

# Cheltenham Borough Council

## Licensing Sub Committee-Alcohol and Gambling

**Meeting date:** 4 June 2025

**Meeting time:** 1.30 pm

**Meeting venue:** Council Chamber - Municipal Offices

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### **Membership:**

Councillor Dr Steve Steinhardt, Councillor Simon Wheeler and Councillor Dr David Willingham

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To find out more about Licensing Committee or to register to speak, please click [here](#) or contact Democratic Services.

**Please note:** the deadline to register to speak is 5.00pm on the day before the meeting.

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**Contact:** [democraticservices@cheltenham.gov.uk](mailto:democraticservices@cheltenham.gov.uk)  
**Phone:** 01242 264 130

# **Agenda**

**1 Election of Chair**

**2 Apologies**

**3 Declarations of interest**

**4 Determination of a New Application for a Premises Licence (Pages 5 - 56)**

**5 BRIEFING NOTES**

**6 Any other items the Chairman determines to be urgent and which requires a decision**

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## Licensing Sub - Committee (Alcohol and Gambling) – 4 June 2025

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

**Jebou- 25/00948/PRMA**  
**4 Montpellier Walk, Cheltenham, GL50 1SD**

#### Report of the Licensing Officer

#### 1. Introduction

- 1.1 Part 3 of the Licensing Act 2003 (LA2003) allows an applicant to apply for a premises licence which, if granted, authorises the premises to be used for one or more licensable activities.
- 1.2 Where the application is made by an individual, they must be a person who ‘carries on, or proposes to carry on, a business which involves the use of the premises for the licensable activities to which the application relates’.
- 1.3 An application for a new premises licence was made by Mr Aaron Maximen on 14<sup>th</sup> May 2025. The application concerns 4 Montpellier Walk, Cheltenham, GL50 1SD, with a proposed trading name of Jebou.
- 1.4 The application is made for the following licensable activities:
- |                               |                   |               |
|-------------------------------|-------------------|---------------|
| Sale by retail of alcohol     | Monday – Thursday | 09:00 – 22:00 |
|                               | Friday – Saturday | 09:00 – 00:30 |
|                               | Sunday            | 09:00 – 22:00 |
| Performance of live music     | Monday – Thursday | 19:00 – 23:30 |
|                               | Friday – Saturday | 19:00 – 00:30 |
|                               | Sunday            | 19:00 – 22:00 |
| Performance of recorded music | Monday – Thursday | 09:00 – 23:30 |
|                               | Friday – Saturday | 09:00 – 01:00 |
|                               | Sunday            | 09:00 – 22:00 |
| Late night refreshment        | Monday – Thursday | 23:00 – 23:30 |
|                               | Friday – Saturday | 23:00 – 00:00 |
|                               | Sunday:           | N/A           |
- 1.5 During the consultation period for the application, relevant representations were received. The authority is required to hold a hearing; have regard to the representations; and take such steps as below as is considered appropriate for the promotion of the licensing objections.

1.6 The authority may:

- 1.6.1 **Grant the licence as applied for; or**
- 1.6.2 **Grant the licence subject to modified conditions considered appropriate for the promotion of the licensing objectives; or**
- 1.6.3 **Exclude from the scope of the licence any of the licensable activities to which the application relates; or**
- 1.6.4 **Refuse to specify a person in the licence as the premises supervisor; or**
- 1.6.5 **Reject the application.**

1.7 In determining the application, the authority must promote the licensing objectives, which are defined as follows in section 4(2) of the LA2003:

- 1.7.1 **The prevention of crime and disorder;**
- 1.7.2 **Public safety;**
- 1.7.3 **The prevention of public nuisance; and**
- 1.7.4 **The protection of children from harm.**

## 1.8 Implications

Legal

A sub committee is required to discharge its duty and determine an application with a view to promoting the licensing objectives as outlined in section 1.7 of the report.

The applicant has a right of appeal where the authority:

- a) Rejects an application for a premises licence; or
- b) Imposes conditions on the licence; or
- c) Excludes a licensable activity or refusal of specifying a person as a premises supervisor.

A person who made relevant representations has a right of appeal where they contend:

- a) The licence ought not to have been granted; or
- b) That, on granting the licence, the authority ought to have imposed different or additional conditions; or
- c) That, on granting the licence, the authority ought to have excluded a licensable activity or refused to specify a person as a premises supervisor.

In all circumstances, an appeal is made to the magistrates' court within a 21 days beginning with the day on which the appellant was notified of the decision of the authority.

**Contact officer: One Legal**

**E-mail: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)**

**Tel no: 01684 272015**

1.9 To aid Members in their determination, the following appendices are included with this report:

APPENDIX 1 – A copy of the original application.

APPENDIX 2 – A copy of the conditions agreed with Gloucestershire Constabulary.

APPENDIX 3 – A copy of the conditions proposed by Environmental Health, and the applicant's response.

APPENDIX 4 – A copy of the representations received during the consultation period.

APPENDIX 5 – A copy of the letter from the applicant in response to the objectors.

APPENDIX 6 – A copy of the summary from the applicant in response to the objectors.

APPENDIX 7 – A copy of the Q&A invitation from the applicant in response to the objectors.

APPENDIX 8 – A copy of the activities permitted by nearby premises licences referenced by objectors.

## 2. Application (Jebou - 25/00948/PRMA)

- 2.1 Applicant: Mr Aaron Maximen
- 2.2 Agent: N/A
- 2.3 Premises: 4 Montpellier Walk, Cheltenham, Gloucestershire, GL50 1SD

## 3. Representations

- 3.1 Relevant representations were received from both responsible authorities and other interested parties:

### Responsible authorities

- 3.2 Responses were received from both Gloucestershire Constabulary and Environmental Health.
- 3.3 A copy of the conditions proposed by Gloucestershire Constabulary which were accepted by the applicant are attached at Appendix 2 of this report.
- 3.4 Following receipt of objections from other interested parties, the applicant suggested a number of conditions which related to the prevention of public nuisance. These were passed to Environmental Health for agreement who suggested some amendments. Upon receipt of their suggestions, the applicant wished to amend these further, and they were returned to Environmental Health for comment. A copy of these conditions is available at Appendix 3 of this report.
- 3.5 These conditions which have been discussed are yet to be agreed with Environmental Health.

### Interested parties

- 3.6 A total of 14 representations were received over the course of the consultation period, 12 of which were confirmed to be objections. A copy of the representations is included within this report as Appendix 4.
- 3.7 Following receipt of the objections, the applicant provided a letter in response; summary of the application / amendments; and an invitation to a Q&A with the applicant. These documents are available as Appendices 5, 6, and 7 to this report.
- 3.8 These three documents, in addition to the police conditions, were circulated to all objectors for their consideration. Following receipt, one objection was withdrawn, leaving a total of 11 lodged.

## 4. Policy considerations

- 4.1 Every five years, a licensing authority is required to determine and publish a policy with respect to the exercise of its licensing functions.
- 4.2 Members should familiarise themselves with Cheltenham Borough Council's *Licensing Policy Statement* in full, and [a copy is available online](#).
- 4.3 The policy seeks to outline the processes the authority will adopt in dealing with its functions under the LA2003, and does so in accordance with the following objectives:
  - a) *Promote the four licensing objectives;*
  - b) *Ensure that the premises are appropriate for their proposed use;*
  - c) *Ensure that the premises layout and condition is acceptable for the proposed use;*
  - d) *Ensure that the premises are being managed responsibly; and*
  - e) *Promote the policy vision statement.*

- 4.4 For reference, the policy vision statement is as follows:  
*We want Cheltenham to be a safe and clean town that offers a greater diversity in the nighttime economy that is less focused on alcohol and protects the quality of life for residents.*
- 4.5 The policy also seeks to promote the council's wider priorities, including that:
- *Cheltenham has a clean and well-maintained environment;*
  - *Cheltenham has a strong and sustainable economy;*
  - *Communities feel safe and are safe;*
  - *People are able to lead healthy lifestyles; and*
  - *Our residents enjoy a strong sense of community and are involved in resolving local issues.*
- 4.6 Whilst the policy should be used as the basis of consistent and transparent decision making, the overriding principle adopted by the authority is that each application must be determined on its own merits.
- 4.7 In doing so, Members must give equal importance to each of the four licensing objectives and should have regard to wider considerations affecting the area including littering, noise, street crime, and the capacity of infrastructure.
- 4.8 The applicant should be able to demonstrate compliance with all four of the licensing objectives. It was, however, concerns surrounding crime and disorder and public nuisance which were highlighted frequently by objectors.

### **Crime and disorder**

- 4.9 The applicant should be able to demonstrate they have addressed factors that impact on crime and disorder, including:
- a) *Underage drinking;*
  - b) *Drunkenness on premises;*
  - c) *Public drunkenness;*
  - d) *Drugs;*
  - e) *Violent behaviour; and / or*
  - f) *Anti-social behaviour*
- 4.10 Members should be confident the applicant has identified suitable and sufficient measures to deal with the factors outlined above.

