

# Cheltenham Borough Council Full Licensing Committee

**Meeting date:** 3 June 2026

**Meeting time:** 6.00 pm

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

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## **Membership:**

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

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**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 Apologies**

## **2 Declarations of interest**

## **3 Public questions**

These must be received no later than 12 noon on the fifth working day before the date of the meeting

## **4 Minutes of the previous meetings (Pages 5 - 30)**

To approve the minutes of the Full Committee held on 4<sup>th</sup> March.

To approve the minutes of the Alcohol and Gambling Committee held on 9<sup>th</sup> December and the 5<sup>th</sup> March.

To approve the minutes of the Miscellaneous Committee held on 4<sup>th</sup> February and 15<sup>th</sup> April.

## **5 Application for a Street Trading Consent (Pages 31 - 62)**

## **6 Briefing Note (Pages 63 - 68)**

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

## **8 Date of next meeting**

The next Licensing Miscellaneous committee is the 8<sup>th</sup> July 2026.

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# Cheltenham Borough Council

## Full Licensing Committee

### Minutes

**Meeting date:** 4 March 2026

**Meeting time:** 5.00 pm - 7.30 pm

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**In attendance:**

**Councillors:**

Councillor Dr David Willingham, Councillor Angie Boyes (Vice-Chair), Councillor Dilys Barrell, Councillor Steve Harvey, Councillor Tabi Joy, Councillor Dr Helen Pemberton, Councillor Julie Sankey, Councillor Dr Steve Steinhardt and Councillor Barbara Clark

**Also in attendance:**

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

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#### **1 Apologies**

Apologies were received from Councillor Wheeler.

#### **2 Declarations of interest**

There were none.

The committee praised the Licensing Team for their work on a recent case involving a driver that had been appealed at the Magistrates Court and then the Crown Court. The case had been found in the Councils favour and the Council were awarded £4180 in costs.

#### **3 Public questions**

There were none.

#### **4 Minutes of the previous meeting**

All minutes were approved unanimously.

#### **5 Local Government Act 1972**

The Chair read the following statement:

That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 1 and 2, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual

Paragraph 2; Information which is likely to reveal the identity of an individual

Approved unanimously and the meeting entered exempt session.

#### **6 Review of a hackney carriage driver's licence**

The Licensing Officer introduced the report as published.

Members asked the officer questions, the responses are as follows:

- There were two distinct incidents of noncompliance in the same day, therefore two strikes would be issued separately.
- It is made clear to drivers that they have to declare convictions and they have to sign to say they have read the policy, which is where this information is.

The response to the driver question to the officer was that the two incidents that were on the same day were on the 21<sup>st</sup> October 2025, one was being parked on a taxi rank and the other being that the vehicle had no top light.

The driver addressed the committee and stated that he was sorry and the he hadn't had to attend a committee before.

His responses to Member questions were as follows:

- He had dropped his passengers on the road and was not displaying his top light as was doing a job for Uber at the time.
- He was driving on the motorway and took the light off before he started driving on the motorway.
- He stated that he came on the motorway from Bristol and when he was near Junction 12 he saw a job from Uber and collected the passengers without stopping to put the top light back on the vehicle..
- The right side of the road that he was seen on is the rank and on the other side of the road is closed, which is why he used the rank.
- He explained that he knew that he wasn't allowed to park in the rank.

- He stated that when he got the points on his licence on 26<sup>th</sup> September 2024 (which were for speeding on the motorway) he asked his son to contact the Council and he didn't, he was aware that this was a problem and he did declare them 18 months later when he reapplied.

The licensing officer at this point explained to the committee that although the driver did ask for an interpreter it is not something that the Council would provide and order for a driver deemed to be fit and proper there is an English proficiency test so it is assumed the driver would have basic knowledge to be able to understand but there is nothing to stop him bringing someone to the committee to help him with the proceedings.

- He didn't bring anyone with him to the committee to act as an interpreter as he was too ashamed, his daughter could not attend due to fasting and his son could not attend, he has tried to sort it out himself.

The licensing officer explained that a vehicle once it is licensed should always have the top light and plate on and should always be compliant.

- He explained that he thought that his son had sent an email explaining about the points as he had asked him to, this was not the case and as he thought that his son had done it for him he didn't need to do it himself.

The Licensing officer explained to the committee that they do not have to be informed of any incidents electronically, a person can come into the offices to complete the relevant paperwork, so lack of access to email should not be a problem.

The driver was then given the final right to reply where he stated the following:

- He asked that the committee would be lenient as this is the first time he has had to appear at a committee.
- He apologised and stated that he would be more careful in the future.
- He is trying his best and his only income is as a taxi driver, he is 54 and has not done any other job.

The committee adjourned to make their decision.

The committee returned and the Chair gave the decision as follows:

*The committee stated that the starting point for a matter like this is a written warning and a requirement for the driver to undertake a driver interview to go through the reasoning with him and explain what is expected of him going forward as a private hire driver.*

*The committee stated that this decision was a proportionate one given the circumstances. The driver has done wrong, he will be given a warning and the committee deemed the further interview would be the correct action to make him more fit and proper.*

*The committee agreed that it was happy to renew his private hire driver licence due to expire tomorrow.*

*The committee advised him to bring someone with him to the interview to help him interpret at the interview*

*The fact that he failed to display his top light, stopped on rank and failed to declare, are all things he should have known.*

*The point was made to the driver that it is more embarrassing for the driver to lose his licence than have someone with him at interview who could assist him. The committee reminded the driver that after the interview if he comes before the committee again it is likely to be a more serious outcome but the committee is not fettering its discretion.*

### **7 Review of a Hackney Carriage Driver's Licence**

The Licensing Officer introduced the report as published.

After Member and driver questions to the officer, and the driver and his solicitor addressing the committee and then answering Member questions, the committee adjourned to debate the matter and made their decision.

After the adjournment the Chair delivered the committees decision as follows: The committee takes the Equality Act very seriously and financial safeguarding of the general public so to take no action is not suitable.

The Committee consider revocation would be too excessive based on the information before the committee, and the insufficient evidence suggests suspension is not an option for the committee at this time.

Therefore the unanimous decision of the committee was that

A written warning would be given and this would be passed on to integrated transport

The Committee delegated to the licensing team a suitable course at the drivers expense to suit the issues in the case around financial safeguarding and for the driver to re do the safeguarding course again at his own expense which would cover the issues raised in relation to the Equality Act. The committee stated that both of these tests were to be undertaken within 3 months – and all certificates to handed into licensing team.

The driver was reminded of his right of appeal to the local magistrates court within 21 days of the decision.

### **8 Any other items the Chairman determines urgent and requires a decision**

There were none.

**9 Date of next meeting**

Next meeting of the Full Committee 3<sup>rd</sup> June 2026.

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# **Cheltenham Borough Council Licensing Sub Committee-Alcohol and Gambling Minutes**

**Meeting date:** 9 December 2025

**Meeting time:** 6.00 pm – 6.55pm

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**In attendance:**

**Councillors:**

Dilys Barrell, Dr Helen Pemberton and Simon Wheeler

**Also in attendance:**

Vikki Fennell (Senior Lawyer, One Legal) and Jacob Doleman (Licensing Officer)

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## **1 Election of Chair**

Councillor Wheeler was elected as chair prior to the meeting.

## **2 Declarations of interest**

There were none.

## **3 Determination of a New Application for a Premises Licence**

The Licensing Officer introduced the report as published.

The matter then went to Member questions, the responses were as follows:

- There has been no response from the responsible authorities.
- There is a CBC Public Space Protection Order which includes Imperial Gardens and The Promenade it is the method of control that the police have to prevent drinking in public spaces.

- Although some of the objectors mentioned that other premises don't have such long hours, the other Tesco Express stores have the same hours and there are other premises in the area that have similar hours.

The Applicant had no questions for the officer.

The Applicant addressed the committee and made the following points:

- Tesco intend to open the store in February 2026.
- It is a well-known brand with five stores already in the Cheltenham area, one that is the superstore format – on Tewkesbury Road and 4 express stores.
- The store will carry a limited range to cater for the area.
- Tesco don't sell white ciders or higher strength products in the express stores – the type of alcohol they sell is geared to what the demand is in the area.
- Licensing solicitor for Tesco deals with the problems in the local stores and hasn't been to the Cheltenham committee for some years.
- When the store is looking for staff there will be a QR code at the front of the store for preferential treatment during recruitment of people who live in the area.
- When the store opens there will be a mix of new staff and experienced staff.
- Tesco take pride in being a good neighbour, and will be happy to join any schemes – they are part of the radio link with the existing stores, this means that they are notified of any potential trouble occurring in the other stores.
- Tesco have raised over £120k to fund 63 projects across the town.
- Tesco enjoy a good relationship with the statutory authorities.
- The applicant supports a community alcohol project that they work with closely to give young people diversionary activities and steer them away from alcohol.
- They offer British Institute of Innkeepers training and they have been praised for the training that they offer, the training is renewed every 6 months.
- Security training is also carried out, they operate a challenge 25 policy and will only accept home office approved ID.
- Their policy is not to serve alcohol to someone who is drunk and will support cashiers with any problems.
- If there is a group of young people attempting to buy alcohol all in the group will be asked for ID.
- As an employer they empower and encourage colleagues to make the right decision and they are encouraged to do so.
- Security in the store is linked to a hub where operators watch the CCTV and they will then send any details to the police to deal with.
- Spirits that are for sale are kept behind the checkouts, teams wear headsets and body cams.
- The door has the facility to see who is coming into the store to let people in first thing in the morning and last thing at night, the doors will not be permanently open.
- Managers are empowered to shut the stores if there is a need to.

- Tesco has an in-house licensing team to look after the stores if they have any queries on licensing.
- The stores are regularly tested On Think 25.
- The stores carefully pick the range to what is required locally.
- Advertised promotions may not be in the smaller stores.
- Tesco operate nationally set pricing.
- The application for late night refreshment is for a costa coffee machine, if money is going through a checkout then a licence is required.
- There have been no other issues with the other Tesco stores in Cheltenham.
- If the hours that they have applied for don't work then there will be a change in hours.
- There seems to be a fear of the store causing a noise issue, the store will be on a busy high street, alcohol won't be served to people who cause anti-social behaviour.
- There have been no objections from the police and the committee should draw the appropriate weight from that, they would have suggested conditions if they wanted them.
- There has been a problem with rough sleepers at the other branches and Tesco have worked with the council to move people on.
- There will be litter bins that they will be responsible for emptying, there is no problem with the one in town so no reason to think that there would be here.
- Waste is removed from the site when the deliveries are made.
- The hours they are applying for would look to be the licensed hours, they want to offer the whole offering all the time with no limitation on alcohol.

