

Cheltenham Borough Council

Full Licensing Committee

Meeting date: 2 September 2026

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillor Simon Wheeler (Chair), 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 and Councillor Dr Steve Steinhardt

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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 meeting (Pages 5 - 8)

To approve the minutes of the last meeting held on 3rd June 2026.

5 Minutes of sub-committee meetings (Pages 9 - 24)

To approve the meetings of the Licensing Sub Committee Alcohol and Gambling held on 5th March 2026 and the minutes of the Licensing Miscellaneous meeting held on the 8th July 2026 and the 5th August 2026.

6 Pavement Licence Policy report (Pages 25 - 46)

7 Street Trading Licence Report (Pages 47 - 78)

8 Evening and Night Time Economy Strategy Report (Pages 79 - 118)

9 Review of previous decisions

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

11 Date of next meeting

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Cheltenham Borough Council

Full Licensing Committee

Minutes

Meeting date: 3 June 2026

Meeting time: 18:00 – 19:10

In attendance:

Councillors:

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

Also in attendance:

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

1 Apologies

Apologies were received from Councillor Joy.

2 Declarations of interest

There were none.

3 Public questions

There were none.

4 Minutes of the previous meetings

The minutes of the previous meetings were approved.

5 Application for a Street Trading Consent

The Licensing officer introduced the report as published.

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

The applicant addressed the committee and made the following points:

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

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

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

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

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

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

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

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

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

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

The reasons for the decision are as follows:

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

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

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

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

The Council's policy states no mobile generators.

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

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

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

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

6 Briefing Note

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

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

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

8 Date of next meeting

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



Cheltenham Borough Council

Licensing Sub Committee-Alcohol and Gambling

Minutes

Meeting date: 5 March 2026

Meeting time: 18:00 – 21:00

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)

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 4th 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: 8 July 2026

Meeting time: 18:00 – 19:40

In attendance:

Councillors:

Simon Wheeler (Chair), Angie Boyes, Karen Priest and Julie Sankey

Also in attendance:

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

1 Apologies

Apologies were received from Councillor Dearden.

2 Declarations of Interest

Councillor Sankey declared an interest as she is employed by Gloucestershire County Council in Children's Services.

Councillor Boyes declared an interest as the Vice Chair of Children and Families Overview and Scrutiny Committee for Gloucestershire County Council.

3 Local Government Act 1972

The Chair made the following statement and the matter went to the vote,

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 vote was unanimous and the meeting entered exempt session.

4 Review of a Hackney Carriage Driver's Licence

The Senior Licensing Officer introduced the report as published.

The Members were given the opportunity to ask the officer questions, the drivers solicitor was then give the opportunity to ask the officer questions.

The drivers solicitor then addressed the committee. He then responded to Member questions and summed up the case.

Members then adjourned with the Legal Officer to debate the matter and make a decision.

The decision was as follows:

The committee have based their decision on the evidence before them and have been given a number of options to consider

To take no action is not an option given the seriousness of the issues before the committee

To give a written warning is again not an option given the seriousness of the allegations

The committee deem that given the background to the case after listening to the oral submissions of the driver's representative it is too draconian to revoke the licence

The committee decided that the driver has already been suspended for three months and has had time to reflect on his actions that led to the arrests. To that end the committee are content that the current suspension is to be lifted but the driver must undertake a safeguarding course at his expense within three months of the date of the committee and this must be communicated to the licensing team

This was not a unanimous decision

There is a right of appeal to the local magistrates court within 21 days of the decision

5 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: 5 August 2026

Meeting time: 6.00 pm - 6.40 pm

In attendance:

Councillors:

Angie Boyes, Cathy Dearden, Karen Priest, Julie Sankey and Simon Wheeler

Also in attendance:

Vikki Fennell (Senior Lawyer, One Legal)

1 Apologies

There were none.

2 Declarations of Interest

There were none.

3 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

Member voted unanimously to enter exempt session.

4 Review of Hackney Carriage Drivers Licence

The Senior Licensing Officer introduced the report, during which he explained that the driver was not able to attend the committee as he had to return to his home country at short notice as his brother had been taken ill. He gave the Members the option to consider and adjournment in the driver absence.