### **Public safety**

- 4.11 The applicant must be able to satisfy the authority that members of the public, and their staff, will be safe when visiting and working at the premises.

### **Public nuisance**

- 4.12 Members can expect the applicant to outline the proposed steps to be taken to deal with the potential for public nuisance arising from the operation of the premises.
- 4.13 Applicants are expected to have included measures that:
- a) *Restrict the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open air site;*
  - b) *Limit the escape of noise from the premises or open air site;*
  - c) *Restrict noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping;*



- d) *Minimise and control noise from customers arriving at the premises, or open air site outside it and departing from it;*
- e) *Minimise and control noise from staff, contractors and suppliers and their activities;*
- f) *Minimise and control noise from vehicles associated with and providing services to the premises or open air site and their customers;*
- g) *Determine whether people standing or sitting outside premises are likely to cause obstruction or other nuisance;*
- h) *Whether the premises are under or near to residential accommodation;*
- i) *The hours of the sale of alcohol in open containers or food for consumption outside the premises;*
- j) *Measures to make sure that customers move away from outside premises when such sales cease;*
- k) *Measures to collect drinking vessels and crockery, cutlery and litter;*
- l) *The extent and location of areas proposed to be set aside for the consumption of food and alcohol drink and for smoking;*
- m) *Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied from the premises or not);*
- n) *Adequate measures to prevent the following arising from the proposed licensable activity that may cause disturbance to people in the vicinity:*
  - a. *Litter, smells, fumes, dust, smoke, or other emissions;*
  - b. *Street fouling;*
  - c. *Light pollution.*

4.14 Members should be mindful that noises can be particularly intrusive at night when ambient noise levels are lower. It is the authority's role, accordingly, to maintain a balance between the aspirations of the applicant and the needs of residents, other businesses, workers, shoppers, and visitors always.

### Protection of children from harm

4.15 It is an offence to sell alcohol to children – here, defined as individuals under 18. Members should be confident the applicant has measures in place to protect children from harm when on the premises.

### Core hours for licensable activities

4.16 Whilst the council will avoid arbitrary restrictions on licensing hours that undermine the principles of flexibility and each application being determined on its own merits, it believes that licensable activities operating within certain core hours will generally not have a harmful impact on the licensing objectives.

<b>Type of premises</b>	<b>Commencement hour no earlier than</b>	<b>Terminal hour no later than</b>
Restaurants	10:00	01:00

4.17 The authority also recognises that alcohol led premises such as pubs, bars, and nightclubs, and off licences 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.

4.18 Regardless, earlier closing times will result in less alcohol consumption and drunkenness and would also be consistent with the ability to disperse crowds from the town centre.

4.19 The authority also recommends that, for those licensed premises that are neither nightclubs nor late night bars, that a latest admission time of half an hour before the terminal hour for licensable activities is appropriate. This too will encourage dispersal and assist with objectives to prevent public nuisance and crime and disorder.

## 5. National Guidance

- 5.1 A licensing authority 'must ... have regard to' any guidance issued by the Secretary of State under section 182 of the LA2003.
- 5.2 The guidance considers each of the licensing objectives in detail, highlighting that they are of equal importance and that their promotion should be a paramount consideration at all times.

### Crime and disorder

- 5.3 The authority should look to the police as the main source of advice on crime and disorder.
- 5.4 Where it is felt appropriate to impose conditions relating to the control of crime and disorder, they should be, by design, focussed on deterrence and prevention.
- 5.5 The presence of CCTV cameras, for example, can actively deter disorder, nuisance, anti-social behaviour and crime generally. The inclusion of radio links could also be considered an appropriate condition for those premises operating in town centre leisure areas to assist in facilitating a rapid response to any disorder.

### Public safety

- 5.6 Licence holders have a responsibility to ensure the safety of those using their premises. As outlined in section 2.9, considerations should include:
- *Fire safety;*
  - *Ensuring appropriate access for emergency services such as ambulances;*
  - *Good communication with local authorities and emergency services;*
  - *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;*
  - *Ensuring appropriate limits on the maximum capacity of the premises; and*
  - *Considering the use of CCTV in and around the premises.*
- 5.7 Conditions related to public safety may also promote the crime and disorder objection highlighted above.

### Public nuisance

- 5.8 When considering public nuisance, the licensing authority and responsible authorities should focus on the effect of the licensable activities at the specific premises on persons living and working in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise, light, odour and litter.
- 5.9 Within the LA2003, public nuisance retains its broad common law meaning, rather than a statutory meaning as in other pieces of legislation.
- 5.10 Where applications have generated representations, any appropriate conditions should normally focus on the most sensitive time periods, such as the night and early morning when residents in adjacent properties may be attempting to sleep or are sleeping.

- 5.11 Conditions which are imposed with the intention of preventing public nuisance will usually concern the control of noise; this may be achieved by a simple measure, such as ensuring that doors and windows are kept closed after a certain time. They can, however, be more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts.
- 5.12 As always, conditions should be appropriate and proportionate, and should be tailored to the type, nature, and characteristics of the specific premises and its licensable activities.
- 5.13 Beyond the immediate area surrounding the premises, public nuisance is a matter for the personal responsibility of individuals under the law – if they choose to engage in anti-social behaviour, they are accountable in their own right. It would, however, be perfectly reasonable for the authority, following relevant representations, to impose conditions relating to the display of signs encouraging patrons to leave the area quietly, or that they smoke 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**

- 5.14 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes the harms associated directly with alcohol consumption, but also wider harms such as exposure to strong language and sexual expletives.
- 5.15 Licensing authorities and responsible authorities should expect applicants to set out the steps to be taken to protect children from harm.

### **Representations**

- 5.16 Where representations are made in respect of an application under the LA2003, they must be relevant, insofar as they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 5.17 Where relevant representations are received from a responsible authority, they should be the authority's main source of advice in relation to a particular licensing objective.
- 5.18 Determination should take into account any relevant representations and must be considered on a case-by-case basis. It should be evidence-based and justified as being appropriate for the promotion of the licensing objectives and proportionate for what it is intended to achieve.
- 5.19 Where it is felt appropriate to attach conditions to a premises licence, the authority must be satisfied that they promote one of the four licensing objectives.
- 5.20 It may be that no additional conditions will be appropriate to promote the licensing objectives.
- 5.21 However, where the applicant has proposed conditions in their operating schedule, it is not acceptable for the licensing authority to simply replicate the wording from the operating schedule. A condition should be interpreted in accordance with the applicant's intention and be appropriate and proportionate for the promotion of the licensing objectives.

## Regulated entertainment

5.22 A number of deregulatory changes have amended the LA2003 since it first came into effect.

5.23 As a result of these changes, no licence permission is required for the following:

### Live music

- A performance of unamplified live music between 08:00 – 23:00 on any day, on any premises.
- A performance of amplified live music between 08:00 – 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

### Recorded music

- Any playing of recorded music between 08:00 – 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

5.24 In addition to the above, the performance of live or recorded music is not considered to be regulated entertainment under the LA2003 if it is 'incidental' to another activity 'which is not itself a description of entertainment falling with paragraph 2' of Schedule 1 to the LA2003.

5.25 Whether music is 'incidental' or not will depends on the facts of each case. Considerations could include:

- Whether the addition of music will create the potential to undermine the promotion of one or more of the licensing objectives.
- Whether the music is the main, or one of the main, reasons for people attending the premises or being charged.
- Whether the music is advertised as the main attraction.
- Whether the volume of the music disrupts or predominates over other activities, or if it could be described as 'background' music.

5.26 In any disputed case, it is for the authority, and ultimately the courts, to consider whether music is 'incidental'.

## 6. Licensing Comments

6.1 Members must determine this application on its individual merits with a view to promoting the licensing objectives. These are:

The prevention of crime and disorder;  
Public safety;  
The prevention of public nuisance; and  
The protection of children from harm.

6.2 The consultation period attracted a total of 14 representations, 12 of which were objections. Once has since been withdrawn, leaving 11 objections in total. The main concerns raised within the representations related to crime and disorder and public nuisance.

6.3 A number of the representations reference the opening hours of nearby premises. For completeness, a copy of the permitted hours of licensable activities of these premises are included as Appendix 8 to this report.

- 6.4 In response to the representations, the applicant asked that a letter, summary, Q&A invite, and police conditions were circulated to the objectors. These are attached as Appendices 2, 5, 6, and 7.
- 6.5 It should be noted that the response to the objectors included a reduction in the hours applied for all licensable activities between Sunday – Thursday in comparison to the original application, and the applicant had stated they would wish for these hours to take effect regardless of whether the objections were withdrawn or not.
- 6.6 The applicant, in their response, also proposed a number of conditions related to the prevention of public nuisance. These were sent to Environmental Health to review who suggested some amendments were made. The applicant wished to make some further changes, and these were returned to Environmental Health for comment. As / when conditions are agreed with Environmental Health, the applicant also wishes for these to be circulated to objectors.
- 6.7 Though they are not yet agreed, a copy of the proposed conditions is available at Appendix 3 of this report. Responsible authorities should, however, try to conclude discussions with the applicant in good time before the hearing.
- 6.8 Members may wish to note that, regardless of any conditions eventually agreed with Environmental Health, the applicant has continued to stress that any music, be it live or recorded, will be at a background level. The Committee may wish to consider whether the provision of music, as described in this case, is either incidental or outside the scope of the circumstances in which entertainment activities are licensable.
- 6.9 In determining the application, the Committee must give weight to:
- The steps that are appropriate to promote the licensing objectives;
  - The representations (including supporting information) presented by all the parties;
  - S182 Guidance; and
  - Its own statement of licensing policy.
- 6.10 Each application must be considered on its own merits.