The matter then went to Member questions, the responses were as follows:

- The applicant confirmed that a late night refreshment licence is needed for the hours that they are asking so that the sales from the coffee machine can go through the till.
- Between 11pm and midnight customers will be able to buy anything that they want with the coffee.
- There is a separate regime that will cover objects on the highway, the installation of litter bins will need to be covered by officers and Tesco. Officers confirmed that they are happy to take that up with the applicant.
- With regard to the licensing hours the policy allows the sale of alcohol from 9-11 Members need to have good reason to deviate, it seems churlish to refuse when pubs and clubs are in the area.
- The licensing hours will match the trading hours. Shift workers buy alcohol when they finish work, it's their evening not their morning. The store is not an off licence, the majority of goods that they sell are not alcohol, a very small amount of their sales are alcohol.

The applicant was then given the final right of reply as follows:

They had given quite a thorough brief and hoped that they had demonstrated they are a trust worthy operator and that they have demonstrated the practices they have in place.

Officers and the applicant left the Chamber to enable the committee and the legal officer to make their decision. When the applicant returned the Legal Officer read the decision as follows:

### **DECISION**

At the hearing the Sub-Committee heard from a representative for the Applicant and the Licensing Officer.

The committee was convened as a result of two objections being received by the local authority from other persons.

No representations were received from any of the Responsible Authorities.

All relevant written submissions have been considered.

### **Legal Matters**

The Sub-Committee had due regard to:-

1. The provisions of the Licensing Act 2003 which confer the powers of the Licensing Authority to deal with the application.
2. The obligation to promote the four licensing objectives.
3. The relevant sections of the Council's Statement of Licensing Policy and Statutory Guidance.

The Licensing Sub-Committee considered that it must carry out its functions with a view to promoting the four licensing objectives, as set out in Section 4(2) of the 2003 Act.

### **Decision of the committee**

To grant the licence as applied for.

The sub-committee can see no reason not to grant the licence.

- Tesco is a huge business with other similar stores in the town where there has been no evidence that any of the other stores have been associated with any anti-social behaviour and there is no evidence to show that this store will be any different.
- Furthermore neither of the responsible authorities namely the constabulary who are the specialist in relation to crime and disorder nor Environmental health who specialise in noise and public nuisance have objected to the application.
- Furthermore the committee are reminded that there is a public space protection order within the area so any issues of drinking in the street can be dealt with speedily.

- The sub-committee were happy with the litter proposals put forward by the applicant and are confident that Tesco have sufficient policies to cover most eventualities.

**Appeal**

All parties are reminded that there are rights of appeal against this the Licensing Authority's decision pursuant to Section 181 of and Schedule 5 to the Licensing Act 2003. An appeal must be made to the Magistrates' Court and commenced within 21 days of notification of the Authority's decision.

All parties are also reminded that should there be any issues once the store is open there is a right of review

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

There were none.

Meeting concluded at 18.55.

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# Cheltenham Borough Council Licensing Sub Committee-Alcohol and Gambling Minutes

**Meeting date:** 5 March 2026

**Meeting time:** 18:00 – 21:00

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**In attendance:**

**Councillors:**

Tabi Joy, Julie Sankey and Dr David Willingham

**Also in attendance:**

Vikki Fennell (Senior Lawyer, One Legal) and Craig Daly (Licensing Officer), Jake Johnston (Senior Licensing Officer)

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## **1 Election of Chair**

Councillor Willingham was elected as Chair of the committee.

## **2 Apologies**

There were none.

## **3 Declarations of interest**

There were none.

## **4 Determination of a New Application for a Premises Licence**

The Licensing Officer introduced the report as published.

The responses to Member questions were as follows:

- There is nothing that the committee can do about parking, there has been nothing received from highways and they are the responsible authority, this would be a planning consideration not a licensing one.
- There were no breaches last year and any breach can be subject to a review. The Environmental Health officer confirmed that there were no breaches last year and if there had been they would have been dealt with in line with the Councils enforcement policy.
- Environmental Health officers will be at the festival for all 4 days throughout the evening and at night. Noise from the camping is not a licensing issue. The hope is that if there are any problems with the noise from the camp site the onsite security team will deal with it.
- There is a property on the border with the site that is being renovated, the people who are renovating are a family with children who are living on the site in a shepherds hut, there was concern that they will be disturbed, the property is on Southam Lane. Environmental Health officers confirmed that any nuisance complaint would be dealt with like any other and Southam Lane falls under Tewkesbury Borough Council so it would be them that the complaint would need to go to.
- One of the objectors stated that they thought the stage should be at the other end of the field.

One of the objectors asked the Licensing Officer to clarify the hours, they clarified that it is a 4 day festival and there was adjustment needed on the wording of the licence.

There were no questions for the Licensing Officer from the applicant.

The objectors were then asked to address the committee, their comments were as follows:

- From evidence gathered there were nuisance complaints in 2024. This included excessive and intrusive noise
- There were noise vibrations felt in people's houses.
- Residents could not enjoy their homes or gardens over the time of the festival.
- Noise travelled miles from the racecourse. It could even be heard in Woodmancote
- The increase in capacity and the proposed higher levels of noise are an unacceptable increase.
- The extension of the 4<sup>th</sup> day is likely to cause more upset to the local residents.
- It was suggested that moving the stage and enhanced noise monitoring would be a move forward.
- There was a worry that increasing the number of people will lead to wild camping in the area.
- The proposed increase in numbers will lead to more people in the area which will lead to more congestion.

- There has been no engagement with the Liberal MP for the area by the applicant
- There was a concern raised about the times that the festival has applied for.
- Even with the sound levels being set at 55 dbas on the Thursday the noise will be heard in his backyard and the noise travels.
- It was accepted that the noise levels were better last year,
- In his experience the noise levels will raise throughout the day.
- Artists will perform as close to the limit as they can.
- There was thanks given to the organisers and the teams at the Council for their efforts to reduce the impact on the community.
- There was further acknowledgement that the 2025 festival noise levels had been much better than the 2024 festival, although this could have been down to wind direction.
- In the application it refers to the sale of alcohol until 5 am, the festival states that it is a family festival, the sale of alcohol that late is not in line with it being a family festival.
- An increase in capacity of 50% seems large.
- With regard to the layout it looks like the stage has moved a lot closer to the residential areas not where it was in 2025.
- The layout should be changed and the stage and camping areas should be moved to non-residential areas.
- The organisers seem to want to benefit commercially and not pay heed to the nuisance.
- There was gratitude to the teams at both CBC and TBC for the plan that they have in place to monitor the noise levels.
- As the festival in 2025 was a better experience for residents the need for raising the sound levels risking further disturbance, noise intrusion and more complaints is not understood.
- Another objector spoke about his partners poor health and the degree of discomfort she faces every day, and his concerns with regard to the increased sound levels proposed and the distress it would cause.

The applicants solicitor then addressed the committee, and made the following points:

- The applicant has a different position to present. They are not here to be awkward, but to present their case, they will say things that don't align, the engagement with the community, their commitment to continue to engage, dialogues will continue come what may
- It is a legitimate application, the complaints are unfair.
- The comment that they have not engaged with the Liberal MP is false, they have engaged with him, the diary was challenging but a date has now been agreed
- The festival won best family festival of the year 2025, although there was acknowledgement that it might not be for every family.

- Environmental Health has submitted a comprehensive submission and they are the leading authority on noise, they are the guardians of the policy, the experts. The idea that they were not fulfilling their functions is not right
- Increasing capacity will not adversely affect the licensing objective.
- No one is saying any other objective is engaged. A stepped approach is being proposed and there was pre-app consultation with the responsible authorities before submission of the application
- One can infer from absence of a representation that there is positive affirmation that the application is legitimate. Absence a representation the application must be granted automatically
- Environmental Health have not raised any objections, in fact they have been positive in their support.
- Adding Thursday to the licence and the proposed noise amendments will not undermine the licensing objective. To say otherwise would be stating that the Council's own Environmental Health officer is wrong
- The suggestion that they had breached the licence was not true. They had received 15 complaints previously but they were not in breach and no limits were exceeded.
- 65 decibels is the national standard that protects public nuisance, the applicant stated that they do not want to cause public nuisance and they will monitor and supervise and control the noise.
- There should be no problem with wild camping as there will be plenty of camping on the site.
- They don't wish to cause a problem and noise on the camping site will be monitored.
- The sound management expert that worked on behalf of the festival had engaged with the both Councils Environmental Health teams. He monitored the events last year
- There was clarification that the stages are not moving.
- All 7 complaints that were made in 2025 were all investigated.
- The noise team employed by the festival will be on site at all times.
- The noise increase that they are asking for is only a modest increase.
- They will be trying to protect the community from any nuisance for the duration of the festival.
- The festival is modelled on the 2025 plan. The stage positions align with before, there will be increased monitoring following feedback, sound checks the day before and additional consultants for more mobile provision
- In relation to the 4 day point, this is contained in the Environmental Health submission, it is a 4 day event that does run into the Monday
- In relation to the what does 50 – 60 decibels look like, the applicant likened it to an open plan office or heavy rainfall. He stated that heavy rainfall is not public nuisance
- The application has also been considered and assessed by the Safety Advisory Group
- The applicant referred the committee to the National Guidance. A new paragraph was introduced last year which stated that there was a need to

promote growth and deliver economic benefits, and that committees are obliged to consider the national guidance. He stated that this application is offering them the opportunity to develop and grow, deliver to an exceptional standard, and that they are the award winning festival

- The test is what is likely to happen on the balance of probabilities. The licensing objective will be promoted and Environmental Health say it will be promoted and Tewkesbury Borough Council says the same The noise management expert for the applicant advised the committee that all noise monitoring and management procedures will remain for the foreseeable future and that they will work with the residents. It is a modest increase and they will be present onsite to 03:00 hours if not beyond and working in collaboration with the Environmental Health officers

The matter then went to Member questions, the responses were as follows:

- The additional sound checks that are going to be carried out will be 2 hours prior to the event, residents will be notified about this via a letter drop and it will also be publicised on social media.
- The original representation had changed from the December one as the applicant has decided not to go ahead with an additional camping field.
- Anyone under 6 should be encouraged to wear ear defenders, these can be purchased on site.
- They will work with the Parish Council to maintain a good working relationship.

The applicant was given the final right of reply where he stated that the relevant authorities have not objected to any part of the application and asked the committee to consider the application and grant the licence as requested.

The committee retired to debate and make their decision. When they returned the legal officer delivered the decision as follows:

### **DECISION**

At the hearing the Sub-Committee heard from the representative of the applicant, a number of other persons and the Environmental Health department for Cheltenham Borough Council who submitted a comprehensive report.

The other persons objections were raised under the licensing objective of public nuisance due to noise

No objections were received from any of the Responsible Authorities.

All relevant written submissions were considered.

### **Legal Matters**

The Sub-Committee had due regard to:-

1. The Human Rights Act in respect to an objection read out in relation to one individual
2. The Public Sector Equality Duty (PSED) which is engaged. The sub-committee considered this, the PSED does not require a specific outcome but the sub-committee is balancing a testimonial from one person against the applicant's stated noise management plan and the sub-committee notes the 2025 condition about low frequency noise.
3. The provisions of the Licensing Act 2003 which confer the powers of the Licensing Authority to deal with the application.
4. The obligation to promote the four licensing objectives.
5. The relevant sections of the Council's Statement of Licensing Policy and Statutory Guidance.