Members were then given the opportunity to ask the officer questions, the responses are as follows:

- There was no spare tyre in the vehicle, this is not compulsory.
- It would be hard to say that if the driver attended the committee if he would be a reliable witness.
- Car tyres should last between 3 and 5 years depending on how the car is being driven.

The matter went into debate, the debate covered whether the matter should be adjourned or still be heard. The issues raised in the debate were as follows:

- The driver has had 3 strikes and a driver interview, he also signed a statement to confirm that he would regularly inspect his tyres.
- When the driver attended the committee previously he was not particularly communicative with the committee, therefore it was thought that it wouldn't be any different if he attended the committee.
- He does drive school children and the examination of the vehicle was organised with the Integrated Transport Unit and the operator.
- He is not driving school children at the moment – those contracts do not start until 1st September.
- The Legal Officer confirmed that the licence could not be suspended just because the driver was not present at the committee.
- The driver has been before the committee before, he obviously hasn't been checking his tyres as the core being exposed is really serious.
- The situation with the tyre is very serious, would you want someone that you care about to be in a car with a tyre in that condition.

After the debate the Chair asked for the vote onto whether to adjourn the hearing until the driver could be present, the vote was unanimously against an adjournment. The Legal Officer stated that further debate was not necessary, unless there were further points to be raised. The committee were also advised that if the committee were looking to suspend the licence then the case would need to be adjourned.

The decision that the committee made was as follows:

The Sub-committee decided to hear the matter in the absence of the driver given that he was only last before the Committee in March this year whereby he was given a written warning for the accumulation of three strikes for various issues and attended a driver interview to ensure he understood his responsibilities as a licensed driver and this new incident occurred just two months later.

The Committee further decided that given the severity of the matter, the fact he drives school children, the issue of public safety and that adjourning would not lead to any other outcome, the hearing should proceed.

The Sub-Committee had due regard to Sections 51 and 61 of the Local Government (Miscellaneous Provisions) Act 1976, the safety of the travelling public, and the Council's policy in relation to private hire drivers.

The sub-committee expressed extreme concerns that as a professional driver and someone who was before committee only in March he was back before the committee again for a very serious matter.

The overriding consideration for the Council is the safety of the public. The Council has a duty to ensure so far as possible that those licensed to drive hackney carriage and private hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit, honest and not persons who would take advantage of their employment.

The driver was before committee in March 2026, he received a written warning about future conduct, he did a driver interview whereby he signed a document stating that he will be checking his tyres weekly if not daily and yet he had exposed tyre cords when he attended his pre-arranged inspection with ITU. The committee are minded that he is driving some of the most vulnerable members of society.

The committee was extremely concerned that ITU would not even let him drive off from the inspection to get the tyre replaced as it was that dangerous

The committee considered the options available to it

To take no action is not an option given the seriousness of the issues before the committee

To give a written warning is again not an option given the seriousness of the matter and the fact a written warning was only given to the driver in March for having received three strikes for three very different issues

The committee considered suspension of the licence but there was no possible outcome from a suspension that would lead the committee to think that the driver was a fit and proper person to hold a licence.

The driver currently has 3 penalty points attached to his DVLA licence from September 2024 and the committee acknowledges that whilst no further endorsements have been awarded to the driver following the ITU inspection of his vehicle, the illegal tyre identified in May 2026 would have been enough to warrant an additional 3 points had he been pulled over by the police prior to having it repaired and as per the policy of the Council "where a licence holder

has more than 6 penalty points for driving offences their licence will be revoked”.

To that end it is the unanimous decision of the committee to revoke the driver's private hire drivers licence with immediate effect in the interests of public safety given the seriousness of the matter before it.

Rights of Appeal

If the driver is unhappy with the decision of the Licensing Sub Committee he may appeal to a magistrates court. Any appeal must be made within 21 days of the date of this letter.

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

The committee heard the briefing paper with regard to a cake shed.

The committee took a vote to grant permission for the cake shed. The vote was unanimous in favour.