[Licensing Act 2003](#)

[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

[Cheltenham Borough Council's Licensing Act 2003 Licensing Policy Statement](#)

**Report Author**

**Contact officer:** Mr Jacob Doleman  
**E-mail:** [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)  
**Tel no:** 01242 264135

**Appendix List**

APPENDIX 1 – A copy of the original application.

APPENDIX 2 – A copy of the conditions agreed with Gloucestershire Constabulary.

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New Premises Licence

Premises Details

Premises Address *	4 MONTELLIER WALK CHELTENHAM GLOUCESTERSHIRE GL50 1SD
Telephone number at premises (if any)	
Non-domestic value of premises. *	£ 29250

Applicant Details

I/We 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.

Please state whether you are applying for a premises licence as:	an individual or individuals
--	------------------------------

Applicant Details

If you are applying as a person described in one of the above please confirm: *	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
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Individual Applicant

Title *	Mr
First name *	Aaron
Surname *	Maximen
Street address *	<div></div> <div></div>

## Individual Applicant

Town/City \*

County

Postcode \*

Date of Birth \*



I am 18 years old or over

Nationality \*

Daytime Contact Telephone Number \*

Email \*

## Operating Schedule

When do you want the premises licence to start? \*

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

Please give a general description of the premises. \*

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

## Operating Schedule

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

Provision of regulated entertainment (please read guidance note 2) \*



## Operating Schedule

☐

Plays

☐

Films

☐

Indoor Sporting Events

☐

Boxing or Wrestling

☒

Live Music

☒

Recorded Music

☐

Performances of Dance

☐

Anything of a similar description falling under Music or Dance

☒

Provision of late night refreshment

☒

Supply of Alcohol

## Live Music Standard Times

Standard days and timings, where you intend to use the premises for the performance of live music. (please read guidance note 7) \* Please enter times in 24hr format (HH:MM)

Day \*

Every Day

19:00

00:30

## Live Music

## Live Music

Will the Performance of Live Music take place indoors or outdoors or both? (please read guidance note 3) \*

Indoors

Please provide further details. (please read guidance note 4)

State any seasonal variations for the Performance of Live Music. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the performance of live music at different times from the Standard days and times listed? (please read guidance note 6)

## Recorded Music Standard Times

Standard days and timings, where you intend to use the premises for the performance of recorded music. (please read guidance note 7) \* Please enter times in 24hr format (HH:MM)

Day \*

Every Day

09:00

01:00

## Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 3) \*

Indoors

Please provide further details.(please read guidance note 4)

State any seasonal variations for the playing of recorded music. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the performance of recorded music at different times from the Standard days and times listed? (please read guidance note 6)

## Late Night Refreshment Standard Times

Standard days and timings, where you intend to use the premises for late night refreshment. (please read guidance note 7) \* Please enter times in 24hr format (HH:MM)

Day \*

Every Day

23:00

## Late Night Refreshment Standard Times

## Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 3) \*

Please provide further details. (please read guidance note 4)

State any seasonal variations for the provision of late night refreshment. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for late night refreshment at different times from the Standard days and times listed? (please read guidance note 6)

## Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 7) \*  
Please enter times in 24hr format (HH:MM)

Day \*

## Supply of Alcohol

Will the supply of alcohol be for consumption on premises or off premises or both? (please read guidance note 8) \*

State any seasonal variations for the supply of alcohol. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the supply of alcohol at different times from the Standard days and times listed? (please read guidance note 6)

## Designated Premises Supervisor

## Designated Premises Supervisor

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)

Title *	Mr
First name *	Aaron
Surname *	Maximen
Street address *	<div></div> <div></div> <div></div>
Town/City *	<div></div>
County	
Postcode *	<div></div>
Personal Licence Number (if known)	25/0421/LIPER
Issuing Licensing Authority (if known)	Swindon

## Adult Entertainment

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

## Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) \* Please enter times in 24hr format (HH:MM)

Day *	Every Day
	09:00
	02:00

## Opening Hours

State any seasonal variations. (please read guidance note 5)

New Years Day to close at 05:00

Please state any Non-standard timings, where you intend the premises to be open to the public at different times from the Standard days and times listed? (please read guidance note 6)

## Licensing Objectives

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

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

Extensive policies and procedures for day to day running of the business, well documented to uphold the 4 licensing objectives

b) The prevention of crime and disorder

CCTV - recording 24/7 and saved for 31 days minimum. Door staff on a risk-assessed basis Staff training on responsible alcohol sales Alarm system Reporting, if any, instances of crime and disorder to the police

c) Public safety

Compliance with fire safety regulations Safe and accessible premises Adequate lighting Security - risk assessed basis

d) The prevention of public nuisance

Music inside premises only - not to exceed 80 decibels Ensuring litter cleared promptly and an agreement with a waste management company

e) The protection of children from harm

Children must be accompanied by an adult Alcohol only consumed with food and with parents permission if aged 16 or 17 Challenge 25 Refusals register

## Declarations

Declaration Type \*

Sole Applicant - Individual or Other

## Declarations

I have uploaded a copy of the plan of the premises. I have uploaded a copy of the consent form completed by the individual I wish to be designated premises supervisor, if applicable. I understand 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 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 (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

## Declarations

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.

Signature/Declaration of applicant or applicant's solicitor or other duly authorised agent (see Guidance Note 11 & 12). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

☒ I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

☒ The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Full Name \*

Aaron Maximen

Date \*

14/04/2025

Capacity \*

Authorised Agent

☒ Declaration made

Do you wish to provide alternative correspondence details? \*

No

## Email confirmation

On submission an email confirmation will be sent using the details below

Forename

Aaron

Surname /Company Name

Maximen

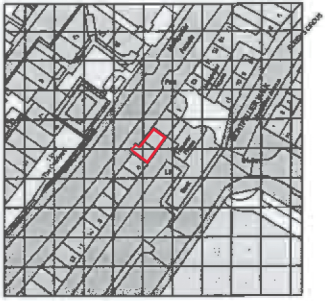
Email \*

[REDACTED]

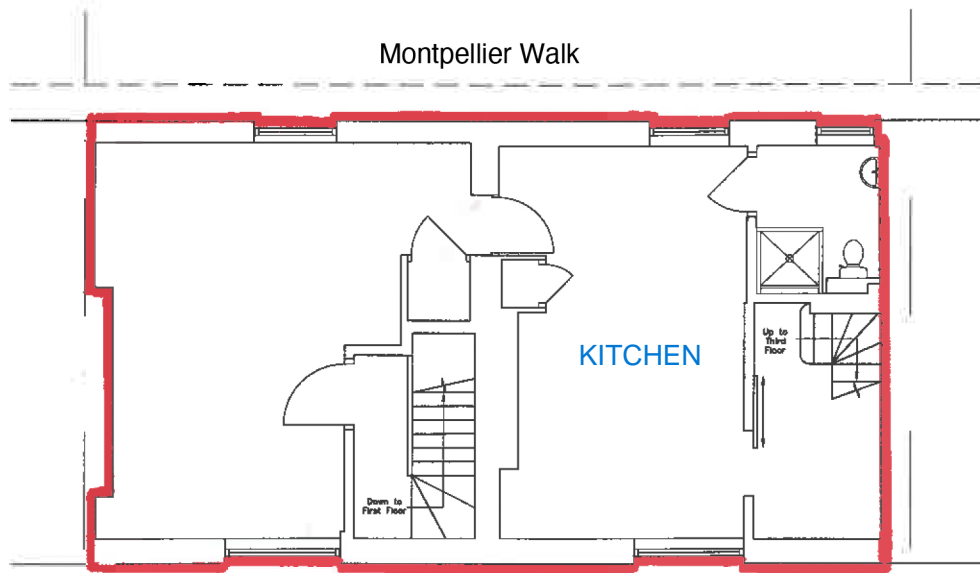
Telephone

[REDACTED]