The Licensing Sub-Committee considered that it must carry out its functions with a view to promoting the four licensing objectives, as set out in Section 4(2) of the 2003 Act.

The Sub-Committee cannot take into account representations which do not relate to one or more of those licensing objectives, and acknowledges that any representations which are received must be relevant and evidenced-based.

The sub-committee acknowledges there is concern from the objectors but a lot of this seems to be based on the 2024 event and not the 2025 when additional conditions were added in relation to the low frequency noise and met as a result of the review of the licence.

In terms of the evidence the sub-committee has seen evidence from two sets of experts, Environmental Health officers for Cheltenham Borough Council who are this council's officers and the sub-committee gave considerable weight to that representation and a similar one from Tewkesbury Borough Council Environmental Health officers who are fully supporting but are independent of Cheltenham and given they are the ones who would be picking up complaints from the Southam area if they had concerns one would have expected them to have objected.

The sub-committee's decision is to Grant the licence as applied for save for an additional condition , which was suggested by the applicant, that the applicant engages in ongoing dialogue with Southam Parish Council pre and post the event and keeps a record of communication with the Parish Council. The sub-committee wants residents of Southam to be informed beforehand of the event and know the procedure on how to provide feedback.

The sub-committee acknowledges the resident's concerns and their attendance in person. Some of the issues raised are not material licensing concerns and the sub-committee is therefore unable to take those into consideration.

The sub-committee acknowledges the resident's concerns in relation to the increase in the decibel number, the scale is logarithmic and noise management is a very technical profession, in the absence of an independent noise expert for the objectors the committee has to rely on its own experts, the Environmental Health officers, and their monitoring of the event.

In relation to the comments regarding parking on public highways, late night parties and wild camping these are not material to the sub-committee and cannot be taken into account

On balance the technical professionals have said it is unlikely to cause public nuisance. If noise is a problem then the fall back protections are the licence can be reviewed and both Environmental Health departments have their own enforcement powers irrespective of the licence.

This is a unanimous decision of the sub-committee

### **Appeal**

All parties are reminded that there are rights of appeal against the Licensing Authority's decision any appeal must be made to the Magistrates' Court and commenced within 21 days of notification of the Authority's decision.

### **5 BRIEFING NOTES**

There were none.

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

There were none.

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# **Cheltenham Borough Council Licensing Sub-Committee - Miscellaneous Minutes**

**Meeting date:** 4 February 2026

**Meeting time:** 6.00 pm - 8.00 pm

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**In attendance:**

**Councillors:**

Dr Helen Pemberton, Julie Sankey, Dr David Willingham and Dilys Barrell

**Also in attendance:**

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

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## **1 Apologies**

Apologies were received from Councillors Wheeler and Boyes. Councillor Barrell attended as a substitute.

Councillor Willingham was voted Chair of the committee with the absence of both the Chair and Vice Chair.

## **2 Declarations of Interest**

There were none.

## **3 Review of a Hackney Carriage Drivers Licence**

The committee voted unanimously on the following:

That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if

members of the public are present there will be disclosed to them exempt information as defined in paragraph 1 and 2, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual

Paragraph 2; Information which is likely to reveal the identity of an individual

The meeting entered exempt session.

The Senior Licensing Officer introduced the report as published.

Members asked the Licensing Officer questions and the driver had the chance to address the committee and answer any questions. He was also given the final right to reply.

The committee then retired to make their decision, the decision was delivered to the driver as follows:

The committee noted that the driver had accepted that what he had done was wrong but had not apologised. The committee noted that he had no previous record at all of breaching any rules since becoming a driver.

The committee unanimously decided that the driver be issued with a written warning. The committee stated that should he be called back to the committee anytime within the next 12 months, the consequences are likely to be more severe. The warning will remain on his record. He was advised of his rights to appeal.

#### **4 Application for a Hackney Carriage Drivers Licence**

The senior licensing officer introduced the report as published.

Members and the applicant both asked questions of the licensing officer. The applicant addressed the committee and answered their questions. The applicant was also given the final right of reply.

The committee then retired to make their decision, the decision was delivered to the driver as follows:

The committee deemed that the driver was fit and proper to hold a licence but it would be marked on his record that this incident had occurred should he come before the committee again this would be taken into account.

#### **5 Review of a Hackney Carriage Drivers Licence**

The Licensing Officer introduced the report as published, there were no Member or driver questions for the officer.

The driver addressed the committee and answered any Member questions, he was also given the final right of reply.

The driver and officers left the Chamber for the Members to debate the matter and make their decision.

The driver returned to the meeting and the decision was given as follows:  
The committee unanimously voted to give a written warning to the driver, they explained that if there are any further incidents, damage, collision or criminal conduct he needs to contact the Council immediately. Any further issues will be taken to the committee and that the committee will be informed of this written warning.

## **6 BRIEFING NOTES**

The Licensing and Public Protection Manager introduced the briefing notes as published.

There were no questions on the first and second consultations.

There were Member questions on the third consultation with regard to Local Transport Authorities and the licensing of taxis and private hire vehicles. The responses were as follows:

- If the public are interested in the consultation then there are links on the Licensing pages of the website.
- If there are suggestions of improvements to be made then Members of the committee can do this under their capacity as local councillors.
- The Chair thanked the team for their work on the Purple Flag.

## **7 Any Other Items the Chairman Determines Urgent and Which Requires a Decision**

There were none.

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# **Cheltenham Borough Council Licensing Sub-Committee - Miscellaneous Minutes**

**Meeting date:** 15 April 2026

**Meeting time:** 6.00 pm - 6.40 pm

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**In attendance:**

**Councillors:**

Angie Boyes, Simon Wheeler, Dr David Willingham and Dr Steve Steinhardt

**Also in attendance:**

Vikki Fennell (Senior Lawyer, One Legal) Jake Johnstone (Senior Licensing Officer)

---

## **1 Apologies**

Apologies were received from Councillors Pemberton and Sankey, Cllr Steinhardt attended as a substitute.

## **2 Declarations of Interest**

There were none.

## **3 Local Government Act 1972**

Members unanimously voted on the following:

That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 1 and 2, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual

Paragraph 2; Information which is likely to reveal the identity of an individual

The meeting entered exempt session

#### **4 Application to Renew a Private Hire Driver's Licence**

The Senior Licensing Officer introduced the report.

The applicant addressed the committee and responded to Member questions, he was then given the final right of reply.

The committee adjourned to debate the matter and make their decision.

The committee returned and delivered the following :

The committee has been informed of two offences for which the applicant has been convicted recently in the magistrates court both relating to the taxi profession and for one he received the maximum fine available to the court and the committee are extremely concerned by this.

The applicant has allowed and encouraged a further offence to be committed when he should have known better given that he had been working in the taxi profession for almost 30 years.

The applicant had not done the safeguarding certificate within a reasonable time.

There is no exceptional circumstance given to the committee which the committee is allowed to take into account that would lead it to deviate from the Council's policy

To that end the unanimous decision of the committee is to refuse to renew the licence

The applicant was informed of his right of appeal within 21 days to the local magistrates court

#### **5 Any Other Items the Chairman Determines Urgent and Which Requires a Decision**

There were none.

The next meeting will be of the Full Committee 3<sup>rd</sup> June 2026.

## Licensing Committee – Sub Committee (Miscellaneous)

### Local Government (Miscellaneous Provisions) Act 1982

#### Application for a Street Trading Consent

#### Moolicious – Reference: 26/00520/STA

#### Report of the Licensing Officer

### 1. Summary and recommendation

- 1.1 We have received an application from Mr Gary Scott Paterson for a street trading consent to sell milkshakes, hot/cold drinks and pastries and cakes from a catering trailer measuring 5m x 2.5m.
- 1.2 Mr Paterson has applied to trade on the pavement in front of Imperial Gardens. **Appendix 1** shows the location and scale plan of the proposed trading pitch.
- 1.3 Mr Paterson has applied for an annual consent on the following days and times:

Monday	11:00 – 19:00
Tuesday	11:00 – 19:00
Wednesday	11:00 – 19:00
Thursday	11:00 – 19:00
Friday	11:00 – 19:00
Saturday	11:00 – 21:00
Sunday	11:00 – 21:00

- 1.3.1 An image of the trading unit is shown in **Appendix 2**.
- 1.3.2 The applicant intends to apply for a Premises Licence if consent is obtained for Street Trading to enable him to sell alcoholic milkshakes from this location.
- 1.4 **The Committee can:**
  - 1.4.1 **Approve the application because Members are satisfied that the application is suitable and complies with the Street Trading Policy,**
  - 1.4.2 **Approve the application with conditions, or**
  - 1.4.3 **Refuse the application because it does not comply with the provision of the Street Trading Policy.**

## Legal

The Local Government (Miscellaneous Provisions) Act 1982 provides that a local authority can grant a trading consent for an individual within their area. Under the legislation consent can be granted for a period not exceeding 12 months. Consent must therefore be reviewed every 12 months. A local authority can apply reasonable conditions to the consent.

Any application should be considered in line with the Council's policy on Street Trading.

**Contact officer: One Legal**  
**E-mail: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)**  
**Tel no: 01684 272015**

## 2. Background

2.1 The current street trading policy was adopted by Council on 11 February 2020. A copy of the policy is attached **Appendix 3**.

## 3. Purpose of the Policy

3.1 This policy sets out Cheltenham Borough Council's ("the authority") framework and approach for the management of street trading in the borough.

3.2 Through the street trading scheme the authority aims to control:

1. the location of street traders;
2. the number of street traders; and

3.3 The scheme also aims to:

1. prevent unnecessary obstruction of the highway by street trading activities;
2. sustain established shopkeepers in the town;
3. maintain the quality of the townscape and add value to the town; and
4. encourage inward investment.

3.4 In doing so, the authority recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause public or statutory nuisance to the people in the area.

3.5 This policy will guide the authority when it considers applications for street trading consents. It will inform applicants of the criteria against which applications will be considered.

### Assessment Criteria

3.6 In considering applications for the grant or renewal of a consent, the following factors will be considered:

- **Needs of the Area** - The retail offer of each individual pitch. The goods complement and do not conflict with the goods sold by other established retailers within vicinity. This criterion permits the authority to undertake a qualitative assessment of the goods to be sold by each competing applicant against those on sale in the adjacent area. The authority does however recognise that the surrounding retail offer is subject to change, therefore, it will apply this criterion to applications for new or renewal applications.

- **Public Nuisance** – Whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance to the public, or properties in the vicinity, from noise, misbehaviour, emissions, smells etc.
- **Public Safety** – Whether the street trading activity represents, or is likely to represent, a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site.

The authority would expect a minimum of 6 feet (1.8m) of unobstructed highway/walkway on at least one side of the proposed trading unit/location.