Licensing Committee – 2 September 2026

Draft Pavement Licensing Policy

Report of the Licensing and Public Protection Manager

1. Introduction

- 1.1 The authority is currently consulting on a proposed new Pavement Licensing policy.
- 1.2 This report outlines the policy proposals for the Licensing Committee to consider these and provide a response as it sees necessary and appropriate.
- 1.3 The Licensing Committee acts as consultee to the Cabinet Member for Safety and Communities on recommendations/responses for the adoption and review of licensing policy. It is with this in mind that the Licensing Committee is asked to consider the policy proposals and provide a response to these.

Recommendations:

- 1.4 The Licensing Committee is recommended to:
 - 1.4.1 Note the policy proposals; and
 - 1.4.2 Provide formal recommendations and/or responses to the Cabinet Member of Safety & Communities in relation to these.

Implications

Legal	There is no statutory requirement to consult on the implementation of licensing policies, but it is good practice to do so. Any legal implications are covered in the report. One Legal E-mail: legalservices@onelegal.org.uk
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2. Draft Pavement Licence Policy

- 2.1 The Business and Planning Act 2020 initially introduced temporary provisions for pavement licences to streamline the process for businesses selling food and drink to place furniture on the highway. These provisions were initially temporary due to the COVID-19 pandemic, allowing businesses to quickly obtain authorisation for pavement cafes.
- 2.2 Pavement licences have subsequently been extended and made permanent under the Levelling-up and Regeneration Act 2023.
- 2.3 By way of a summary, in England, a pavement licence allows businesses such as pubs, cafes, and restaurants to place removable furniture - like tables, chairs, and barriers - on public highways adjacent to their premises for the purpose of selling or serving food and drink or enabling customers to consume it outdoors.

- 2.4 Eligible businesses must apply electronically, pay a capped fee (£500 for new applications, £350 for renewals), and post a public notice on the premises. The application undergoes a 14-day public consultation, and if not determined within the subsequent 14-day period, the licence is automatically granted for two years.
- 2.5 The licence also grants deemed planning permission for the use of the highway space. However, it does not override other regulatory requirements, such as alcohol licensing.
- 2.6 Local authorities must ensure accessibility and safety, particularly for disabled users, and may revoke licences that breach conditions.
- 2.7 The authority does not currently have an adopted licensing policy for the, now, permanent pavement licensing provisions hence this draft policy and consultation.
- 2.8 The licensing process is largely prescribed through the legislation with some discretion on fees setting, local conditions and consultation. Outlined below are the policy proposals on the areas of discretion:
- 2.8.1 Fees - are set locally, and it is for the licensing authority to determine the appropriate charge. Fees are capped at a maximum of £500 for first time applications and £350 for renewals.

The policy proposes to set licensing fees at £500 for first time applications and £350 for renewals.

- 2.8.2 Duration - a local authority can specify the duration of the licence, up to a maximum period of 2 years. The official guidance states “To help support local businesses and give them more certainty, the expectation is that local authorities are pragmatic and will grant licences the maximum 2 years.”

The policy proposes to set the maximum licence duration at 2 years.

- 2.8.3 Application consultation – there is a requirement for the authority to consult on licensing applications.

The policy sets out at 3.3 the proposed standing partners that the authority will consult with.

- 2.8.4 Site Assessment – It is open to the authority to consider “a number of factors, when determining whether to approve the application”.

The policy outlines in paragraph 3.5 the matters it will consider when determine whether an application should be granted or refused.

- 2.8.5 Conditions – The authority has discretion to set its own local licensing conditions for pavement licences.

The policy outlines in, Appendix 2, the proposed “Standard Pavement Licence Conditions”. This includes a new standard requirement for pavement licence holders to comply with a request by the authority to remove objects where there will be a clash with an established market on the same location.

3. Consultation

- 3.1 An initial consultation was carried out in Autumn 2025. Due to clarification required around the licensing requirements of privately maintained public highway areas in the Borough, the policy work was put on hold to clarify this. This is now covered within 2.3 of the draft policy.
- 3.2 The 4-week consultation can be found on the authority’s website and closes on 28 September 2026.
- 3.3 To assist the committee with considering its response, a copy of both the draft policy is attached to this report.

