

Cheltenham Borough Council Licensing Sub Committee-Alcohol and Gambling Minutes

Meeting date: 9 December 2025

Meeting time: 6.00 pm – 6.55pm

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)

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.