- **Appearance of the Stall or Vehicle** – Trading units must enhance the visual appearance of the street and street scene rather than detract from it and be constructed in a suitable scale, style and using appropriate materials. It should also be designed to be fully accessible for all customers and advertising material must be limited to the name of the stall, the type of product sold and a simple price list and be professionally designed and printed.

The authority will generally not permit trading units where the unit fully, or substantially, blocks lines of sight to established retailers in the vicinity.

Any street trading operation which negatively impacts public access by walking, cycling or public transport will not generally be accepted.

- **Environmental Credentials** - The impact of the proposed operation on the local environment, including street surfaces, tree pits & materials, power supply, carbon footprint, supply chain, packaging, waste minimisation and recycling, waste disposal and waste created by customers.

The authority will encourage the use of sustainable products and will consider the trader's environmental credentials in respect of these when considering whether or not to approve applications. The authority will expect applicants to submit environmental statements setting out how the applicant will operate in an environmentally sustainable way.

### 3.7 **Annex 2 – Standard Conditions**

The Consent Holder shall ensure that no mobile generators are used without the express permission of the Council. Where permission is granted generators shall be so positioned that they do not present a danger to the public, do not present a fire or similar hazard to the stall, goods displayed thereon, or adjoining premises and do not cause any contamination, noise or fume nuisance.

## 4. **Consultee Comments**

- 4.1 An objection was received against the application from Environmental Protection. Their comments are attached as **Appendix 4**. The objection from Environmental Protection concerned the environmental impact from the proposed type of generator to be used by the applicant. These same points were raised by Environmental Protection in the previous pre-application consultation for this proposal in February 2026.
- 4.2 Comments and proposed conditions were received from Marketing & Events. These are attached as **Appendix 5** along with the applicant's response to the comments.

## 5. **Licensing Comments**

- 5.1 The Committee must determine the application with a view to promoting the council's adopted policy and Members should not arbitrarily deviate from the council's policy.
- 5.2 The policy takes into account a number of factors when determining the permitted trading types. These are outlined in our policy and Members should take these into account when determining this application.

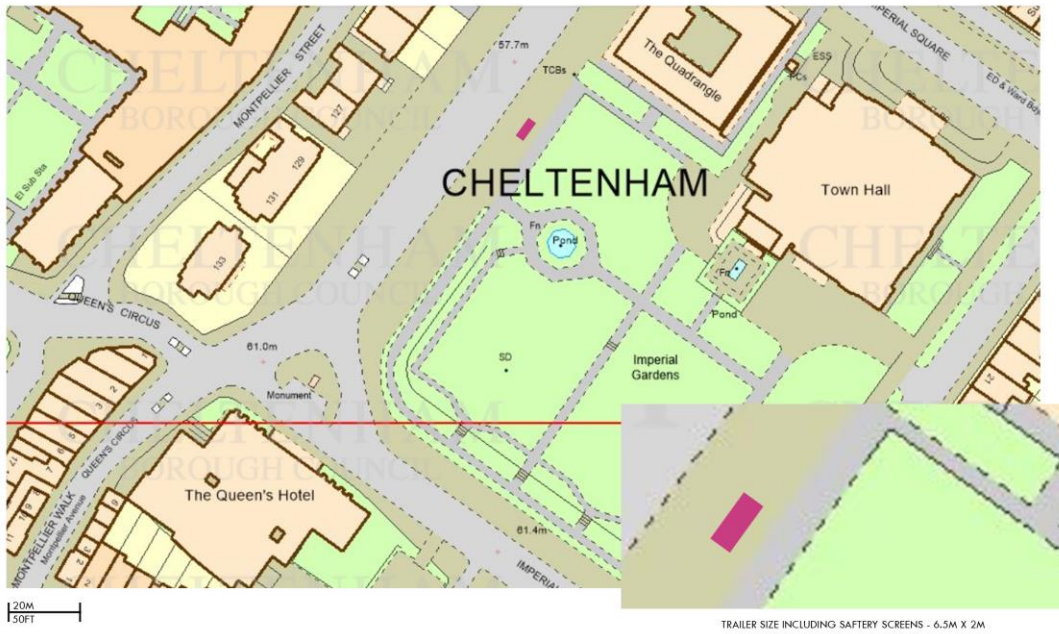
## Page 34

- 5.3 Whilst the policy creates a presumption against the grant of an application if the application does not comply with the policy, this position should not fetter the committee's discretion to take into account the individual merits of the application and any circumstances that may warrant a deviation from the policy.
- 5.4 The "Environmental Credentials" element of the Assessment Criteria in the policy must be given consideration with the council's Environmental Protection team being the leading authority for this determination.
- 5.5 It should be noted as per our policy, that no mobile generators are to be used without the express permission of the Council.
- 5.6 It should also be noted that the Council has declared a climate emergency and should promote the reduction of emissions.
- 5.7 Finally, members should consider if they are minded to refuse an application whether the attachment of conditions could mitigate any concerns to a satisfactory extent. If conditions are to be attached, they should be proportionate, appropriate, and enforceable.
- 5.8 Members are reminded that clear and cogent reasons should be given for decisions made by the committee particularly where the decision is contrary to adopted policy and/or is in conflict with representations made to the authority.
- 5.9 There is no right of appeal.

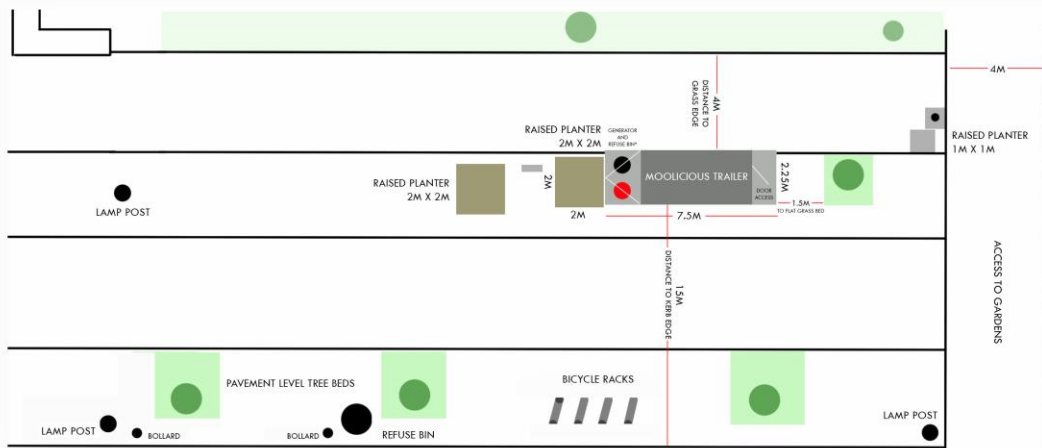
### **Case Officer**

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

PROPOSED LOCATION FOR MOOLICIOUS TRAILER - IMPERIAL GARDENS



1:100 SCALE PLAN - MOOLICIOUS TRAILER LOCATION - IMPERIAL GARDENS



\* PLEASE NOTE:  
THE GENERATOR AND REFUSE BIN WILL BE LOCATED ON A PLATFORM ABOVE AND 'HIDING' THE TRAILER TOW ARM. THIS WILL ERADICATE ANY TRIP HAZRD PREVIOUSLY MENTIONED IN THE PRE-APPLICATION

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MOOLICIOUS - TRADER UNIT SET UP



LENGTH 6.5M

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# CHELTENHAM

BOROUGH COUNCIL

## Street Trading Licensing Policy



**All enquiries should be directed to:**

Licensing Section  
Municipal Offices  
Promenade  
CHELTENHAM  
GL50 9SA

Tel: 01242 262626  
E-mail: [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)  
Website: [www.cheltenham.gov.uk/licensing](http://www.cheltenham.gov.uk/licensing)

**This Policy was approved on 11 February 2020.**

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## 1. Purpose of the Policy

This policy sets out Cheltenham Borough Council's ("the authority") framework and approach for the management of street trading in the borough.

Through the street trading scheme the authority aims to control:

1. the location of street traders;
2. the number of street traders; and

The scheme also aims to:

1. prevent unnecessary obstruction of the highway by street trading activities;
2. sustain established shopkeepers in the town;
3. maintain the quality of the townscape and add value to the town; and
4. encourage inward investment.

In doing so, the authority recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause public or statutory nuisance to the people in the area.

This policy will guide the authority when it considers applications for street trading consents. It will inform applicants of the criteria against which applications will be considered.

## 2. Review of the Policy

It is the intention that this policy will be reviewed every 3 years or more frequently should it be deemed necessary.

## 3. Legislation & Designation of Streets

The authority has resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 ("1982 Act") should apply in the borough. Under Schedule 4 of the 1982 Act, the authority can regulate street trading by designating streets as 'consent streets', 'licence streets' or 'prohibited streets'.

The authority has designated the entire borough as consent streets. A 'consent street' is a street in which street trading can only take place if consent from the authority has first been obtained.

It is a criminal offence to engage in street trading in a consent street without consent.

There are currently no licence streets or prohibited streets within the borough.

## 4. The Licensing and Determination Process

This part of the policy sets out how the authority will deal with applications for consent in the borough.

Applications can be made for:

1. a “Fixed Pitch” (see “Permitted Locations” below);
2. a “Roaming Consent” (Borough wide consent when a schedule of stops/streets is included with the application i.e. ice cream vans etc.)

#### 4.1 Permitted Locations

Consents are limited to the sites identified in **Annex 1**.

Sites can remain with the same person for a number of years. In the event of the consent being revoked, surrendered or if it lapses without being renewed, the authority will accept new applications for the vacant site. This might be at any time of the year.

If more than one application is received for any new or vacant pitch, the applications will be referred to the authority’s licensing committee to consider the applications. The applications will be assessed against the authority’s Assessment Criteria.

#### 4.2 Assessment Criteria

In considering applications for the grant or renewal of a consent, the following factors will be considered:

- **Needs of the Area** - The retail offer of each individual pitch. The goods complement and do not conflict with the goods sold by other established retailers within vicinity. This criterion permits the authority to undertake a qualitative assessment of the goods to be sold by each competing applicant against those on sale in the adjacent area. The authority does however recognise that the surrounding retail offer is subject to change, therefore, it will apply this criterion to applications for new or renewal applications.
- **Public Nuisance** – Whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance to the public, or properties in the vicinity, from noise, misbehaviour, emissions, smells etc.
- **Public Safety** – Whether the street trading activity represents, or is likely to represent, a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site.

The authority would expect a minimum of 6 feet (1.8m) of unobstructed highway/walkway on at least one side of the proposed trading unit/location.

- **Appearance of the Stall or Vehicle** – Trading units must enhance the visual appearance of the street and street scene rather than detract from it and be constructed in a suitable scale, style and using appropriate materials. It should also be designed to be fully accessible for all customers and advertising material must be limited to the name of the stall, the type of product sold and a simple price list and be professionally designed and printed.