Draft Pavement Licensing Policy		
	Page 2 of 3	Last updated 24 August 2026

- 3.4 Cabinet will consider the policy proposals and consultation feedback in due course following the conclusion of the consultations.

Background Papers

Service Records

[Licensing Committee September 2025](#)

Appendices

Appendix 1 – Draft Pavement Licence Policy

Report Author

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Cheltenham Borough Council

Pavement Licensing Policy

***2026

Version control

Date	Version	Amendments
June 2025	1	Draft document for consultation 1
August 2026	2	Draft document for consultation 2

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1. Introduction

The Business and Planning Act 2020 ('the Act') introduced provisions designed to make it easier for premises serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors, maximising their ability to trade, assisting them to operate safely and promoting economic recovery in response to the impact of the global COVID-19 pandemic.

The Act created a regime for processing applications for 'pavement licences' to authorise businesses such as cafes, restaurants and bars to place furniture on the highway. This is a fast-track procedure to get the same permissions a business would previously have had from a Part 7A Highways Act permit, street trading consent and planning permission (change of use).

The Levelling Up and Regeneration Act 2023 made the provisions of the Business and Planning Act permanent with effect from 31 March 2024.

This guidance will be kept under review and may be amended periodically as required. The government has also published their own [guidance on pavement licences](#).

The council must also have regard to its wider duties, including those under the Public Sector Equality Duty, Equality Act 2010, Human Rights Act 1998, Environmental Protection Act 1990, and the Crime and Disorder Act 1998.

Any businesses which apply for a pavement licence will also need to have regard to their own duties under the Equality Act 2010, such as their duty under section 29 of the Act not to discriminate in providing their service and the duty to make reasonable adjustments.

For the purposes of furniture covered by this regime, the Highways Act 1980 cannot be used as an alternative.

For those businesses which have an issued tables and chairs consent issued under the Highways Act 1980, they will be required to apply for a pavement licence under the Business and Planning Act before expiry. They will be permitted to pay the renewal fee as long as the application is made prior to expiration of their current licence.

2. Scope

2.1 Definition of pavement licence

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.

2.2 Eligible Businesses

A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for the consumption of food or drink supplied from, or in connection with the use of the premises.

For any businesses that fall out of this scope and would like to display tables and chairs on the highway will need to apply for consent under the Highways Act 1980 (objects on the highway).

2.3 Eligible Locations

The Council is responsible for controlling certain objects/structures that are placed on a public highway.

At common law, a highway is defined to mean all roads, bridges, carriageways, cartways, horseways, bridleways, footways, causeways, churchways, and pavements *over which there exists a public right of passage, that is to say a right for all His Majesty's subjects at all seasons of the year freely and at their will to pass and repass without let or hindrance.*

Where such uncertainty exist, the test is whether there is a public right of passage where, at any time, members of the public can freely and at their will to pass and repass without let or hindrance, whether they do so or not is immaterial.

Therefore, if the proposed location is an area where any member of the public can pass over without hindrance, that area is likely to be considered highway and will for that reason fall within the Council's authority.

In light of the above and for the purpose of licensing objects/structures on the highway under the Highways Act, it is also immaterial whether the particular location is designated as private on, for example, a lease, whether the particular highway is privately maintained or situated under an overhang etc.

The only exception would be areas where that particular location has been designated as private under the Highways Act and the appropriate signage is on display.

A highway can be maintained either at the expense of the taxpayer or privately.

Each situation will be determined on individual merits, and this policy does not seek to provide an exhaustive list of areas and roads that are privately maintained public highway or private. However, it may be helpful to applicants to be aware of any such areas in the town centre for the purpose of clarity;

1. The Brewery Complex – Designated as private under the Highways Act
2. Montpellier Walk - Privately Maintained Public Highway
3. Rotunda Terrace - Privately Maintained Public Highway
4. The Courtyard - Privately Maintained Public Highway

A licence is not required for furniture sited on private land but would be required for any land that is a privately maintained public highway.

The licensed area is normally expected to be an area directly in front of and visible from the premises. The area should not extend beyond the width of its frontage unless there are exceptional circumstances.

