

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

From: robert brookes

Sent: 04 June 2014 22:09

To: Internet - Licensing

Subject: Abdul Mannan, Coffee & Co, 7 Montpellier Terrace

Dear Sirs. I am a director of Suffolk Court Management Co Ltd, landlord of Suffolk Court, Suffolk Place, GL50 2QG which is a property containing 9 flats at the rear of Coffee & Co.

I have been made aware that Mr Mannan has made two applications regarding a change of use and opening hours of the business and a retrospective application regarding the placing of tables and chairs on the public footpath. As the freeholder of a listed property, I am well aware of the restrictions placed upon the owners and tenants of listed properties and am amazed that no planning application appears to have been submitted for either amendment. Consequently; I can only conclude that attempts have been made to short-circuit due process.

I wish to register an objection to each application, firstly that no notices have been sent to properties that would be likely to be affected by the changes of use and hours of business, preventing fair and adequate consultation.

Secondly, in light of recent applications by a national chain of restaurants, Cote, regarding the former Montpellier Brasserie, the applications would need to be considered with regard to potential over-development of the site in this prominent location.

The immediate vicinity is mainly residentially and the extended hours, as proposed, would have a serious impact on the residents of Suffolk Court and neighbouring properties, in particular with regard to the noise nuisance 7 nights per week.

I must urge you to refuse these applications but if you consider that they have merit, they should be deferred until a full planning application can be submitted for due consideration by those likely to be affected, to include the matter of the premises' adequacy for the change of use including any risk to the public and its safety as a late night music/dance venue.

Regards
Robert Brookes
Suffolk Court Management Co Ltd
Suffolk Court
Suffolk Place
Cheltenham
GL50 2QG

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

From: Bob Brookes

Sent: 09 June 2014 15:48

To: Cooper, Phil

Subject: Coffee & Co, 7 Montpellier Terrace

Dear Mr Cooper. I acknowledge receipt of your e-mail sent last Friday afternoon and would like to add my further comments.

I am somewhat disappointed by the comments you have made because had you any knowledge of the site, you would have concluded that up until now there has not been a noise problem (or at least a problem that could be specifically attributed to the coffee shop) primarily because the premises does not have either an alcohol licence or stay open until midnight. The coffee shop has only been trading a short while and prior to that period the property was used as an estate agency and solicitor's office. You will need no imagination to conclude that the application to dramatically change opening hours and the nature of the business will impact on the residents in the locality.

Mention has been made of the size of the amenity and its suitability as a music/dance venue which in itself could be a risk to public safety. Additionally, the matter of waste disposal is also a matter for public safety; despite your believing that this is a matter for the proprietor, there is ample evidence that such establishments (I specifically refer to the Montpellier Brasserie) habitually leave their waste outside the back of the premises overnight. Not only is this a safety risk in obstructing the public footpath but food waste will inevitably attract vermin which poses a Public Health risk.

You have asked me to explain why the granting of an alcohol/ music/dance licence would necessarily indicate a noise nuisance, but I would ask you why it has not been felt necessary to protect the near residents from that risk through a refusal of the licence or a restriction to it. One only has to be by the bandstand in Montpellier Gardens on one of O'Neills' music nights to understand that noise carries several hundred yards. Unwanted noise, whatever its nature, is a nuisance and the public have a right to be protected from it. By contrast, the Thai Brasserie (next door to the Coffee Shop) and Montpellier Brasserie (shortly to become Cote) both had alcohol licences but did not stay open until midnight every night nor are/were they music/dance venues and so were more in keeping with the surrounding properties

Kind regards

Robert Brookes

----- Forwarded message -----

From: **stephanie brookes**
Date: Wed, Jun 4, 2014 at 8:54 PM
Subject: Abdul Mannan, Coffee & Co
To: licensing@cheltenham.gov.uk

Dear Sirs. Quite by chance I saw a notice today in the window of the premises, confirming that Mr Mannan, having traded as a coffee shop for only a short while, has applied for a licence for live music, recorded music, performances of dance and anything similar together with the supply of alcohol seven days a week from 0800 hours to 23.59 hours, with opening hours extended to 00.30.

As a resident of a property facing the rear of the premises, I would have thought it appropriate that notice of such an application would have been sent to any neighbouring property likely to be affected by the application. Today appears to be the last day for representations and except for an accident of fate, this application may have been passed before neighbours would have been aware.

Having raised my concerns over the lack of consideration to the residents of adjacent properties, most of which are listed properties, I wish to register an objection to the granting of such a licence.

Firstly, the premises currently has seating for around 30 covers over two floors and so, in my view, is inappropriate for a music and dance venue.

Secondly, in view of the location, being close to a large number of flats and houses, the noise nuisance potential is unacceptable bearing in mind that the application would allow the venue to be open until 00.30 every night.

Thirdly, the premises is protected by Grade 2 listing and it would seem appropriate for any application for change of use from coffee shop to music/dance venue and/or opening hours should be the subject of a full planning application and that all the neighbouring properties should be properly notified of the application.

Fourthly, the change of use and the extension of opening hours will create a massive increase in the current demand on waste storage facilities for glass and food. I know for certain that no such facility exists at the present for the coffee shop

I would urge you to decline this application, or at the very least make it the subject of a full planning application, including an assessment of the maximum number of persons allowed in the property at any one time.

Yours faithfully
Stephanie Brookes
Suffolk Court
Suffolk Place
GL50 2QG

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

From: stephanie brookes []

Sent: 04 June 2014 21:32

To: Internet - Licensing

Subject: Fwd: Abdul Mannan, Coffee & Co

We have noted that in conjunction with Mr Mannan's application for a music/dance/alcohol licence application, there is a further application appearing on your website for the placing of tables and chairs on the public highway. I wish to object to this application on the following bases:-

This application has been conducted in a surreptitious manner and as it is a retrospective application, has been made because the tables and chairs had previously been installed without consent.

Tables and chairs will, by their presence, obstruct the public highway/footpath risking public safety and should be inhibited and restricted to areas where public safety is assured. In this instance where the location of the premises, at a prominent busy road junction, public safety cannot be assured.

In conjunction with the application for extended opening hours to 00.30 hours every night, there is an increased risk to the public during the hours of darkness in addition to being a distraction or hazard to passing traffic.

For these reasons the application should be refused.

Regards
Stephanie Brookes
Suffolk Court
Suffolk Place
GL50 2QG