The authority will generally not permit trading units where the unit fully, or substantially, blocks lines of sight to established retailers in the vicinity.

Any street trading operation which negatively impacts public access by walking, cycling or public transport will not generally be accepted.

- **Environmental Credentials** - The impact of the proposed operation on the local environment, including street surfaces, tree pits & materials, power supply, carbon footprint, supply chain, packaging, waste minimisation and recycling, waste disposal and waste created by customers.

The authority will encourage the use of sustainable products and will consider the trader's environmental credentials in respect of these when considering whether or not to approve applications. The authority will expect applicants to submit environmental statements setting out how the applicant will operate in an environmentally sustainable way.

## 5. Renewals

Consents are issued for a period of up to one year.

Consent holders should re-submit their application if they wish to continue to trade at least one month before the expiry of their current consent. As a matter of convenience, the authority will send renewal reminders to consent holders.

However, the authority is clear that it remains the consent holder's responsibility to ensure that their consent is renewed in time.

If, without reasonable excuse, a renewal application is not made before the expiry of the current consent it will expire and the pitch will become available. A new application must be submitted in accordance with the procedure set out above ("Application for Consent – Permitted Locations").

The authority may consult further to determine if the street trader is a cause for concern or has been the subject of complaints.

Where a renewal application has been made and:

1. there have been no significant complaints or enforcement issues;
2. all fees have been paid on time; and
3. there has been no significant change to the retail environment in the vicinity of the trading location

the consent will normally be renewed.

## 6. Transfers

An issued consent can be transferred. Written consent will need to be obtained using the authority's adopted form available on the website at <https://www.cheltenham.gov.uk/licensing>.

## 7. Special Events

The authority recognises that there may be times when consent may be sought otherwise than in accordance with the policy for special one-off events.

These may include, for example, one-off charitable or promotional events.

Applications of this type will be determined on a case-to-case basis taking into account the assessment criteria set out above.

## 8. Markets

Street trading associated with markets will require individual consent applications from individual traders. The market operator can act as an agent for individual traders by submitting a single application on behalf of all the traders on the market.

Please refer to the authority's website for further information on the application process (<https://www.cheltenham.gov.uk/licensing>).

On dates and/or in locations where applications have been made for trading associated with markets, the authority will only permit traders associated with that market.

## 9. Conditions

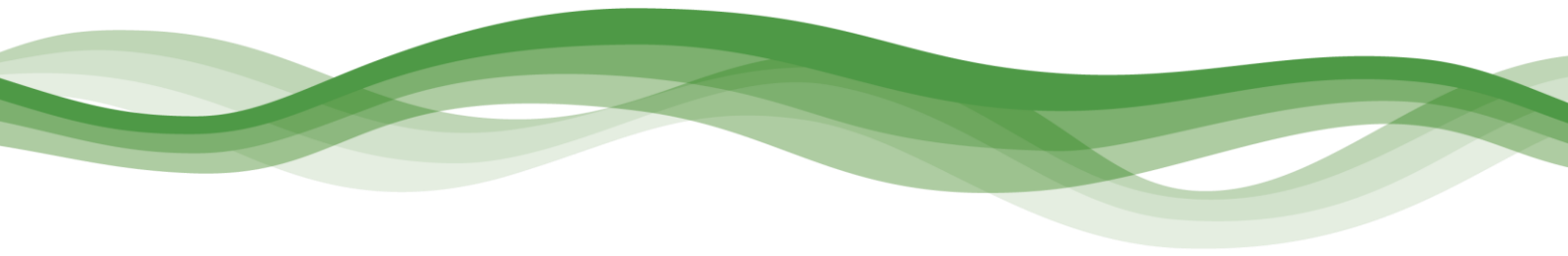
Consents are issued subject to the authority's standard conditions. See **Annex 2** for the authority's standard conditions.

In addition, the authority can impose additional conditions where it is deemed appropriate.

## 10. Enforcement

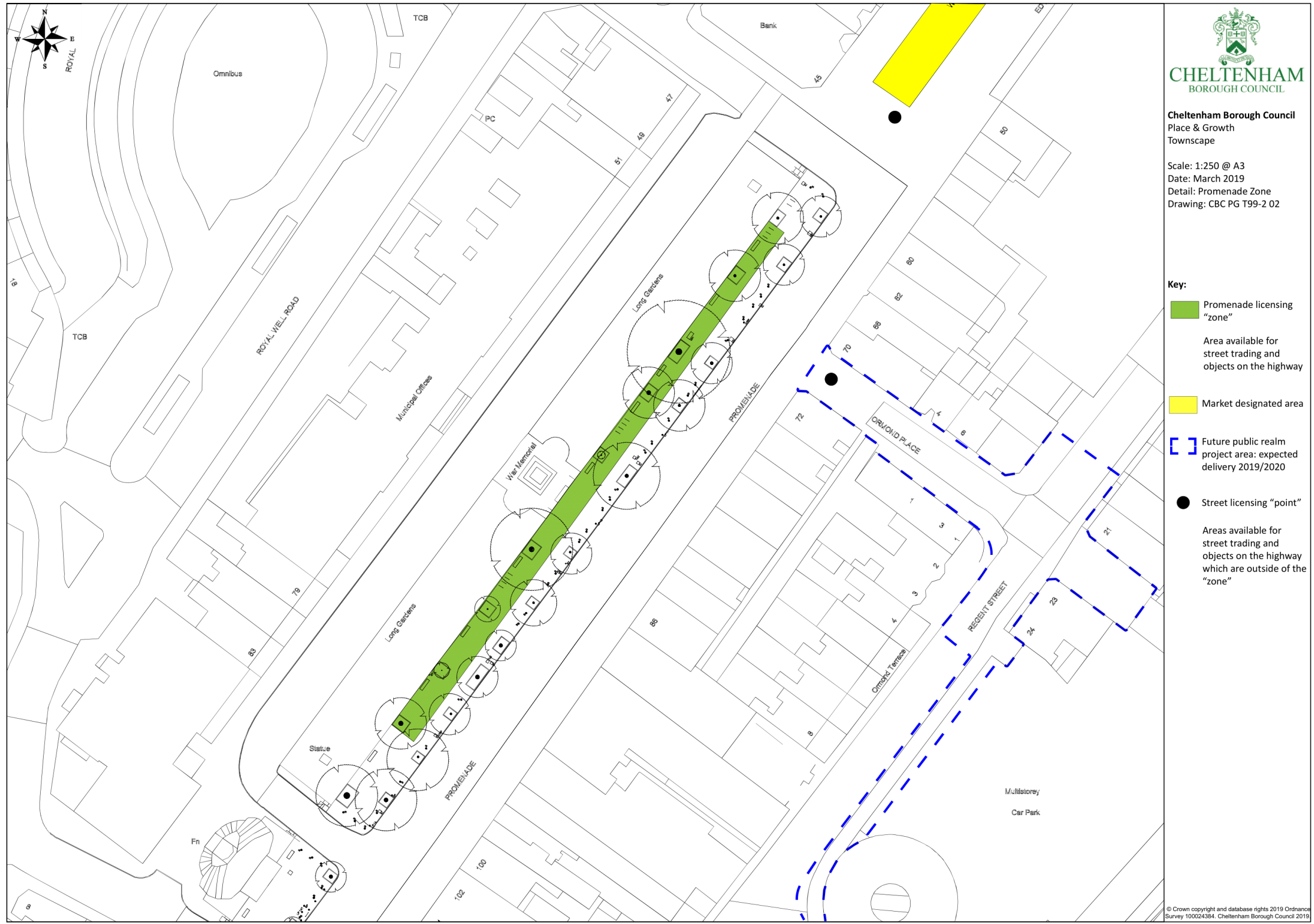
The authority has a responsibility to regulate street trading in the borough and is therefore committed to enforcing the provisions contained within the relevant legislation and to work in partnership with all enforcement agencies.

All enforcement action will be undertaken in accordance with the authority's adopted enforcement policy available on the website at <https://www.cheltenham.gov.uk>.



# Annex 1

## CBC PG T99-2 02 Promenade Zone



### CBC PG T99-2 03 High Street Zone






## **Annex 2 – Standard Conditions**

### **1. Definitions**

- 1.1 “Consent” means this Street Trading Consent issued pursuant to Schedule 4 Local Government (Miscellaneous Provisions) Act 1982.
- 1.2 “Consent holder” means the person named in this Consent and for the purpose of enforcing these conditions includes any other person engaged by them to assist in trading (including any Nominated Assistant(s) named in this Consent).
- 1.3 “Council” or “the authority” means Cheltenham Borough Council.
- 1.4 “Site” means the site identified in this Consent.
- 1.5 “Unit” means the unit described in this Consent.

### **2. Obligations on the Consent holder**

- 2.1 Not to use the Site for any purpose other than that of the operation of the Unit.
- 2.2 Not to trade or operate the Unit in such a way as to cause obstruction of the street or danger or annoyance to persons using the street.
- 2.3 To adequately manage the street trading activity so as not to cause a statutory or public nuisance (from noise, fumes and odour, for example).
- 2.4 To ensure that the Unit is securely erected, is of such material and design, and so constructed and maintained that it is not liable to cause injury to any person present on the Site or otherwise.
- 2.5 To pay to the Council the cost of making good any damage which may be caused to the Site in consequence of the Consent Holder’s operations thereon.
- 2.6 To keep the Site in a clean and tidy condition and to pay to the Council the cost of carrying out any works, including cleansing of the highway, that is required due to the Consent Holder’s use of the Site.
- 2.7 The Consent Holder will be responsible for cleansing of the Site and ensuring that all refuse arising as a result of the activities of the Consent Holder shall be placed in suitable covered containers provided by the Consent Holder, unless otherwise provided by the authority, and shall be kept exclusively for that purpose. Such refuse containers shall be kept as clean as is reasonably possible and disposed of in an approved manner on a daily basis.
- 2.8 To observe all statutory and other provisions and regulations for the time being in force which relate to the Consent Holder’s use of the Site.