2.4 Type of furniture permitted

The furniture which may be used is:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and
- other articles used in connection with the outdoor consumption of food or drink.

This furniture is required to be removable, which in principle means it is not a permanent fixed structure, and is able to be moved easily, and stored away when not in use. Furniture should also be of a type that is not likely to cause damage to the highway surface. Furniture should be non-reflective and of reasonable substance such that it cannot easily be pushed or blown over by the wind and thereby cause obstruction or a safety hazard.

The council would also expect the type of furniture to be 'in keeping' with the local area and compliant with the [design guide](#).

'A' boards are not a permitted type of furniture under the pavement licence and would need to be licensed under a permission to place an object on the highway.

2.5 Planning Permission

If a pavement licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid and remains in force.

3. Application and Determination of Pavement Licences

3.1 How to make an Application

An application for a pavement licence (either grant or renewal) must be made electronically (either by email or through the online applications portal) on the council's application form and accompanied by the following:

- Public liability insurance to a minimum value of £5 million
- Site plan to a suitable scale or with clear measurements showing:
 - property boundary and proposed boundary of area to be covered by the pavement licence (with a red line to indicate the area to be licensed)
 - building and kerb lines showing measurements of the clear space between the licensed area and any obstacles or the edge of the pavement/road
 - furniture layout
 - location and type of barriers to separate the licensed areas from the rest of the highway
 - position of any lighting columns, litter bins, road signs or other existing street furniture
 - scale of at least 1:100 (scale must be specified)

There is no provision to vary a licence and therefore any changes will require a new application.

An application will not be considered complete until the application form, all required documents (including satisfactory plan) and the application fee have all been received. The consultation period will commence the day after a complete application has been made.

Any invalid applications will be refused.

3.2 Fees

The fee for applying for a licence is £500. This charge covers administration and compliance costs. This is not refundable in the event that an application is deemed invalid, rejected, or a licence subsequently surrendered, suspended or revoked.

The fee for the renewal of a licence is £350. A renewal application is defined as one made before expiry of the previous licence by the same holder, for the same premises and on the same terms.

3.3 Consultation

The consultation period is 14 days (excluding public holidays), starting with the day after the day on which a valid application was made to the council.

The council will aim to publish details of the application on its website.

The Council is required by law to consult with the Highway Authority. In addition, the Council will consult with:

- Cheltenham Borough Council Environmental Protection team
- Cheltenham Borough Council Food, Health and Safety team
- Cheltenham Borough Council Green Space Development team
- Cheltenham Borough Council Parks team
- Cheltenham Borough Council Marketing team
- Cheltenham Borough Council Planning Enforcement team
- Cheltenham Borough Council Townscape team
- Cheltenham Borough Council Ward Councillors (the individuals that are elected for the area where the application is made)
- Gloucestershire Police
- Cheltenham BID
- Cheltenham Trust
- Ubico
- Inclusion Gloucestershire

This list may be subject to change, and the Council reserves the right to consult with any parties that it feels may be impacted upon by the proposal.

Members of the public and others listed above can contact the Council to make representations.

The Council must take into account representations received during the public consultation period and consider these when determining the application.

The Council has a further 14 days (excluding public holidays) once the consultation has ended to determine the application.

If the Council fails to determine the application within 28 days (excluding public holidays), the licence is deemed granted.

3.4 Site Notice

The applicant has to post a notice of the application the premises to which it relates, on the same day that they submit the application. The notice must be easily visible and legible to the public and the applicant must ensure the notice remains in place for the whole of the public consultation period as detailed above.

Applicants should record and retain evidence that they have complied with all requirements, including posting the notice at their premises. It is recommended that you take a photo of the notice on a mobile phone each day during the consultation period so that you can prove the notice was there for the required period.

A template Site Notice is shown as Appendix 1.

