

Cheltenham Borough Council

Full Licensing Committee

Minutes

Meeting date: 3 June 2026

Meeting time: 18:00 – 19:10

In attendance:

Councillors:

Councillor Angie Boyes (Vice-Chair), Councillor Barbara Clark, Councillor Cathy Dearden, Councillor Cecily Henderson, Councillor Dr Helen Pemberton, Councillor Karen Priest, Councillor Julie Sankey, Councillor Dr Steve Steinhardt and Councillor Simon Wheeler (Chair)

Also in attendance:

Vikki Fennell (Senior Lawyer, One Legal), Michelle Bignell (Licensing and Public Protection Manager) and Craig Daly (Licensing Officer)

1 Apologies

Apologies were received from Councillor Joy.

2 Declarations of interest

There were none.

3 Public questions

There were none.

4 Minutes of the previous meetings

The minutes of the previous meetings were approved.

5 Application for a Street Trading Consent

The Licensing officer introduced the report as published.

There were no Member questions for the Licensing Officer. The applicant had no questions for the Licensing Officer, however did clarify that the site would not be selling cans of beer but would be selling 12oz alcoholic milk shakes.

The applicant addressed the committee and made the following points:

- He had previously had a premises in Montpellier but with business rates and other costs it was not financially viable.
- At the pre application stage he was only going to put in for permission for 6 months and was then advised to apply for 12 months as even though they don't intend to trade for 12 months, they thought that it might be beneficial to apply for 12 months for flexibility.
- With regard to fumes that the generator will produce, he stated that he could argue that there is no traffic management in the area. He compared it to having someone smoking in a green space.
- He stated that people would not be sitting next to the generator. A battery powered generator would have cost the applicant £15,000 which would be the equivalent of 3 years profit for the business.
- There are other businesses in the area that create noise on a constant basis.

Members then asked the applicant questions, the responses were as follows:

- The applicant stated that he had recently been looking at a HDO generator, this was not included in the application as he had been looking at them since the application had been made. The Chair took the opportunity to explain to the applicant that the committee could only consider what was on the application in front of them.
- The decibels figures that were being quoted by the applicant were from the manufacturers details, it will be a brand new unit that he purchases.
- The generator will be pointing towards the road rather than the park so any fumes will be pointed towards the road. The applicant acknowledged that a generator is a constant noise.

The Chair took the opportunity to explain to the applicant that the committee need a good reason to deviate from policy and the recommendation of the environmental protection team to refuse the application.

The applicant was then given the final right of reply, he stated:

- That they are an independent business where people like the product.
- It is offering something different to other places in the area, and what they provide is for people of all ages.
- It is a nice design logo etc and it will be a nice addition to the area.

A supporter of the application then spoke in support of the application stating that the applicant has agreed to make a special milkshake to raise money in support of Katie Prices son. He thinks that the premises will do a lot for the community and that for the committee to refuse would give the wrong message.

The meeting was then adjourned for the decision to be made.

After the adjournment the Legal Officer delivered the decision to the applicant as follows:

The decision of the sub-committee is to refuse the application because it does not comply with the provisions detailed in the street trading policy.

The reasons for the decision are as follows:

The Committee must promote the adopted policy whilst taking into account the merits of the case.

The Committee is unsure, based on what they have seen and read if it is in keeping with town scape, however the committee is further unsure it fits in with the conservation area assessment in the policy.

The Committee deem that it does fit with policy in that there is an unobstructed highway,

However, the serious concern for the members of the committee is the objection from Environmental Protection, the experts in this field.

The Council's policy states no mobile generators.

The Council has declared a climate emergency whereby it is trying to reduce emissions and become carbon neutral in 4 years. By approving this application would be a step back for the council.

With regards to local premises and homes that are surrounding the area, the council needs to think of the persistent and continuous noise and odour and it could constitute a public nuisance.

The committee wants to promote independent businesses and they think the idea is great but further work and research needs to be undertaken before it can look at another application from this applicant in this application.

The environmental impact is too great, the committee doesn't see any mitigating factors to deviate from policy on this occasion.

6 Briefing Note

The Licensing and Public Protection Manager introduced the briefing note. She made particular reference to the work done on the granting of the Purple Flag and gave thanks to the people involved in the cross working, with particular thanks to Kelly Patterson for her work.

7 Any other items the Chairman determines urgent and requires a decision

The Licensing and Public Protection Manager updated the committee on the recent campaign work that the team had been carrying out with regards to unlicensed A boards in the BID area. The Licensing team are working with the cabinet member and the BID to work on the public realm strategy. Three Members volunteered to take part in a working group, Cllrs Wheeler, Boyes and Dearden.

8 Date of next meeting

The next licensing committee will be the Licensing Sub Committee Miscellaneous and will be held on the 8th July 2026.