- 2.9 So far as is reasonable to ensure that patrons or customers of the Consent Holder conduct themselves in an orderly manner.
  - 2.10 To ensure that the use and storage of liquefied petroleum gas complies with any relevant codes of practice.
  - 2.11 The Consent Holder shall ensure that liquefied petroleum gas is not used without the express permission of the Council and any equipment using this gas shall have only flexible and approved armoured hoses complying with the relevant British Standard Specification or equivalent.
  - 2.12 The Consent Holder shall ensure that goods may not be of an inflammable, corrosive or otherwise dangerous nature.
  - 2.13 The Consent Holder shall ensure that no mobile generators are used without the express permission of the Council. Where permission is granted generators shall be so positioned that they do not present a danger to the public, do not present a fire or similar hazard to the stall, goods displayed thereon, or adjoining premises and do not cause any contamination, noise or fume nuisance.
  - 2.14 The Consent Holder shall ensure that a competent person installs all generators and documentation must be provided to show that the generators have been maintained in accordance with the manufacturer's instructions.
  - 2.15 The Consent Holder shall ensure that no combustible materials are to be stored in the vicinity of a generator and suitable first aid fire fighting appliance(s) must be immediately available.
  - 2.16 The Consent Holder shall ensure that any equipment, such as a generator, is in a safe working condition and suitably cordoned off to ensure that the general public do not have access to the equipment.
  - 2.17 All electric power supplied must be protected by residual current devices. Any appliance is to be separated from the supply outlet by a fuse of suitable rating.
  - 2.18 All electrical cables or flexes, which are suspended over the public footway or carriageway shall be adequately supported.
  - 2.19 All electrical cables or flexes, which run along the ground and are in a position where the public could come into contact with them, they must be fitted with rubber cable protecting mats.
  - 2.20 To ensure that the dimensions and appearance of the Unit at all times accord with the details agreed by the Council upon the issue of this Consent.
  - 2.21 To maintain the Unit in a clean and tidy condition.
  - 2.22 To indemnify the authority from all claims, damages and costs in respect of all spillages, accidents, damage and injuries arising during or in consequence of the use of the Site to any person or property caused by the Consent Holder's operations or caused by any act, neglect or default of the Consent Holder, his
- 

servants or agents (whether with or without the knowledge of the Consent Holder) to take out and on request produce to the Council a policy of public and product liability insurance covering no less than £5,000,000.

- 2.23 At all times while trading to display in a conspicuous position on the Unit the street trading permit issued by the Council.
- 2.24 To forthwith inform the Council in writing of the details of any change in the operation or staffing of the Unit (including changes in details of Nominated Assistants) or the sale or transfer of the Consent Holder's business to another party.
- 2.25 The Consent Holder(s) shall notify the Council's Licensing Section within 72 hours of any convictions or proceedings arising out of the use or enjoyment of the Consent.
- 2.26 The Council may revoke or suspend this Consent at any time in the event of:
- The breach by the Consent Holder, their servants or agents (included Nominated Assistants) of any of the conditions herein or any supplemental/additional conditions imposed by the authority; or
  - Work being carried out in, under or over the highway on which the Unit is located; or
  - A change in Council Policy which necessitates termination of this Consent; or
  - Circumstances outside the authority's control which necessitate termination of this Consent forthwith.
- 2.27 The trader shall not place on the street or in a public place any furniture or equipment other than as permitted by the Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.
- 2.28 The Consent Holder(s) shall not sell or permit the sale of any products containing or made up of real animal fur.



### **SPECIAL CONDITIONS FOR MOBILE ICE CREAM TRADERS**

Trading prohibited in the following streets or parts of streets:

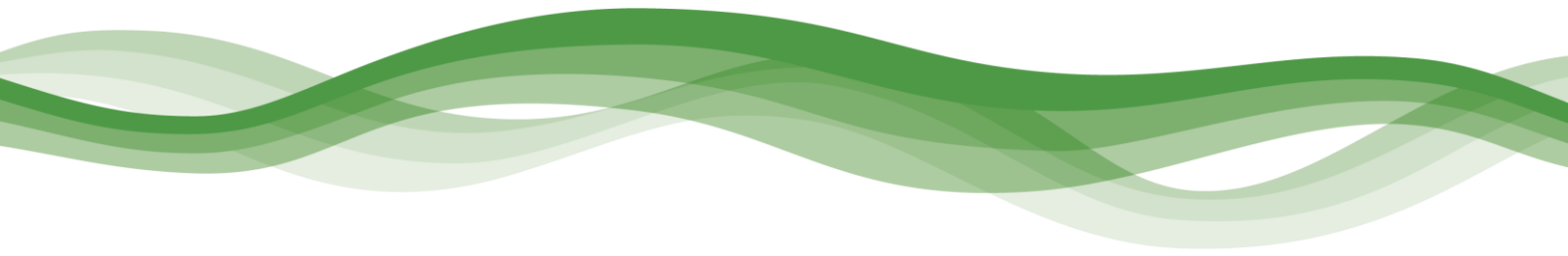
- a) High Street (from Sandford Park entrance to Townsend Street)
- b) Promenade (from High Street to Montpellier Walk)
- c) Clarence Street
- d) North Street
- e) Pittville Street
- f) Regent Street
- g) Rodney Road
- h) Winchcombe Street (from High Street to Warwick Place)
- i) Imperial Square
- j) Montpellier Walk
- k) Montpellier Street
- l) Warden Hill Road (within 100 meters of frontage to Bournside School), both sides of the road in any direction, during the period half an hour before school opening to 1 hour after closing during school terms).
- m) Loweswater Road (from the junction with Alma Road to the junction with Langdale Road during the above period and times).
- n) Evesham Road and roads adjacent to Pittville Park.

2. Trading prohibited within 75 metres of the gates of all schools, except Bournside School (see Special Condition l) on both sides of the road in any direction during the period half an hour before school opening to one hour after closing during school terms.

3. The consent holder shall not, without the prior permission of the authority, trade in any particular location for more than 30 minutes at any one time and shall not return to that particular location, or any position in the immediate vicinity thereof (which expression shall be as interpreted by the authority), within 2 hours of leaving it.

4. The consent holder shall comply with all traffic regulations, rules, orders and directions which apply to the public highways on which he trades.

5. The consent holder is required to comply with the Code of Practice on Noise from Ice-Cream Van Chimes Etc. in England 2013 or any modification or re-enactment thereof.



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## **Environmental Protection team objection – 15/05/26**

Street trading application – reference: 26/00520/STA (“Moolicious”)

### Proposal and overview:

The applicant of this street trading application is proposing to place a unit on the hardstanding area next to Cheltenham’s Imperial Gardens. They are seeking to serve milkshakes, specialist shakes, alcoholic shakes and alcoholic slushies, with additional items during the winter of hot chocolate and coffee. The applicant is intending to trade over a maximum period of:

Sunday – Thursday = 11.00 – 19.00

Friday and Saturday = 11.00 – 21.00

In summary the main basis for the objection to this street trading application from the council’s Environmental Protection (EP) team is on the grounds of the unacceptable impact on air quality and the environment.

The applicant is proposing to power the unit, which will be situated next to one of Cheltenham’s popular open green spaces of Imperial Gardens, by way of a petrol generator. The applicant is seeking to operate this for up to 10 hours a day on Friday and Saturday, and for 8 hours a day on other trading periods.

This is in direct contradiction to the Licensing departments Street Trading Policy, which specifically states that the authority will review applications environmental credentials in the assessment for permission. In line with this policy as well as the EP teams environmental concerns, there are also the following points to review.

Cheltenham Borough Council voted on 9 July 2019 to declare a climate emergency. The motion had three main pillars:

- To declare a climate emergency in the borough of Cheltenham
- To set a target of a carbon neutral town by 2030
- To call on the government to devolve resources and powers to support local efforts

As a local authority, we are seeking to be a carbon natural town by 2030, which is less than 4 years away. A petrol generator operating for up to 10 hours a day, twice a week as well as other trading hours is in direct conflict to this climate pledge for the town and people of the borough.

Further information on the above can be found at the website source of: <https://www.cheltenham.gov.uk/environment/climate-action/>

In terms of the impact of poor air quality for children, the World Health Organisation (WHO), have also published a paper “Air pollution and child health: prescribing clean air”:

This report summarizes the latest scientific knowledge on the links between exposure to air pollution and adverse health effects in children. It is intended to inform and motivate individual and collective action by health care professionals to prevent damage to children’s health from exposure to air pollution.

Air pollution is a major environmental health threat. Exposure to fine particles in both the ambient environment and in the household causes about seven million premature deaths each year. Ambient air pollution alone imposes enormous costs on the global economy, amounting to more than US\$ 5 trillion in total welfare losses in 2013.

This public health crisis is receiving more attention, but one critical aspect is often overlooked: how air pollution affects children in uniquely damaging ways. Recent data released by the World Health Organization (WHO) show that air pollution has a vast and terrible impact on child health and survival. Globally, 93% of all children live in environments with air pollution levels above the WHO guidelines (see the full report, Air pollution and child health: prescribing clean air. More than one in every four deaths of children under 5 years of age is directly or indirectly related to environmental risks. Both ambient air pollution and household air pollution contribute to respiratory tract infections that resulted in 543 000 deaths in children under the age of 5 years in 2016.

Further information on the above can be found at the website source of: <https://www.who.int/publications/i/item/WHO-CED-PHE-18-01>

### Background to the application and EP team responses:

Prior to submitting a full street trading application, the applicant made a pre-application submission to the council's Licensing team, who in turn consulted the Environmental Protection (EP) team.

The EP officer responding to the consultation asked, via Licensing, the applicant for how they intended to power the unit. Information was provided that this would be by way of a petrol generator.

As a result, the EP team sent the following response on 12/03/2026:

*Thank you for sending over the applicant's answer to our enquiry regarding power for the unit. The final formal response from Environmental Health to this pre-application, reference 26/00292/PREAPP, is as follows:*

### Air quality concerns:

*From recent correspondence, the applicant has confirmed that they will be utilising a generator to power the proposed unit, it is our understanding in Environmental Health that this is an electric start up but is then petrol powered unit. The local emissions from petrol powered generators are likely to be considerable, as they will be burning fuel. As this unit is proposed to be located near a public open green space of Imperial Gardens, which is highly likely to be used by children and families, these emissions will directly affect young children, who are most vulnerable to the effects of air pollution. Positioning a petrol-powered generator near to a public open park, 7 days a week, is considerably undermining the work being carried out by this local authority to improve air quality in the borough.*

*As a result, please could we ask the applicant if they can provide us with an update on their research into if there is a way for the unit to be mains powered while trading?*

### Noise/odour concerns:

*Environmental Health also have a concern surrounding noise and odour from the operation of the generator for the unit, as the manufacturer reports it will operate at 70dB at a distance of 7m and it is petrol-powered. Although the applicant is not proposing to operate into the late evening period, they are proposing to operate 7 days a week for a large proportion of the day, with the latest closing time of 21.00 on Friday and Saturday night. Although Imperial Gardens is an open space there are existing businesses and residential properties in the immediate vicinity to the unit, who may be impacted by noise and/or odour. If a full street trading application is made, EH will of course be consulted, we reserve the right if necessary to object and/or make formal comment on any such application, which can include comments on noise/odour. If a unit were to be given permission and noise and/or complaints were made, EH have a duty to investigate under the Environmental Protection Act 1990.*

*Similar to our query above, a mains power option should be investigated for the site.*

From this pre-application, the applicant then submitted a full street trading application, with some additional details on their research into an alternative power source for the unit.