Scale 1:1250 @A1L

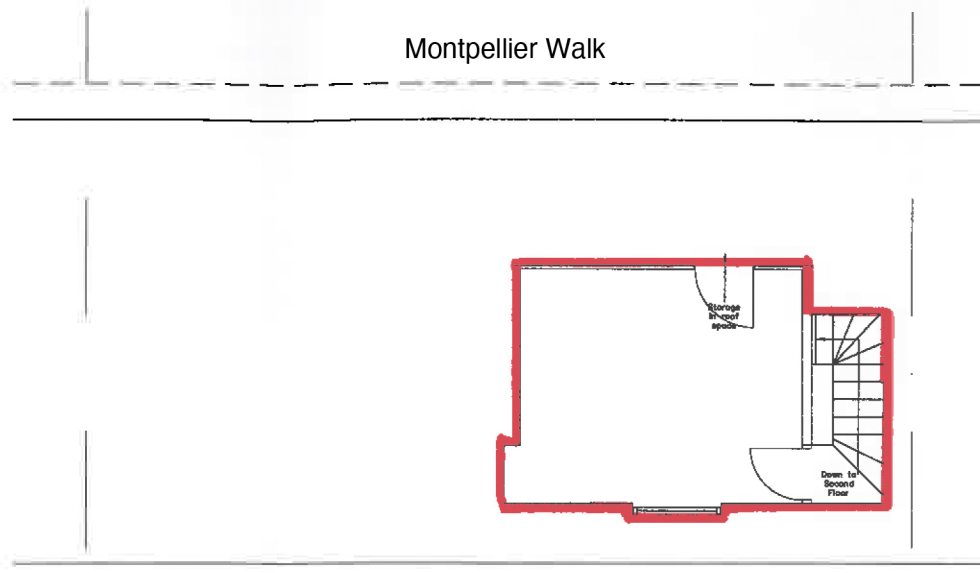


Site Location



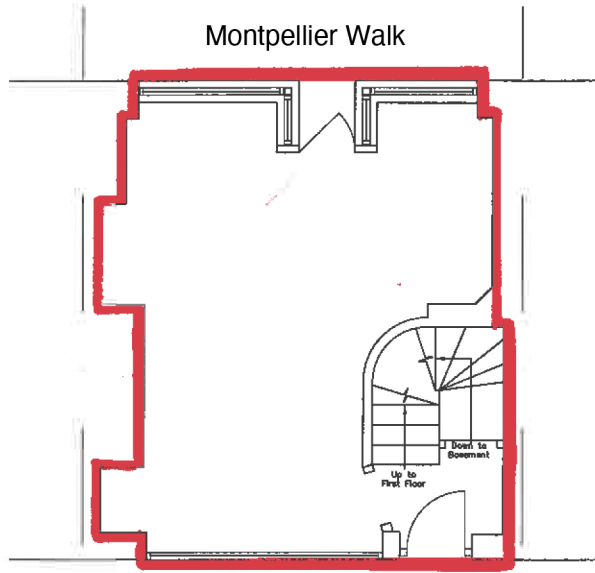
Montpellier Street

SECOND FLOOR



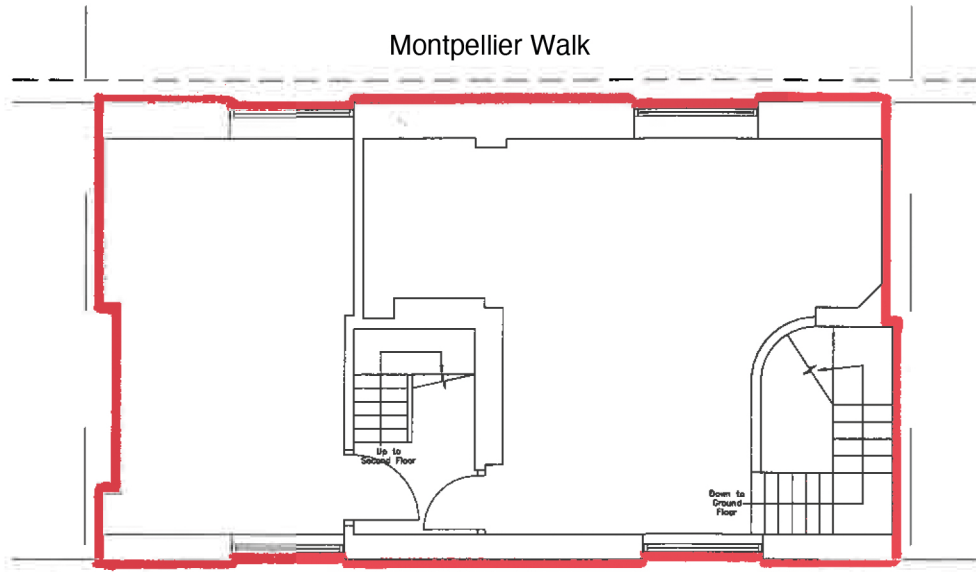
Montpellier Street

THIRD FLOOR



Montpellier Street

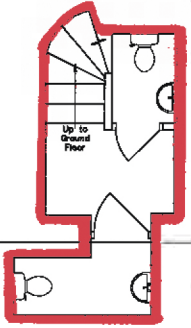
GROUND FLOOR



Montpellier Street

FIRST FLOOR

Montpellier Walk



Montpellier Street

BASEMENT

01452 540116

[gordonwake@blueyonder.co.uk](mailto:gordonwake@blueyonder.co.uk)

**Gordon Wake**

52 Curtis Hayward Drive  
Quedgeley  
Gloucestershire  
GL2 4WL

Paul Plank  
Clouds Hill, Signet, Burford, Oxfordshire, OX18 4JQ

EXISTING FLOOR PLANS  
4 Montpellier Walk, Cheltenham, Gloucestershire GL50 1SD

DWG No.	01	REV:	00
DATE:	24 February 2016	SCALE:	1:50@A1L
DRAWN BY:	GSW		

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## **APPENDIX 2 – A copy of the conditions agreed with Gloucestershire Constabulary**

- a) The premises will operate and enforce a Challenge 25 policy where all persons who appear to be under the age of 25 will be challenged for acceptable identification to prove they are over 18 prior to the purchase of alcohol. The only acceptable forms of identification will be a valid photo driving licence, valid passport or a valid PASS approved proof of age card.
- b) Challenge 25 posters will be displayed at the entrance to the premises, all areas where alcohol is displayed and at the cash till payment area. The posters will be displayed prominently and in the sight of customers and staff.
- c) A CCTV system capable of recording evidential quality images shall be installed and maintained at the premises to the reasonable specification of the Police Licensing Department. CCTV must retain data for a minimum of 31 days and downloaded data to be made available within 48hrs of any lawful request from police or licensing or trading standards or other responsible authority.
- d) There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
- e) Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
- f) There shall be a zero-tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
- g) The designated premises supervisor or other suitably competent person will undertake a risk assessment on an event by event basis. The risk assessment will identify if SIA door supervisors are required and if deemed necessary the rate employed shall be 1 per 50 of occupancy (or part thereof) and subject to a minimum of 2 door supervisors.
- h) Where a trade organisation such as Citysafe, Pubwatch or LVA exists, that the premises become a member, attend meetings and support the objectives and aims of the group.

- i) Customers are not permitted to take open containers of drinks of any description from the premises, save for patrons drinking immediately outside the front of the premises.
- j) The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.
- k) A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 25 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or any authorised authority.
- l) Children under the age of 18 years shall not be allowed on the premises after 20:00 hours unless accompanied by an adult.
- m) A minimum 30 minute 'drinking-up' time shall be provided to allow appropriate dispersal, use of lavatories etc. E.g. if the premises closes at 23:00hrs alcohol sales must stop at 22:30hrs.

## 1. Nature of Operation

The premises shall operate primarily as a food-led restaurant. Alcohol shall only be served to customers seated at tables with a substantial meal, except for those waiting to be seated.

## 2. Music and Entertainment

All music (recorded, live, or DJ) shall be ambient in nature and complementary to a seated dining experience.

No dancefloor shall be provided and the premises shall not operate as a nightclub or vertical drinking establishment.

Performances may include live instrumental music (e.g. saxophone, violin) or DJ sets, but shall remain seated and background-level.

All amplified music shall be played through fixed, ceiling-mounted speakers integrated into the building's infrastructure.

No speakers shall be located in entrance lobbies or outside the premises.

A noise limiter shall be installed and set to ensure music does not exceed 50 decibels within the premises, and is inaudible inside the nearest noise-sensitive premises.

There shall be no externally promoted music events. All music shall be internally managed and incidental to the dining experience.

## 3. Doors and Windows

All external doors and windows shall remain closed after 21:00 hours, except for access and egress.

## 4. Outdoor Areas

No consumption of alcohol shall be permitted in any external area after 22:30 hours.

Staff shall monitor the external areas regularly to prevent noise nuisance or obstruction.

## 5. Entry and Re-entry

A dispersal policy shall be in place to encourage quiet departure of customers late at night.

The condition restricting customer re-entry within 30 minutes of closing is not considered appropriate for a seated restaurant environment. Patrons may briefly exit the premises (e.g., to take a phone call or smoke) and should be permitted to return, provided capacity limits are not exceeded and entry is supervised.

## 6. Customer Conduct and Public Nuisance

Prominent signage shall be displayed requesting customers respect neighbours and leave the premises quietly.

Staff shall regularly monitor the frontage of the premises to manage behaviour and prevent obstruction, particularly for those with limited mobility.

