

From: [REDACTED]
Sent: 08 September 2020 18:14
To: Internet - Licensing <Licensing@cheltenham.gov.uk>
Cc: [REDACTED]
Subject: 20/01041/PRMA

Hello

We write to object to the above licencing application for number 2 Crescent Terrace.

[REDACTED] and I own number 1 Crescent Terrace and purchased the property 5 years ago, previously it was a bar and had a joint licence to serve alcohol with number 2, which we can only assume is the variation of licence that is referred to in the application. When we bought the property there were a number of outstanding complaints due to the public nuisance act 1.3 plus a number of conservation enforcement orders on the property.

We applied for consent to turn the commercial property back into a dwelling which was granted immediately and we have lived in town very happily since. About three years ago there was an attempt to gain a licence for a noodle and wine bar at number 2 which we were informed about, we immediately contacted the council to understand the application further and after some time it was withdrawn due to health and safety concerns as there are no fire escapes at number two as it's a contained courtyard at the rear of the property and the only access is out to the front of the property.


We object under section 1.3 of the licencing acts – for the following reasons and urge you to decline this permission.

- Number 1 is our home, granted by the council as a change of use and having a bar next door serving alcohol until 1 am every day is a risk in increasing crime and disorder and public nuisance, the outside space is very limited and as we all know people will gather at the front and back of the property smoking and drinking alcohol, we work full time and clearly the noise that will be created by having a bar next door will simply make our position untenable to live in town which the council have encouraged.
- Public safety is a real concern, what if there is a fire, where are people going to go for their escape – we have bedrooms at the front and back of our property so this is a massive concern for us and our family, we would like to understand what risk assessments have been carried out by the relevant experts and frankly we are astonished it has managed to get this far.
- People coming and going into the only access which is a few metres away from our front door is bound to create a public nuisance – we will no doubt have people sat on our front steps and leaning on our front railings drinking alcohol whilst we are trying to get some sleep before we get up at 6am for work and the same at the rear of the property where our children sleep.
- As with most other premises serving alcohol there tends to be anti-social behaviour, this will be outside our property and runs the risk of law enforcement needs as was experienced when the property previously had a licence and all of the neighbours were delighted when we turned number 1 into a dwelling, including the commercial properties.

Currently there is a café (The Terrace) at this location, this works well for the area and serves the local trades, residents and visitors.

We hope that common sense prevails here and that this application is rejected, we look forward to your response and next steps.

Kind regards


1 Crescent Terrace
Cheltenham
GL50 3PE

Questions and feedback raised 16 September 2020

Can you please confirm the actual hours they are requesting, is this to 2am in the morning for December and New Years Eve?

When we did the review for the application for Number 3 restaurant on 12 Royal Crescent originally the applicant requested a 2 am licence but this was then declined and amended to 11am – have the police approved the current request of 1am for number 2 Crescent Terrace?

Also can we have some feedback please on the health and safety questions we raised, previously the request for a wine bar / noodle bar was withdrawn due to no fire escapes – clearly this is a major concern for us as we live next door

Response from Senior Licensing Officer – 16 September 2020

They are asking for a potential 2 am terminal hour for alcohol sales and for hot drinks and food to be provided (this would usually be utilised for tea/ coffees only) until 2.30 am. They have to close at 2.30 am in any event. These additional hours could only be used in the month of December and New Year's Eve into New Year's Day. Their standard hours would 1 am and 1.30 am respectively.

The situation with the other application was different, in that the applicant requested one licensable activity to finish beyond the planned closing time. This was corrected by him, once we highlighted the error.

The situation with fire safety now is a bit different than previously. The Fire Service are sent a copy of all applications and are at liberty to comment. However, they are usually more reliant on looking at the fire risk assessment for the premises and using their own powers to deal with any concerns.

However, I am happy to flag up your specific concerns with them, if you wish?

With respect to health and safety concerns generally, Environmental Health are sent all applications, and they have not objected to the application. However, they have provided advice to the applicant. Again for similar reasons to the Fire Authority, they would use their own powers to deal with concerns rather than objecting through the application process.

Further comments received 8 October 2020 –

We have been advised by a neighbour that the licensing notice is not being displayed at all times, only when the cafe is open and they had no idea of the application - clearly this contravenes the rules as we understand them.

Below is a photo of when its open and closed, surely if the notice has not been properly displayed the process has not been adhered too which is set out in your policy.



Response from Senior Licensing Officer – 9 October 2020 –

Thank you for your email.

As I understand it, from lengthy discussions with the applicant, the blue notice is displayed in the window of the premises at all times and as an additional measure on the railings at ground level, when the café is open.

The notice in the window is compliant with the regulations. It was agreed with the applicant that as an additional measure the notice would be displayed on the railings whilst the café was open.

Please come back to me if the notice in the basement window is not still on display.

Final comments from objector received 9 October 2020

I had a look and there is a notice in the window but the trouble. Is its not very clear from the pavement and our neighbour clearly never saw it