### Objection to the full street trading application:

As a result of the applicant's full application, with the petrol generator remaining in place, EP submitted a formal objection on 21/04/2026 detailing the following:

*In relation to the street trading application, reference 26/00520/STA, for the business Moolicious proposing to trade in Imperial Gardens, Environmental Health wish to raise an objection on the grounds of air quality concerns, noise and odour. Please see below for our full comments:*

### Air quality concerns:

*We can see from the information submitted, that the applicant is intending to use a generator to power the proposed unit, it is our understanding in Environmental Health that this is an electric start up but is then petrol powered unit. The local emissions from petrol powered generators are likely to be considerable, as they will be burning fuel. As this unit is proposed to be located near a public open green space of Imperial Gardens, which is highly likely to be used by children and families, these emissions will directly affect young children, who are most vulnerable to the effects of air pollution. Positioning a petrol-powered generator near to a public open park, at a maximum of 7 days a week, is considerably undermining the work being carried out by this local authority to improve air quality in the borough.*

### Noise/odour concerns:

*Environmental Health also have a concern surrounding noise and odour from the operation of the generator for the unit, as the manufacturer reports it will operate at 70dB at a distance of 7m and it is petrol-powered. Although the applicant is not proposing to operate into the late evening period, they are proposing to operate up to 7 days a week for a large proportion of the day, with the latest closing time of 21.00 on Friday and Saturday night.*

*Although Imperial Gardens is an open space there are existing businesses and residential properties in the immediate vicinity to the unit, who may be impacted by noise and/or odour. If a unit such as this one were to be given permission and noise and/or complaints were made,*

*Environmental Health have a duty to investigate under the Environmental Protection Act 1990 and where a statutory nuisance exists, we are bound by the law to serve an abatement notice.*

*Further correspondence on the EP objection in line with the applicant's comments on the objection – sent 01/05/26:*

*Thank you for forwarding the applicant's response to the objection by Environmental Protection (EP) to their street trading application, reference 26/00520/STA.*

*It is my understanding that the company Moolicious are applying to place a unit on the pavement area directly next to Imperial Gardens, to sell milkshakes, specialist shakes, alcoholic shakes and alcoholic slushies, with additional items during the winter of hot chocolate and coffee. The applicant is intending to trade:*

*Sunday – Thursday = 11.00 – 19.00*

*Friday and Saturday = 11.00 – 21.00*

*The applicant made a pre-app with Licensing and EP made comments on this with all of the points as now raised in the EP objection.*

*The applicant is intending to power the unit with a petrol generator and although isn't requesting to trade 7 days a week, they are seeking to trade for a number of days a week including the weekend periods. The generator will be petrol powered, which raises serious AQ concerns. As this unit is proposed to be located near a public open green space of Imperial Gardens, which is highly likely to be used by children and families, these emissions will directly affect young children, who are most vulnerable to the effects of air pollution. Positioning a petrol-powered generator near to a public open park, at a maximum of 7 days a week (even over less days per week), is considerably undermining the work being carried out by this local authority to improve air quality in the borough.*

*The unit also has a noise level of 70db at 7m. Given this is an open green space for people/families to enjoy and the existing residential homes EP have serious concerns about AQ as well as noise from the up to 10 hrs a day use of a generator and the odour from this too. This gives rise to the Environmental Protection team having concerns surrounding noise and odour from the operation of the generator for the unit. Although the applicant is not proposing to operate into the late evening period, they are proposing to operate up to 7 days a week for a large proportion of the day, with the latest closing time of 21.00 on Friday and Saturday night.*

*Although Imperial Gardens is an open space there are existing businesses and residential properties in the immediate vicinity to the unit, who may be impacted by noise and/or odour. If a unit such as this one were to be given permission and noise and/or complaints were made, Environmental Health have a duty to investigate under the Environmental Protection Act 1990 and where a statutory nuisance exists, we are bound by the law to serve an abatement notice.*

*As a result of the EP teams objection, the applicant put forward the following: (the applicant's reply is in italics with the EP comment marked as "EP" below) – this was sent to Licensing on 01/05/2026:*

*It's been mentioned before I did contact the Green Space Development team in regards to the possibility of using a nearby mains supply ( any such costs obviously covered by Moolicious ) to operate the trailer.*

*This request was unfortunately was declined at the 'first hurdle' though had it been successful would have obviously eradicated all 3 of the Environmental Health issues raised by the application.*

*Could this again be looked into as an option with someone from the Environmental Health team contacting the relevant counterpart within the Green Space Development office to come to a more amicable solution?*

EP - We are not in a position to advise or recommend that the Green Space Development team provide the applicant with power. The proposed pitch for this STA is not on CBC land and as a result we are not bound to provide power, equally, the supply is owned and paid for by CBC, meaning it is to be retained for CBC.

*Having carried out noise level readings (60 seconds) at several locations out of personal curiosity to envisage what 70 decibels actually sounds like in context to the proposed location the following Db levels were noted:*

*Major High Street Food Hall (with refrigeration units) - Avg 71 / Max 75.4*

*Town Centre Busker (violin with amp) - Avg 76.1 / Max 85.5*

*Bus sat idle - Avg 69.7 / Max 79.3*

*Imperial Gardens roadside (approx proposed location of Trader Application) - Avg 63.9 / Max 83.2*

*Winchcombe Street Fast Food Outlet - Avg 66.2 / Max 85.8*

*Restaurant Bar (16 diners chatting with recorded music present) - Avg 75.0 / Max 87.8*

*This illustrates to me that general day-to-day noise levels are similar to that of what would be present if Moolicious or any other similar unit were to operate using a generator similar to the one we propose to use.*

*In relation to the above and subsequent operational noise levels using any petrol driven generator we would aim to add mufflers/sound proofing etc to limit any excessive noise emanating from any such generator whilst also aiming any vents producing fumes in a direction facing away from the gardens and towards the main road.*

EP – The EP team have no way of understanding the accuracy of the noise levels the applicant has put forward above, furthermore, there is no weighting to the dB measured nor a time period. As a result, we would not be in a position to compare these with the manufacturers information for the generator which has been confirmed to be at 70dB at 7m. This noise level running for a max of 10hrs a day on Fridays and Saturdays is likely to give rise to a disturbance.

EP – If the applicant were to add vents to direct the petrol generator emissions towards the main road, this will still add additional emissions in the area directly next to a green space. As a council we are striving to improve the air quality for people living, visiting and working in the borough, not to add to them, which this operation would do.

*In regards to the unit operating more eco-friendly this is something as a responsible business operator I have looked into obtaining a greener power supply. Having spoken to several companies hybrid generators still use diesel as a back-up and battery/solar powered generators can cost upwards of £40,000 which would add extensive expense to operating costs.*

*With this in mind and their drive for a greener town centre do the Cheltenham Council and/or Green Space Development offer any grants to offset any such costs to small local businesses?*

*And finally, as has also been mentioned in prior correspondence Moolicious wouldn't be trading 7 days a week.*

*The times listed was to merely allow 'flexibility' in trading hours due to the business on the whole being weather dependent. If further clarification is needed we could revise the previous submitted hours to reflect this, but obviously would also like the flexibility in order for the business to be successful in the proposed location.*

EP - Even if there were to be conditions limiting the operation to a number of days per week, these would still mean the business is to be powered by a petrol generator directly next to a park and residential homes. The applicant may wish to approach the Climate Team at CBC to ascertain if grants are available or other agencies who support local businesses.

Further reply from the applicant:

The applicant replied to the EP comments above on 06/05/26 with the following:

Applicant:

*We appreciate the EP comments and concerns in regards to fumes and odours emanating from any such petrol-powered generator.*

*It could be debated that any such fumes and odours would be of a minimal addition considering the green open space is adjacent to a very busy through road within the town centre.*

*And whilst again we appreciate the need to keep these 'additions' to a minimum with varying unmonitored road traffic vehicle numbers any such additional levels would be hard to ascertain if this would indeed be of a concern to those using this town centre green space.*

*Anyone using this area are already susceptible to such odours and fumes from the general day-to-day traffic volumes within the area.*

*The same could be said for noise levels produced by a generator experienced by any residents residing in the vicinity.*

*This is especially relevant given that there are a number of licenced premises within the same locality with outdoor spaces for their guests way beyond our proposed opening times.*

*It would be interesting to know if this 'noise pollution' been taken into account alongside our application?*

*In regards to the perceived 7 days and hours of operation we have continued to stress this was only to allow for flexibility due to the nature of our business being weather dependent.*

*Proposed Actual Opening Times:*

*Thursday - 12.00 - 18.00*

*Friday and Saturday - 12.00 – 19.00*

*Sunday - 12.00 - 18.00*

*Monday - 12.00 - 18.00 - Bank Holidays ONLY*

*We don't know if the above scheduled operational times would be more accommodating in regards to achieving a more positive reaction from the Environmental Health's concerns.*

*Attached a chart in regards to noise levels and where 70db would register on said scale as we don't believe this to be a deciding factor in objecting to the application.*

*We're also enquiring about an LPG power supply system, but again these subsequent costs would cause significant financial strain on a start-up independent business in an untested location.*

*Obviously, we want to work with the council and environmental health in order for Moolicious, something we're extremely passionate about, to be granted the Street Trading Licence and be a successful independent business addition to the town, but we're also aware of the time this process is taking.*

*Again, as it's been stated numerous times before we are weather dependent and the Summer is fast approaching and many further delays may result in the season not being a successful one.*

### EP team final comments:

As the EP team have made a formal objection to this street trading application, we have not directly replied to the final points from the applicant as we were aware that the application would be heard by the Licensing Committee.

Although yes there are additional commercial units near to the proposed trading area, these are not operating a petrol fuelled generator for up to 10hrs a day on consecutive days, nor are they creating a persistent/continuous noise from their activities which a generator could lead to.

We appreciate the applicant's proposed days of the week, however, these trading days of every Thursday, Friday, Saturday, Sunday and bank holiday remain to be a large proportion of the week. We have also reviewed the noise points which the applicant has raised. Although the chart sent may aim to show what 70dB is as an on-site comparison, the persistent use for up to 10 hours use of a generator is a cumulative issue and not an instantaneous use.

Overall, it remains our view that any permitted additional emissions from a petrol generator are in total contradiction to CBC's street trading policy and the council's aim to improve air quality for those living, working and visiting the borough.

**Louise Boyle**  
**Environmental Health Officer**

15/05/2026

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## Events & Marketing comments

A few comments from me:

- As commented in relation to the pre-app:

Please note that some of the major events held in Imperial Gardens require access through the area of the proposed pitch in order to bring in and install large infrastructure. This means that, on occasion, CBC and its land hirers may need full, unobstructed access to that section of the park, and any street trading consent granted would need to accommodate these operational requirements.

- I would also like to see the specification for the proposed generator. It needs to be a modern and efficient one at the very least, especially given its proximity to the green space. Or perhaps CBC should make it a requirement for the unit to be battery operated.
- It should also be noted that this may cause challenges/annoyance at a later date should any event operators wish to charge catering concessions for a pitch as part of their event in Imperial Gardens (this also applies to CBC for events such as the ice rink where we take a commission and pitch fee).