The Designated Premises Supervisor, or a delegated manager, will ensure compliance with all conditions and licensing objectives at all times.

## 7. Notification of Music Events

The applicant requests removal of the requirement to notify the Licensing Authority of each live music or DJ event, given the ambient and incidental nature of performances. However, they are happy to keep Environmental Health informed if any larger private events are planned.

## **Proposed Conditions for 4 Montpellier Walk - Premises Licence**

### **Music and Noise Control**

All music shall be **background only**, designed to complement the seated dining environment. No dancefloor shall be provided, and the premises shall operate in a **seated service format**. All amplified music shall be played through fixed **speakers** integrated into the building's infrastructure only.

Loudspeakers shall not be located in the entrance lobby, [or specify another location if appropriate] or outside the premises.

Except for access and egress to the premises, all doors and windows at the premises shall remain closed after 21:00.

### **Live Entertainment**

Events which include any live music (including DJ events) shall take place no more than 12 times per calendar year. The Environmental Health and Licensing functions of the local authority must be notified no later than 10 working days prior to an event taking place.

Where any regulated entertainment occurs at the premises, the Designated Premises Supervisor, or a person nominated by them, will ensure that noise from such activities is effectively inaudible inside the nearest noise sensitive premises.

Where any regulated entertainment occurs at the premises, the Designated Premises Supervisor, or a person nominated by them, will ensure that noise from such activities is effectively inaudible inside the nearest noise sensitive premises.

### **Hours of Operation**

**Monday to Thursday:** Closing time no later than **12:00 midnight**, with alcohol and music service ending by **11:30 pm**.

**Friday and Saturday:** Closing time no later than **1:00 am**.

**Sunday:** Closing time no later than **10:30 pm**.

There shall be no entry or re-entry, other than staff members, within **30mins of closing time**.

### **Outside Area**

No consumption of alcohol shall be permitted outside the premises after 10:30pm. Customers are not permitted to take open containers of drinks of any description from the premises, save for patrons drinking immediately outside the front of the premises.

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.

Staff shall regularly monitor the external area to prevent nuisance.

## Restaurants

The Montpellier Wine Bar

<b>Wednesday</b>	<b>10 am–11 pm</b>
Thursday	10 am–11 pm
Friday	10 am–12 am
Saturday	10 am–12 am
Sunday	12–10 pm
Monday	4–11 pm
Tuesday	10 am–11 pm

John Gordons

<b>Wednesday</b>	<b>10 am–10 pm</b>
Thursday	10 am–10:30 pm
Friday	10 am–11:45 pm
Saturday	10 am–11:45 pm
Sunday	Closed
Monday	10 am–10 pm
Tuesday	10 am–10 p

Ask

<b>Wednesday</b>	<b>11:30 am–10 pm</b>
Thursday	11:30 am–10 pm
Friday	11:30 am–10 pm
Saturday	11:30 am–11 pm
Sunday	11:30 am–9 pm
Monday	11:30 am–10 pm
Tuesday	11:30 am–10 pm

The Ivy Montpellier Brasserie Cheltenham

<b>Wednesday</b>	<b>8:30 am–11 pm</b>
Thursday	8:30 am–11 pm
Friday	8:30 am–11 pm
Saturday	9 am–11 pm
Sunday	9 am–11 pm

Monday 8:30 am–11 pm

Tuesday 8:30 am–11 pm

Cote

**Wednesday 11:30 am–9 pm**

Thursday 11:30 am–9 pm

Friday 9 am–10 pm

Saturday 9 am–10 pm

Sunday 9 am–8 pm

Monday 11:30 am–9 pm

Tuesday 11:30 am–9 pm

Giggling Squid - Cheltenham

**Wednesday 12–10:30 pm**

Thursday 12–10:30 pm

Friday 12–10:30 pm

Saturday 12–10:30 pm

Sunday 12–10:30 pm

Monday 12–10:30 pm

Tuesday 12–10:30 pm

Gallimores

**Wednesday 12–8:30 pm**

Thursday 12–8:30 pm

Friday 12–8:30 pm

Saturday 10 am–8:30 pm

Sunday 10 am–4 pm

Monday Closed

Tuesday 12–8:30 pm

Chaplais

**Wednesday 7:30 am–11 pm**

Thursday 7:30 am–11 pm

Friday 7:30 am–11 pm

Saturday 7:30 am–11 pm

Sunday 9 am–4 pm

Monday 7:30 am–11 pm

Tuesday 7:30 am–11 pm



## Nightclubs, Bars and Entertainment Venues

Harry Cooks

**Hours:**

**Wednesday 12–11 pm**

Thursday 12 pm–12 am

Friday 10 am–1 am

Saturday 10 am–1 am

Sunday 12–10:30 pm

Monday 12–11 pm

Tuesday 12–11 pm

All Bar One Cheltenham

**Wednesday 10 am–11 pm**

Thursday 10 am–11 pm

Friday 10 am–12 am

Saturday 9 am–1 am

Sunday 9 am–11 pm

Monday 10 am–11 pm

Tuesday 10 am–11 pm

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## **APPENDIX 4 – A copy of the representations received during the consultation period.**

### **Objector #1**

Dear Sir or Madam

As a resident of Montpellier for over 35 years I am opposing Aaron Maximen to open a late night wine bar with live music seven days a week up to 1 am in the morning. This is totally unacceptable and especially on a Sunday. There will be no quiet time for us.

I have lived through past situations with bars with live music in Montpellier and they have all been a problem for us residents. It is very much a residential area both sides of the potential bar in question. A notice should have been put on the other side too!! There are also children under 10 years of age living here. These places have all been trouble in the past, music far too loud, playing far too late, with flashing lights (dangerous for me), breaking their licensing agreements often by going over their licensing hours. Drug dealers frequented here before. Fights have happened on the streets. Broken glass left on the pavements, also customers drinking alcohol beyond their premises. Disabled people in wheelchairs struggling to get by and having to go on the road because they take up the whole of the pavement. (On the Courtyard side). I have watched one wine bar (from my bedroom window into their kitchen) pouring wine from glasses back into bottles to reuse. Police have been involved many a time with these bars because of disruptions. Police have used my property to record and watch events of these wine bars because of such disruptions and illegal drug dealings. I live opposite and have an advantage to see what is taking place. This is not a place for live music every night, attracting drug dealers etc. In the summer they have their windows wide open, so music blasts out, so can be heard a long way away. These places should be kept for the centre of town in one place! Even on a Sunday they are proposing late night live music which is definately not acceptable in a Christian country (supposedly!). I can go on and on with the disruption it will cause.

I live only a few yards from the place and on a personal level it is very detrimental to my health. As an epileptic, I need my sleep, and the vibration from the music (base especially) creates problems for me, Leaving me wanting to pass out and have seizures! I have to stay away from such places, yet to be in my home and have such noise and vibrations imposed on me on purpose again fills me with dread and upsets me greatly! To not be able to get away from a harmful vibration created by an outside noise (music and base) infiltrating into one's home is cruelty and dangerous, if you are sensitive to such issues. I would have no option but to have a formal investigation into the person who allows it to get through and sue them and the council if this gets passed and of course the wine bar. A situation like this is serious for me medically and is a form of abuse if imposed on me - hence I would be able to sue!! Every seizure is potentially life threatening and I have to live with the possibility of one daily, without having extra inflicted abuse on me from external influences.

Why cannot one be allowed to live in peace and quiet, and not have such loud noise imposed upon us and so late at night? I recorded the decibels last time and they were far greater than legally allowed. Thankfully the wine bar in question could not keep going. This commercial property should never have been allowed to change from a shop/cafe to a wine bar in the first place!

Speaking from experience this is such bad news for everyone concerned in Montpellier, especially for residents needing their sleep or if they want to sell their property, as no one will want to buy where there is noise. I would immediately request a reduction in council tax due

to the council knowing the situation, but still allowing it to go ahead. You supposedly serve us, are paid by us, so if unsatisfied with your decision making, we should not be paing for poor service!

I trust you have the sense not to allow this, if you don't want problems to arise for yourself in the future. You will be receiving many complaints and investigations from a higher level. I have to be direct because of the seriousness of problems it will cause, medically and otherwise. I have always had to take things further and much higher (always won) if there is something creating a medical issue for me and this will become a medical issue from experience. It is about one's contacts and ability and I have both!

Please have thought for the welfare of the residents in the vicinity and not just the money earned for the council! We have too many wine bars and restaurants here in Montpellier now. We residents feel unsafe when you have bars working like this so close to where we live. When I first came it was full of shops and banks! Remember there are very young toddlers living a few yards from the place!

I hope you decide wisely for our sake and ultimately yours! Would you want music blaring outside your home til 1 am seven nights a week making you ill?

