The aim of the condition is to prohibit or restrict promotions which encourage people to drink more than they might ordinarily do and in a manner which undermines the licensing objectives.

### Free potable water

10.45 The responsible person (see paragraph 10.39) must ensure that free potable water is provided on request to customers where it is reasonably available on the premises. What is meant by reasonably available is a question of fact; for example, it would not be reasonable to expect free tap water to be available in premises for which the water supply had temporarily been lost because of a broken mains water supply. However, it may be reasonable to expect bottled water to be provided in such circumstances.

### Age verification

10.46 The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person (see paragraph 10.39) to be under the age of 18 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and either a holographic mark or ultraviolet feature. The Home Office encourages licensed premises to accept cards bearing the Proof of Age Standards Scheme (PASS) hologram as their preferred proof of age, while acknowledging that many other forms of identification meet the requirements of the mandatory condition.

10.47 The premises licence holder or club premises certificate holder must ensure that staff (in particular, staff who are involved in the supply of alcohol) are made aware of the existence and content of the age verification policy which applies by the premises.

10.48 The designated premises supervisor (where there is one) must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. This means that the DPS has personal responsibility for ensuring that staff are not only aware of, but are also applying, the age verification policy.

10.49 It is acceptable, and indeed encouraged, for premises to have an age verification policy which requires individuals who appear to the responsible person to be under an age greater than 18 to produce such identification on request. For example, if premises have a policy that requires any individual that appears to be under the age of 21 to produce identification that meets the criteria listed above, this is perfectly acceptable under the mandatory code.

10.50 Licence holders should consider carefully what steps they are required to take to comply with the age verification requirements under the 2003 Act in relation to sales of alcohol made remotely. These include sales made online, by telephone and mail order sales, and alcohol delivery services. Each of these sales must comply with the requirements of the 2003 Act. The mandatory condition requires that age verification takes place before a person is served alcohol. Where alcohol is sold remotely (for example, online) or through a telephone transaction, the sale is made at this point but the alcohol is not actually served until it is delivered to the customer. Age verification measures (for example, online age verification) should be used to ensure that alcohol is not sold to any person under the age of 18. However, licence holders should also consider carefully what steps are appropriate to ensure that age verification takes place before the alcohol is served (i.e. physically delivered) to the customer to be satisfied that the customer is aged 18 or over. It is, therefore, the responsibility of the person serving or delivering the alcohol to ensure that age verification has taken place and that photo ID has been checked if the person appears to be less than 18 years of age.



## 11. Reviews

### The review process

**11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.**

**11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.**

11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.

11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.

11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.

11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct

incidents of crime and disorder around a particular public house.

11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 14 of this Guidance.

11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation.

11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

### Repetitious grounds of review

11.12 A repetitious ground is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or certificate was granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

**11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.**

11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.

11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure

orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website ([www.legislation.gov.uk](http://www.legislation.gov.uk)). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of a licensing authority on the determination of a review

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

**11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:**

- **modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;**
- **exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)<sup>10</sup>;**
- **remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;**
- **suspend the licence for a period not exceeding three months;**
- **revoke the licence.**

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely

to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

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### 13. Appeals

#### General

**13.3 An appeal has to be commenced by the appellant giving a notice of appeal to the designated officer for the magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision which is being appealed.**

13.4 The licensing authority will always be a respondent to the appeal, but in cases where a favourable decision has been made for an applicant, licence holder, club or premises user against the representations of a responsible authority or any other person, or the objections of the chief officer of police, the Home Office (Immigration Enforcement), or local authority exercising environmental health functions, the holder of the premises or personal licence or club premises certificate or the person who gave an interim authority notice or the premises user will also be a respondent to the appeal, and the person who made the relevant representation or gave the objection will be the appellants.

13.5 Where an appeal has been made against a decision of the licensing authority, the licensing authority will in all cases be the respondent to the appeal and may call as a witness a responsible authority or any other person who made representations against the application, if it chooses to do so. For this reason, the licensing authority should consider keeping responsible authorities and others informed of developments in relation to appeals to allow them to consider their position. Provided the court considers it appropriate, the licensing authority may also call as witnesses any individual or body that they feel might assist their response to an appeal.

13.6 The court, on hearing any appeal, may review the merits of the decision on the facts and consider points of law or address both.