## Applicant response:

**In response to your previous email please see below for comments (in bold) as requested...**

- Please note that some of the major events held in Imperial Gardens require access through the area of the proposed pitch in order to bring in and install large infrastructure. This means that, on occasion, CBC and its land hirers may need full, unobstructed access to that section of the park, and any street trading consent granted would need to accommodate these operational requirements.

**Access to the gardens would continue to be available should Moolicious be successful in any such application.**

- I would also like to see the specification for the proposed generator. It needs to be a modern and efficient one at the very least, especially given its proximity to the green space. Or perhaps CBC should make it a requirement for the unit to be battery operated.

**Please see attached the spec for the generator we propose to use is as follows...**

- **Hyundai HY10000LEK-2 - 8kW / 10.6kVA Electric Start Petrol Generator 8kW / 10kVA Max Power Output 459cc 16hp 4-stroke OHV petrol engine**
- **Noise level of 70 dBA @ 7m**

**I would like to take this opportunity to confirm that as a business we would not be trading 7 days a week at the times provided as this is just to allow us flexibility in operating hours due to our business being weather dependent. Our regular operating days would be Friday,**

**Saturday and Sunday during the times previously stated though we would also like to trade to on days such as Bank Holiday Mondays for example.**

**Should the CBC make it a requirement for the unit to battery operated and with the use of solar panels to be included we would request a trial period in order to see if the allotted trading space provided the financial return in order for the business to be profitable to cover any such associated costs in implementing this upgrade**

- It should also be noted that this may cause challenges/annoyance at a later date should any event operators wish to charge catering concessions for a pitch as part of their event in Imperial Gardens.

**The above point was mentioned in the pre-application process and it was discussed that the location would possibly actually benefit from the numerous events held in the Imperial Gardens so hopefully there won't be many 'challenges/annoyances' unless any such event would be booking a similar business model? As previously mentioned in regards to the unit being able to be operated from a nearby mains supply we spoke to the Green Space team and the following reply was received... "Unfortunately, the mains supply within Imperial Gardens is not available or suitable for a connection to your proposed pitch. It is used for temporary events within the park itself." ...so as this is currently not an option I have attached the original 1:100 plan as previously provided when submitting the Trade Application.**

# Briefing Note

**Committee name: Licensing Committee**

**Date: 3 June 2026**

**Responsible officer: Licensing and Public Protection Manager**

This note provides information to keep Members informed of matters relating to the work of the Cabinet or a committee but where no decisions from Members are needed.

If Members have questions relating to matters shown, they are asked to contact the officer indicated.

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## Cheltenham Festival Summary

CBC's licensing team were joined by officers from Tewkesbury, South Gloucestershire, Stroud, Publica, City of Wolverhampton, Gloucestershire police and Avon and Somerset's 'taxi cop'.

Compliance checks were carried out across all licensing regimes. We are pleased to report that all premises were compliant with licensing conditions.

### **Sexual Entertainment Venues (SEV's):**

Two licensed SEV's were in operation and these were visited several times over the course of the week and fully compliant with licence conditions. There were also two unlicensed SEV's in operation.

### **Street Trading:**

There were more pedlars' certificates in place this year which meant some traders were able to trade. However, we still encountered unlicensed traders. Seven letters of advice have been sent ahead of next year and the police have been debriefed and will be seizing goods in 2027.

### **Security Industry Authority (SIA):**

The SIA were in town on the Friday (Gold Cup Day) and visited several premises to carry out checks on SIA licences (door staff).

No issues were reported.

### **Taxi and private hire:**

A trade meeting has been held and feedback regarding the traffic plans and the issue of out-of-town vehicles has been raised.

Licensing will work with Gloucestershire County Council (GCC) and look at temporary taxi ranks for November and March race meets.

On the Friday, the 'taxi cop' stopped and checked the following:

Local Authority	Checked	Non-Compliance issues.
South Glos	11	3
North Somerset	2	1
Cheltenham	4	3
Tewkesbury	6	3
TFL (London)	1	1
Gloucester	5	2
Bath and NE Somerset	1	1
Bristol	2	0
Wolverhampton	3	1
Wychavon	1	1
Malvern	1	0
Birmingham	3	1
Cotswold	1	0
Somerset	1	0
<b>Total</b>	<b>42</b>	<b>17 (40%)</b>

All actions have been followed up. This also includes:

- 1 x Immediate suspension for an illegal tyre
- 1 court summons and immediate suspension for illegal hiring and 2 tyres under 1.6mm

In relation to CBC's licensing team, officers have processed:

- 8 actions for CBC licensed drivers (strikes x 8 and one FPN for smoking in smoke free place)
  - 7 actions sent to South Gloucestershire
  - 15 actions sent to Tewkesbury
  - 15 actions sent to Gloucester City
  - 15 actions to other LA's (Birmingham/ Wolverhampton/N. Somerset/ Wychavon/ Worcester/ et al.
- Total: 60 Local Authority actions

## Current consultations

### [Martyn's Law: draft statutory guidance](#)

The SIA are currently consulting on a draft guidance which sets out how it proposes to exercise its functions as the Martyn's Law regulator.

Members are asked to pass any comments onto the licensing team so that they can be compiled into a response.

Consultation closes 12 June 2026.

## Developing legislation

### [Tobacco and Vapes Act 2026](#)

The Tobacco and Vapes Act has now become law marking one of the most significant public health reforms in a generation and introducing a suite of new enforcement powers designed to curb illegal tobacco and vape sales. The legislation, which received Royal Assent on 29 April 2026, establishes the UK's first smoke-free generation by prohibiting the sale of tobacco to anyone born on or after 1 January 2009.

This will introduce a new licensing regime similar to the Licensing Act 2003 whereby any premises selling licensable products will require a premises/personal licence.

This will be the largest new framework since the introduction of the Licensing Act in 2005.

The committee will be kept updated on developments.

### [The English Devolution and Community Empowerment Act 2026](#)

The English Devolution and Community Empowerment Bill has received Royal Assent, marking a significant milestone in the Government's programme to expand devolution and strengthen local decision-making across England.

The Act reinforces a shift toward place-based, strategic governance designed to strengthen community empowerment while aligning with wider public-sector reforms, including the NHS 10-Year Plan, the abolition of Police and Crime Commissioners, police reform, and the broader prevention agenda. By allocating new powers and responsibilities to both new and existing Strategic Authorities, it signals a significant reconfiguration of local accountability and service delivery.

For licensing professionals—particularly those operating within local authorities—the implications are substantial. Centralising powers and redrawing regional responsibilities will reshape day-to-day practice, alter decision-making pathways, and redefine professional boundaries. Although the reforms create opportunities to modernise and elevate licensing functions within newly structured local government systems, they also carry real risks. Communities could be adversely affected if the profession's expertise, statutory role, and public-protection contributions are not fully recognised, protected, and embedded within the new governance landscape.

Key licensing measures include:

- Gambling Impact Assessments, enabling councils to better manage the concentration of gambling premises on high streets.
- National taxi and PHV standards, including powers for enforcement officers to suspend licences issued by other authorities where drivers operate outside their licensed area.

## Cheltenham Markets Bill

The [Bill](#) will repeal section 83 of the Cheltenham Improvement Act 1852 (the "1852 Act"). The 1852 Act makes it an offence for a "Fair, Market, Mop or Hiring" and any other related activities to be held upon the High Street or any other street within the Borough of Cheltenham.

Currently, markets are licensed through Street Trading Consents with each trader making an application. This creates an administration burden for both the council and the market operator.

It is proposed to apply Part III of the Food Act 1984 (Sections 50-61) that grants local authorities' powers to establish, acquire, and regulate markets, covering market places, days, hours, and the recovery of charges for market use, including weighing services. These powers extend to

controlling existing market undertakings and allowing the creation of byelaws to regulate conduct, prevent nuisances, and manage the sale of goods to ensure orderly market operations. While that act itself provides the foundational powers, specific market regulations are enacted through byelaws made by the local authority under these powers.

At present, the Bill has entered the House of Lords and it is expected that it will receive Royal Assent by the Summer recess.

## **Green Events Code of Practice (GECOP) pilot**

Cheltenham Borough Council is participating in the [Green Events Code of Practice](#) pilot programme, along with a number of other local authorities across the UK. As part of the permissions process, we'll soon be asking all event organisers using CBC land to complete the DATE (Doughnut Advisory Tool for Events), which was adapted from our own Climate Impact Assessment Tool. We'd like to extend this requirement to market operators as well, so that our expectations around sustainability are consistent across all types of events - whether they take place in our parks or on the streets. Using DATE will help us start building a baseline of sustainability data for events across Cheltenham. This is not about judging, scoring, or penalising anyone. This first year is all about getting a baseline and starting an open, honest conversation with event organisers about the sustainability challenges they face, the good practice already happening, and what support they'd like from CBC to help make events more sustainable. We will reflect on our in-house events as well i.e. ice rink and Party in the Park. The information gathered will help shape future strategy, establish clearer guidance, and set minimum sustainability criteria for events on CBC land from next year onwards.

## **Purple Flag Interim Assessment**

We are delighted to announce that Cheltenham has been awarded the Purple Flag accreditation for the eleventh year running.

The annual award, made by the national Association of Town & City Management, assesses qualities, underpinned by clear evidence, of safety, diversity, vibrancy, accessibility, cleanliness and partnership working, and it gives positive reassurance to those people planning a night out in the town.

Key successes in Cheltenham's submission include the strong branding as the "Festival Town," supported by a diverse events programme that attracts a wide range of audiences, Cheltenham BID securing a new five-year term, national accreditation for the local Business Crime Reduction Partnership (BCRP), and the delivery of a proactive ENTE strategy supported by strong partnerships. Initiatives such as venue briefings, the development of a Violence Against Women and Girls (VAWG)/Night Charter, and the Nightcare Hub further demonstrate Cheltenham's commitment to safety and support after dark.

## **Evening and Night-time Economy (ENTE) Strategy update**

The strategy is nearing the end of completion, and the working group will sign off the document in June.

As part of the strategy, a Charter will be developed, and ENTE venues will be able to sign up to this to demonstrate their commitment to offering a safe venue and supporting a safe town to visit and live in. It is hoped that the Charter will be finalised in the summer and a campaign will be delivered.

The ENTE strategy will then be presented to the Council for approval, and a new website page will be designed to celebrate the ENTE which will be linked to Marketing Cheltenham and the Cheltenham BID.

## Licensing team changes

One of our licensing officers left the team in April to take up a position at South Gloucestershire. Since then, we have recruited the post and we are delighted to welcome Gavin McCaugherty to the team. Gavin has worked for CBC for 10 years and previously worked as a revenues officer.

The team are:

Michelle Bignell	Licensing and Public Protection Manager
Jake Johnstone	Senior Licensing Officer
Craig Daly	Licensing Officer
Gavin McCaugherty	Licensing Officer
Sarah Hughes	Licensing Enforcement and Compliance Officer
Jeremy Sansom	Licensing Enforcement and Compliance Officer

Contact Officer: Michelle Bignell  
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