Yours faithfully

## **Objector #2**

Dear Sir / Madam,

As a resident of the lower part of Bayshill Road (near the junction of Fauconberg Road) I strongly object to the request for any sort of music being played / late opening hours past normal hours. As a mother with 2 children, both of whom are studying for academic exams now and over the next 2 years any interruption to their sleep would be hugely detrimental. My garden is in the direction of Montpellier Walk and so are my children's bedrooms. It is already noisy but as it currently stops at a reasonable time, we can manage. If the music were to extend through to the early hours of the morning, we would be forced to moved out of the house which has been my children's home for nearly 10 years.

I hope you will consider this objection and respond accordingly.

Kindest regards,

---

Hello,

Many thanks for sending your email and the corresponding attachments. After consideration of the attached documents, I uphold my objection to the closing hours of 1am on a Friday and Saturday. Not only will all music be hugely disruptive to all the local neighbours, so is the noise of people talking and leaving too late into the night. I have children and both their bedrooms are on the back of the house. All noise carries, as we can clearly hear the music and noise from 131 and any addition to that as well as such late opening hours will be hugely negative to our family. We are not the only family in the parade. I uphold my objection and would politely request that normal closing hours of 11pm be considered for Friday and Saturday night.

Kindest regards

### Objector #3

It has come to my attention that the bar in Montpellier has applied for licensing to be open until 01.00!

I strongly disagree with these late opening times as it will have a severe impact on my ability to sleep at night at such late hours!!

Hope this will not be granted!

### Representation #4

I don't feel that such late hours are desirable in this location, which is partly a residential neighbourhood, especially as there is likely to be outdoor seating. That said, the Montpellier Walk frontage is less of an issue than the Montpellier Street side which is not really suitable for outdoor seating anyway.

---

I can confirm that the submission is neither supporting nor objecting to the application.

### Objector #5

Hello

I am writing to formally lodge an objection to a current licensing application from Aaron Maximen for a premises licence at 4 Montpellier Walk, Cheltenham, GL50 1SD for supply of alcohol, late night refreshments and live and recorded music.

My sister and I are now the owners of the adjoining property, No 5, which we lease out.

Our concern is around three aspects

1. **The noise.** The noise generated by a bar, especially one with music presents a significant nuisance to our tenant, who is the proprietor of an exclusive jewellery business. Experience from similar ventures at No 4 have made business very difficult at times when trying to deal with clients in what should be a calm and pleasant environment. The noise has been intrusive and not in keeping with the ambiance of his shop. In addition to this, there is a residential tenant occupying the upper floors and we fear the late night drinking and music will be intolerable for him. There is very little we can do to soundproof the property to any great extent given the listed status.

2. **The rubbish.** A cafe/bar generates a lot of rubbish and as has happened previously, we assume the bins will be stored on the pavement to the front of the shops, against the wall of the opposite building. This is unsightly, smelly and attracts rats. All of this is very unpleasant for the whole area.

3. **The disruption.** The location of properties of 4 and 5 is at a point where the street narrows and is more enclosed. The coming and going day and night combined with the noise this generates will without doubt be disruptive particularly for our tenant but also many of the surrounding neighbours

The proposal for the outside decking area in this contained space is also a concern for all the reasons above, noise, disruption and unsightly. I hope you can see that our objection is not based upon theoretical reasons but is founded in very real previous experience.

Montpellier has many bars already, it really doesn't need another one and we strongly believe that at this bottom end of the street in a tiny venue it is simply not suitable I strongly advocate that my longstanding tenant has the right to conduct his business without the inconvenience and nuisance that a music licence and late night alcohol/refreshments licence at No 4 will undoubtedly generate.

I would urge you to please decline this application

Kind regards

### **Objector #6**

Dear Sir/Madam,

I am writing to formally object to the premises licence application submitted by Mr. Aaron Maximen for 4 Montpellier Walk, Cheltenham, GL50 1SD. The application includes the supply of alcohol, late night refreshments, and the provision of live and recorded music.

I am the long-term occupier of the adjacent property at No. 5 Montpellier Walk, where I operate a retail business on the ground floor and maintain a residential flat above. I have held this tenancy for over 20 years.

#### Noise Disturbance

Montpellier Walk is a mixed-use area comprising residential, retail, and hospitality premises. The introduction of further late-night activities, particularly live and recorded music, will result in unacceptable levels of noise pollution. The properties in this location are listed buildings with little to no acoustic insulation or double glazing. The U-shape of the area causes sound to reverberate and amplify, further exacerbating the noise impact. I believe this would severely compromise the quality of life of neighbouring residents, including our tenants, and would likely render our flat unlettable. It would also have a negative impact on the trading conditions of our retail business.

#### Antisocial Behaviour

There have previously been two bars operating at this location, and I can confirm that their presence resulted in regular incidents of antisocial behaviour. We were often left to clean vomit and other waste from the street, which was both distressing and detrimental to the area. Such behaviour typically worsens with extended opening hours and increased alcohol availability. Additionally, the noise and disruption at closing time further disturb local residents. For these reasons, I respectfully urge you to reject this application in the interests of preserving the wellbeing of local residents and maintaining the character and livability of Montpellier Walk.

Yours faithfully,

**Objector #7**

Re Premises Licence applied for on 17th April 2025 by Aaron Maximem

For

4 Montpellier Walk, Cheltenham, GL50 1SD

I would like to strongly object against:

1. The application for the performance of live music up until 00:30 hrs Mon-Sun

And

2. The application of recorded music up until 01:00 hours Mon-Sun

3. The sale of alcohol to 00:30 Mon-Sun

No 4 Montpellier Walk is a very small bar with limited internal space.

In the past as residents we have been subjected to extremely loud music being played after 23:00hrs which because of the size of the premises meant people spilled out onto the pavements and surrounding area adjoining the premises.

Added to that when one of the previous owners decided to advertise on social media the opportunity to purchase drinks at reduced prices the area was inundated with people behaving as if it were a rave event. This was exacerbated by a DJ at the premises playing incredibly loud music from a deck. (The decibel level being higher than that permitted ).

As you can imagine the hostility from local residents was indeed great.

We really do not want a repeat performance of these incidents.

The sale of alcohol until 00:30 Monday-Sunday means that the premises would not close for at least another 30 mins

Surely sale of alcohol until Midnight is long enough ?

Montpellier Walk and surrounding streets are inhabited by many residents, who need to be able to adhere to a sensible sleep pattern in order undertake their daily jobs.

Recorded or live music being played up until 01:00 hours from Monday-Sunday

is just not viable. ( this would mean premises would not close for a possible further 45 mins).

I would also like to object to the fact that as far as I know none of the residents in the surrounding premises to the bar were contacted by anyone about this proposal and in fact it was just sheer luck and the vigilance of one or two people that this notice was brought to our attention.

Surely pinning a piece of paper to a lamp post the outcome of which if the application is granted would inflict untold misery for quite a number of the residence surrounding the premises. Is there no other way that local residence could be informed of these applications when they arise? Leaflets through the door?

Having objected to the above licence application I wish Mr Maximem good luck in his future project and hope that we as residents together with Mr Maximem can work in a civilised manner rather than the antagonistic behaviour of some past owners shown to residents to procure the much needed footfall needed to ensure a profitable business.

**Objector #8 (Withdrawn)**

**Objector #9**

I have seen the notice on 4 Montpellier Walk about their application to you for a licence for the sale of alcohol in the late evening and for the performance of live and recorded music until 1 am in the morning seven days a week.

I hope you will reject this application. If approved the noise would be very disruptive to nearby residents. It is a very small venue and most of the noise would be coming from outside the premises which would be even more disruptive.

No thank you!

**Objector #10**

I am writing to object to part of the extraordinary licensing application for the above premises. In particular I want to draw to your attention the aspect relating to:

- live music to 00:30, 7 days a week and
- recorded music to 01:00 on Monday and Tuesday.

I have lived at 17, Montpellier Terrace for eight years. The area around Montpellier is a mixed retail, entertainment and residential area. I very much enjoy the fact it is a very social area and hosts the Jazz and other festivals with music playing till 22:30. The festivals are very welcome for this reason. The bars and restaurants are an excellent draw to the area and boon to the local economy. Music from the bars along Montpellier Walk has rarely been a problem as it also usually ends around 22:30. Music is clearly heard from the bars such as Harry Cooks, but the management restrict this to about 22:30 at weekends. When Door 4 and The Urban Fox (the previous bars at 4 Montpellier Walk) operated it seemed much louder than Harry Cooks and the sound seemed to travel to our terrace more; it appears to be funnelled out from that corner directly at the residential area of Montpellier Terrace. There were a few occasions when they did have an extended music licenses and I did have to complain about the impact of this: our bedroom faces their bar and sleeping became impossible with the booming base.

On occasions like Race Week there are exceptional extensions, but the standard is that all music ends around 22:30. As such I see no standard justification for music beyond 22:30 and certainly not 7 days per week. A similar issue arises from providing alcohol to 00:30 and 01:00 in an area where there is a lot of residential accommodation.

Regards,

---

Thank you for the response and other information. I appreciate the fuller picture and the fact the applicant has adjusted some of the more extreme aspects of the application and has clarified the business purpose and demonstrated a willingness to compromise.