**13.7 On determining an appeal, the court may:**

- dismiss the appeal;
- substitute for the decision appealed against any other decision which could have been made by the licensing authority; or
- remit the case to the licensing authority to dispose of it in accordance with the direction of the court and make such order as to costs as it thinks fit.

**All parties should be aware that the court may make an order for one party to pay another party's costs.**

## Licensing policy statements and Section 182 guidance

**13.8 In hearing an appeal against any decision made by a licensing authority, the magistrates' court will have regard to that licensing authority's statement of licensing policy and this Guidance. However, the court would be entitled to depart from either the statement of licensing policy or this Guidance if it considered it was justified to do so because of the individual circumstances of any case. In other words, while the court will normally consider the matter as if it were "standing in the shoes" of the licensing authority, it would be entitled to find that the licensing authority should have departed from its own policy or the Guidance because the particular circumstances would have justified such a decision.**

13.9 In addition, the court is entitled to disregard any part of a licensing policy statement or this Guidance that it holds to be ultra vires the 2003 Act and therefore unlawful. The normal course for challenging a statement of licensing policy or this Guidance should be by way of judicial review, but where it is submitted to an appellate court that a statement of policy is itself ultra vires the 2003 Act and this has a direct bearing on the case before it, it would be inappropriate for the court, on accepting such a submission, to compound the original error by relying on that part of the statement of licensing policy affected.

## Giving reasons for decisions

**13.10 It is important that a licensing authority gives comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority's statement of policy and this Guidance. Reasons should be promulgated to all the parties of any process which might give rise to an appeal under the terms of the 2003 Act.**

## 14. Statements of licensing policy

### General

14.2 Section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the licensing objectives are being met. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published. Previously, licensing authorities were required to determine their licensing policies for each three-year period. Licensing policies published in respect of the three-year period that began on 7 January 2011 are to be treated as though they apply to a period of five years beginning at that date.

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### Fundamental principles

14.9 All statements of policy should begin by stating the four licensing objectives, which the licensing policy should promote. In determining its policy, a licensing authority must have regard to this Guidance and give appropriate weight to the views of consultees.

14.10 While statements of policy may set out a general approach to making licensing decisions, they must not ignore or be inconsistent with provisions in the 2003 Act. For example, a statement of policy must not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

14.11 Similarly, no statement of policy should override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.

### **14.12 Statements of policies should make clear that:**

- **licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and**
- **conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity.**

**14.13 A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.**

### Licence conditions

14.14 Statements of licensing policy should reflect the general principles regarding licence conditions set out in Chapter 1 of this guidance.

14.15 Statements of licensing policy should include a firm commitment to avoid attaching conditions that duplicate other regulatory regimes as far as possible. Chapter 10 provides further detail on this issue.

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### Entertainment provision

14.18 Statements of licensing policy should set out the extent to which the licensing authority intends to facilitate a broad range of entertainment provision for enjoyment by a wide cross-section of the public. Statements of licensing policy should address what balance is to be struck between promoting the provision of entertainment and addressing concerns relevant to the licensing objectives. Licensing authorities should be conscious that licensing policy may inadvertently deter live music by imposing indirect costs of a disproportionate nature, for example a blanket policy that any pub providing live music entertainment must have door supervisors.

### The need for licensed premises

14.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

### The cumulative impact of a concentration of licensed premises

#### What is cumulative impact?

14.20 The concept of “Cumulative impact” has been described within this guidance and used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. ‘Cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of

a number of licensed premises concentrated in one area.

14.21 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

14.23 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.

### Cumulative impact assessments

14.24 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

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### Licensing hours

14.51 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

**14.52 Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises make an important contribution to our local communities, and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.**

### Planning and building control

14.64 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by

decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

14.65 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

### Administration, exercise and delegation of functions

14.68 The 2003 Act provides that the functions of the licensing authority (including its determinations) are to be taken or carried out by its licensing committee (except those relating to the making of a statement of licensing policy or where another of its committees has the matter referred to it). The licensing committee may delegate these functions to sub-committees consisting of three members of the committee, or in appropriate cases to officials supporting the licensing authority. Where licensing functions are not automatically transferred to licensing committees, the functions must be carried out by the licensing authority as a whole and not by its executive. Statements of licensing policy should indicate how the licensing authority intends to approach its various functions. Many of the decisions and functions will be purely administrative in nature and statements of licensing policy should underline the principle of delegation in the interests of speed, efficiency and cost-effectiveness.

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