However, I do not withdraw my objection. The reason for this is that as he describes it as a "primarily a restaurant" and :no intention of operating as a nightclub, bar or similar entertainment venue" yet the hours paradoxically follow those of the latter and not the



former. A simple review of the Restaurants in Montpellier and Nightclubs, Bars and Entertainment Venues makes this clear - see attached file.

As such I would only withdraw my objection if the opening hours were restricted to similar hours to other Restaurants. It would probably, given the views of all the other existing restaurant owners in the area, improve the profitability of the new restaurant. As I visit all of the other restaurants I am also confident that the demand for late night restaurant seats in Montpellier tails off rapidly once you get past 9-10pm.

Finally I welcome his willingness to meet residents but unfortunately I will be away at the proposed time.

Regards

---

Objector #10 (via Cllr Ben Orme)

Firstly, congratulations to Glenn on your election to Gloucestershire County Council. It's a joy to see the back of the Conservative administration after so many years even if it appears to have migrated in some form to Reform UK. Hopefully the LibDems will be able to find a working majority with some combination of the Greens and the much-reduced Labour councillors.

I'm writing to you now to ask for your help in challenging the licensing application for 4 Montpellier Walk (previously Urban Fox and Door 4). As you can see from the attached photos they are asking to be able to sell alcohol and have live or recorded music up to 1am 7 days a week. This is excessive given this is a shared residential and commercial area. It also demonstrates that the applicant has little regard to what is reasonable for a business in this area.

Harry Cooks manages a highly successful commercial business closing at 10:30 and 11 during most of the week and with music and extended hours around the weekend. The manager is careful to restrict the music hours, and has in the past taken care to have the pub doors closed and to meet with residents to discuss how to prevent people from getting a good night's sleep.

I would equally point out how much we enjoy the festivals and events in Montpellier Gardens. All of these have adhered to a 10:30 shut off for events. This works very well.

Having lived on Montpellier Terrace for 8 years we have found the biggest noise problem has come from 4 Montpellier Terrace. The location seems to funnel sound directly toward Montpellier Terrace. I have on previous occasions had to take this up with the prior manager.

Would you please support restricting the license for alcohol and any music closer to 22:30 so that the area can continue to support the many residents that live here. I would also suggest that a good business should not need to sell alcohol so late as has been applied for and demonstrates that the applicant has little interest in reasonable community relations.

I look forward to hearing what action you propose to take with the Licensing Committee which I note no longer benefits from a Lansdown councillor despite Lansdown being a centre for licensed activity.

Regards

**Objector #11**

Dear Sirs,

I'm a resident of 17 Montpellier Terrace Cheltenham and wish to endorse my husband [REDACTED] objections to the above proposed licensing application and add some comments of my own.

I'm outraged by the excessive nature of the application (9am - 12.30am every day for alcohol and 7pm -12.30am everyday live music with a little extra 1/2 hour Monday and Tuesday til 1pm for recorded music! ) This appears to be in total disregard of the mixed nature of the locality. Obviously, there are local pubs, bars and restaurants which host parties, social groups and festival goers and others. However there are also numerous residential flats and houses which are not being considered at all. As i understand it applications should not be blanket applications and this sort of lazy application has a corrosive effect on the mutual respect needed for mixed residential areas to prosper. I hope the applicant can manage a business better than they appear to manage community relations. This is in stark contrast to other businesses, like Harry Cook (on my doorstep, whose manager has given me his mobile and is generally most considerate. I have no similar confidence in either the professional abilities of these applicants or expectation of them exercising reasonable consideration for their neighbours.

Such an application if successful would completely destroy and diminish the nature of this area, Montpellier. Surely resturants and pub businesses can prosper, and people can enjoy a night out, without the need to encourage such excessive drinking and unbridled inconsiderate noise as sought here.

Yours Sincerely,

---

Good afternoon,

Re Applicant Response - Jebou // 25/00948/PRMA

Thanks for your recent update but please note that I am not withdrawing my objection to the proposed application. My objections are below:-

- 50db volume sounds reasonable but please remove "where possible" as this negates the restriction as it is unclear, unenforceable and unnecessary.
- I'm slightly unclear about the nature of the application re music? The application says there will be no live bands yet live music licence is still being requested?
- Opening hours still unreasonably excessive and far too late at night for this mixed residential area. Both on grounds of alcohol consumption and noise. See attachment listing opening hours and restrictions on neighbouring businesses. This is totally out of line with other similar businesses and more appropriate for a nightclub.
- Reasonable to expect the applicants to limit their application to the actual usage required and reapply for special licence if/when special extensions are requested
- I and my husband [REDACTED] cannot attend the public meeting but that won't alter my (our) objections. I (we) still oppose the proposed application. I also support the points made in his objections.

**Objector #12**

Dear Sir

I am writing to register my concern about late night alcohol and music license application at 4 Montpellier Walk.

Whilst I want Montpellier and the local businesses to be successful, I think 00.15 is late enough for any music and noise to cease because it is also a residential area and people need to be able to sleep.

It would be reasonable for this to be restricted to 3 nights a week.

Yours Faithfully

**Representation #13**

Dear Sir/Madame

Thank you for the opportunity to comment on the application for the above. For full transparency I own a business with my husband immediately adjacent to the business premises in question. My husband has responded separately from a residential perspective.

I largely welcome the proposal and look forward to having Jebou as our neighbours. I hope the gentlemen proprietors feel welcome and enjoy the warm spirit of Montpellier.

My concern, which I'm hopeful could be discussed face-to-face (should it arise) is due to noise pollution from the business opening hours. We are closed by 5pm during the day so night time is less problematic for us.

Rats are a significant problem in Montpellier and another restaurant may place additional pressure on this matter. I understand from the proposed licencees that they are working with the Environment Health Agency to mitigate this.

Kind regards,

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I'm not expecting any response. Happy for you to share.

**Objector #14**

Dear Sr/Madam,

I hope this email finds you well. I am writing with regards the application for a premises licence submitted by [Aaron Maximen], located at [4 Montpellier Walk, Cheltenham, GL501SD]. As a resident of the local community, I believe that granting this licence as it stands would significantly and negatively impact our neighbourhood.

There are several reasons for my objection:

Allowing the bar to operate to these late hours, playing either recorded or live music, will inevitably increase noise pollution levels, and I do not believe this is something that is acceptable for every night of the week with the number of residents in this area. The requested hours are not in keeping with the other establishments in the area. Extended

operating hours of this nature often correlate with an increase in anti-social behaviour and public disorder. The presence of intoxicated individuals during the late hours raises concerns about public safety, including potential vandalism, littering, and violent incidents.

I do not feel it would be acceptable to grant such long/late opening hours with the playing of music every night of the week.

Grateful for your consideration of my representation.

Yours sincerely,

Dear Resident

**Re: Response to Objection Regarding Premises Licence Application – 4 montpellier walk**

Thank you very much for taking the time to raise your concerns regarding our application for a Premises Licence at 4 Montpellier walk . We have carefully read your letter and would like to respectfully respond, as well as propose amendments and additional safeguards to address the important points you have raised.

Firstly, we want to reassure you that our business will not be operating as a late-night wine bar, nightclub, or high-volume music venue. Our premises will operate as a **restaurant**, focused on providing high-quality food in a calm, relaxed environment. The **provision of background music** is purely intended to enhance the dining atmosphere — not as a form of live entertainment.

Given your concerns , we are willing to amend our application as follows:

- **Monday to Thursday:** Closing time of **12:00 midnight**, with all licensable activities finishing by **11:30 pm**.
- **Friday and Saturday:** Closing time of **1:00 am** (as originally proposed).
- **Sunday:** Closing time of **10:30 pm**, with all licensable activities ceasing by **10:00 pm**.

Additionally:

- Music will be **background only**, with no live bands, DJs, or amplified bass-heavy music.
- We will ensure that music levels remain well within acceptable noise limits, not exceeding **50 decibels** inside the premises, and we will regularly monitor sound levels.
- Windows and doors will remain **closed** after 9:00 pm to minimise noise escape, except for access and egress.
- No flashing or strobe lighting will be used at any time.
- Signage will be displayed asking customers to leave quietly and respect our residential neighbours.
- No drinks will be allowed outside the premises to prevent street drinking or nuisance.
- We are happy to accept conditions prohibiting vertical drinking (customers standing and drinking) to ensure a seated, restaurant-style operation.

We take the welfare and wellbeing of our neighbours very seriously. We are deeply sorry to hear about the medical issues you face and absolutely recognise how important a peaceful environment is for residents' health and wellbeing. It is absolutely not our intention to cause any disturbance or harm.

We are also committed to maintaining a strict "Challenge 25" policy to prevent underage drinking, and will work closely with local authorities to ensure full compliance with licensing conditions.

We hope these measures demonstrate our sincere intention to operate responsibly and respectfully within the Montpellier community. We would also be happy to meet with residents, either individually or as a group, to further discuss any concerns and explore additional steps we can take to maintain peace and security in the area.

Thank you once again for your comments. We value the input of the local community and are committed to being a positive addition to Montpellier, not a source of disruption.

Yours faithfully,

Aaron Maximen

Dear Sir/Madam,

**Re: Response to Public Representation Regarding Premises Licence Application – 4 montpellier walk**

Following the objection received concerning our application for a Premises Licence under the Licensing Act 2003, we would like to respectfully submit the following clarifications and proposed amendments to our application:

Firstly, we would like to reassure all concerned parties that our premises will operate primarily as a **restaurant**, offering high-quality food in a relaxed dining atmosphere. We have no intention whatsoever of operating as a nightclub, bar, or similar entertainment venue. There will be no large speakers, bass bins, or amplified music systems typically associated with high-volume venues.

In respect of the concerns raised about noise and late-night disturbance, we have reviewed our application and would now propose the following revised hours for licensable activities:

- **Monday to Thursday:** Closing time no later than **12:00 midnight** (with the serving of alcohol and live music ceasing by **11:30 pm**).
- **Friday and Saturday:** Closing time at **1:00 am**.
- **Sunday:** Closing time no later than **11:00 pm**.

Additionally, regarding live and recorded music, we confirm that:

- Music will be **background only**, designed to enhance the dining experience rather than act as a form of entertainment in its own right.
- We will ensure that music levels do not exceed **50 decibels** where possible within the premises, which is comfortably within acceptable ambient noise levels under environmental guidelines.
- Measures will be put in place to prevent any noise escape, including appropriate soundproofing where necessary and regular monitoring of noise levels.

We are wholly committed to being a responsible and considerate operator within the local community. We take the licensing objectives seriously, particularly regarding the prevention of public nuisance.

Should the Council or objecting party wish to discuss these amendments or any additional conditions that might help reassure all parties, we are more than willing to engage cooperatively to find a mutually agreeable solution.

Thank you for considering this response. We trust it clarifies the nature of our intended operation and our commitment to responsible management of the premises.

Yours faithfully,

Aaron Maximen



# Summary of Key Points – 4 Montpellier walk

## 1. Nature of Operation

- **Food-led restaurant**, with alcohol being ancillary to the primary business of serving substantial meals.
- **High-end, seated dining environment** – not a bar, nightclub, or dance venue.
- **No wet-led drinking culture** or high-volume alcohol consumption focus.

## 2. Music and Entertainment

- **Background music only**, using **ceiling-mounted speakers** – no freestanding amplifiers, subwoofers, or bass bins.
- **Occasional ambient DJ events** to enhance the dining experience — with **customers remaining seated**.
- **No live bands**, no dancefloor, and no amplified performances beyond background level.
- **Music limited to 50 dB** maximum (within legal levels) and regulated by a sound limiter device.

## 3. Closing Times and Licensable Activities

- **Monday to Thursday**: Close by **12:00 midnight** (music/alcohol finish by **11:30 pm**).
- **Friday and Saturday**: Close by **1:00 am**.
- **Sunday**: Close by **10:30 pm**.

## 4. Measures to Protect Residential Amenity

- Doors and windows kept **closed after 9:00 pm** (except for access/egress).
- **No outside drinking** permitted after 9:00 pm.
- Clear **customer dispersal policy** and prominent **quiet leaving signage**.
- Staff trained in **noise management** and **customer behaviour control**.

## 5. Commitment to Community

- Willing to work closely with residents and licensing authorities to prevent nuisance.
- Open to accepting enforceable conditions to guarantee responsible operation.
- Intention to **enhance and complement** the character of Montpellier Walk, not disrupt it.

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We are committed to operating a respectful, sophisticated venue that upholds the four licensing objectives and safeguards the wellbeing of nearby residents.

We respectfully request that the Licensing Authority supports our application, subject to the voluntary conditions we have proposed.



Following feedback from the local community regarding our public notice licensing, I want to acknowledge and address the concerns raised about late-night music.

My licensing team recommended that we apply for the latest permitted trading hours in the Montpelier area. This approach ensures that we won't need to reapply if we later decide to adjust our opening days or hours. I want to stress that this establishment is a restaurant, not a nightclub, and any music played on the premises will fully comply with Environmental Health Agency standards.

Please note that our actual operating hours will often be earlier than the licensed limits. Our planned schedule is as follows:

Opening Hours:

- Monday: Closed
- Tuesday: 16:00 – 23:00
- Wednesday: 16:00 – 23:00
- Thursday: 11:00 – 23:00
- Friday: 11:00 – 01:00
- Saturday: 11:00 – 01:00
- Sunday: 11:00 – 20:00

To help build transparency and open communication, I'd like to invite local residents to a Q&A session. This will be a chance to address any questions or concerns, and to share more about the restaurant's concept.

I'll be at All Bar One at 12:00 PM on Monday, 26th May, and would be happy to meet with anyone interested or if you have any further questions you can contact me via email at [3jebou@gmail.com](mailto:3jebou@gmail.com)

Kind Regards  
Aaron Maximen

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## **APPENDIX 8 – A copy of the activities permitted by nearby premises licences referenced by objectors.**

### **Montpellier Wine Bar**

Sale / Supply of Alcohol	Every Day	10:00 – 00:00
Performance of Live Music	Monday – Thursday	10:00 – 23:00
	Friday – Sunday	10:00 – 00:00
Late Nigh Refreshment	Monday – Thursday	23:00 – 00:30
	Friday – Saturday	23:00 – 01:00
	Sunday	23:00 – 00:00

### **John Gordons**

Sale / Supply of Alcohol	Monday – Thursday	08:00 – 01:00
	Friday – Saturday	08:00 – 02:00
	Sunday	08:00 – 00:00
Performance of Live Music	Every Day	12:00 – 00:00
Performance of Recorded Music	Monday – Thursday	08:00 – 01:30
	Friday – Saturday	08:00 – 02:30
	Sunday	08:00 – 00:30

### **Ask Italian**

Sale / Supply of Alcohol	Monday – Saturday	10:00 – 00:00
	Sunday	12:00 – 23:30
Performance of Recorded Music	Monday – Saturday	10:00 – 00:00
	Sunday	12:00 – 23:30
Late Nigh Refreshment	Monday – Saturday	10:00 – 00:00
	Sunday	12:00 – 23:30

### **The Ivy**

Sale / Supply of Alcohol	Every Day	10:00 – 00:00
Performance of Recorded Music	Every Day	08:00 – 00:00
Late Nigh Refreshment	Every Day	23:00 – 00:00

**Cote**

Sale / Supply of Alcohol	Monday – Saturday	10:00 – 00:30
	Sunday	10:00 – 00:30
Performance of Live Music	Monday – Thursday	10:00 – 00:00
	Friday – Saturday	10:00 – 01:00
	Sunday	10:00 – 22:00
Performance of Recorded Music	Monday – Thursday	10:00 – 00:00
	Friday – Saturday	10:00 – 01:00
	Sunday	10:00 – 22:00
Late Night Refreshment	Sunday – Thursday	23:00 – 01:00
	Friday – Saturday	23:00 – 02:00

**Giggling Squid**

Sale / Supply of Alcohol	Monday – Saturday	10:00 – 00:00
	Sunday	12:00 – 23:30

**Gallimores**

Sale / Supply of Alcohol	Every Day	10:00 – 00:00
Late Nigh Refreshment	Every Day	23:00 – 00:00

**Chaplais**

Sale / Supply of Alcohol	Every Day	07:00 – 00:00
Late Nigh Refreshment	Every Day	23:00 – 00:00

**Harry Cook**

Sale / Supply of Alcohol	Sunday – Wednesday	10:00 – 00:00
	Thursday – Saturday	10:00 – 01:00
Exhibition of a Film	Sunday – Wednesday	10:00 – 00:00
	Thursday – Saturday	10:00 – 01:00
Indoor Sporting Event	Sunday – Wednesday	10:00 – 00:00
	Thursday – Saturday	10:00 – 01:00

## Page 55

Performance of Live Music	Sunday – Wednesday	10:00 – 00:00
	Thursday – Saturday	10:00 – 01:00
Late Night Refreshment	Sunday – Wednesday	23:00 – 00:00
	Thursday – Saturday	23:00 – 01:00

### **All Bar One**

Sale / Supply of Alcohol	Sunday – Thursday	09:00 – 01:00
	Friday – Saturday	09:00 – 02:00
Performance of Dance	Sunday – Thursday	09:00 – 01:00
	Friday – Saturday	09:00 – 02:00
Exhibition of a Film	Sunday – Thursday	09:00 – 01:00
	Friday – Saturday	09:00 – 02:00
Indoor Sporting Event	Sunday – Thursday	09:00 – 01:00
	Friday – Saturday	09:00 – 02:00
Performance of Live Music	Sunday – Thursday	09:00 – 01:00
	Friday – Saturday	09:00 – 02:00
Performance of Recorded Music	Sunday – Thursday	09:00 – 01:00
	Friday – Saturday	09:00 – 02:00
Late Night Refreshment	Sunday – Thursday	23:00 – 01:00
	Friday – Saturday	23:00 – 02:00

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