3.5 Site Assessment

The following matters will be used by the Council and consultees in considering the suitability of the proposal:

- public health and safety – for example, ensuring that uses conform with latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening;
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour and litter and
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, its surroundings and its users, taking account of:
 - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles;
 - whether there are other permanent street furniture or structures in place on the footway that already reduce access;
 - the impact on any neighbouring premises;
 - the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#), and
 - other users of the space, for example, if there are high levels of pedestrian or cycle movements.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying to the Council, and so take any issues around noise, and nuisance into consideration as part of the proposal. Discussions with neighbours should consider any plans neighbouring businesses have also to place tables and chairs on the highway and plans for customers to queue outside.

3.6 Determination

At the end of the consultation period, the council has 14 days (excluding public holidays) to determine the application.

- If the council determines the application before the end of the determination period the council can:
- grant the licence in respect of any or all of the purposes specified in the application,
- grant the licence for some or all of the part of the highway specified in the application, and impose conditions, or
- reject the application.

If the council does not determine the application within the determination period, the application will be deemed to have been granted subject to any local conditions published by the council at the time the application is submitted.

The following are authorised to grant, refuse or revoke a licence:

Decision	Delegated to
Grant of an application where no objections have been received during the consultation period and application complies with adopted policy	All Officers within the Licensing Team
Grant or refusal of an application where objections have been received during the consultation period	Service Manager or Head of Service
Revocation of a licence	Licensing Committee

3.7 Approval of Applications

If the council chooses to approve the application, a pavement licence will be issued to which conditions will be attached. The licence will also contain specific details such as days and hours when furniture is permitted for use, and a copy of the plan to confirm the authorised positions for furniture.

Licences will be granted for two years unless there are good reasons for granting a licence for a shorter period, such as plans for future changes to the highway in that area.

If the council does not decide the application within the determination period, the licence which was applied for is deemed to be granted for two years with the standard conditions.

The council will generally only grant pavement licences to operate between 08:00 and 22:00.

Applicants wishing to operate outside these hours may wish to include additional information as to how they will prevent nuisance affecting nearby residents. The council also retains the right to specify permitted hours on the licence that are reduced from those specified above in appropriate circumstances.

Licences are not transferable, so a new application would be required to issue a licence to a new licence holder.

3.8 Refusal of Applications

If the site is deemed unsuitable for a Pavement Café, or if relevant representations are made which cannot be mitigated by conditions, then the application may be refused.

There is no statutory appeal process against a decision to refuse an application.

A business may apply again after refusal but will have to make a new application with an additional fee and address the concerns raised in the original application.

3.9 Variations

There is no provision in the legislation to apply for a variation of a pavement licence. Should the licence holder wish to vary the licence, they would need to submit a new application.

4. Conditions

The Council's standard conditions can be found at Appendix 2. In some cases, extra measures may be required. This will be determined when assessing any application, on a case-by-case basis, and the Council will confirm the reasons why any additional conditions have been imposed.

The Act contains two national conditions that all granted and deemed granted licences must adhere to if the Council fails to publish their own conditions, or the published conditions fail to make provision for observing the national conditions. The two conditions are:

- a no-obstruction condition
- a smoke free seating condition

The Council's published conditions make provision for these conditions, but for the sake of transparency, the national conditions are detailed in Appendix 3 to this document.

The Act also allows for the Secretary of State to produce, via Regulations, conditions for pavement licences, and to stipulate whether these conditions have effect as well as, or instead of, the conditions placed on a licence by the Council. If such conditions are created, this guidance will be amended to reflect them, and all licence holders will be notified of any changes this may create.

Where a Council sets a local condition that covers the same matter as set out in national conditions, then the locally set condition takes precedence over the national condition where there is reasonable justification to do so.

5. Enforcement

The highway authority retains the power under s.149 of the Highways Act 1980 to remove items on the highway which are a nuisance – whether they are licensed or not. This power is exercisable immediately in cases where the furniture causes a danger.

Where a business sites furniture for use by customers to consume food or drink without a licence, a notice may be served under 7A of the Act requiring the business to remove the furniture before a specified date, and to refrain from putting furniture on the highway without a licence. If furniture continues to be sited without permission, the council can remove the furniture and store it. The business will be liable for any costs associated with removal and storage, and the furniture will not be removed until such costs are paid in full. After 3 months of serving of the notice, the furniture can be disposed of as the council sees fit, which may include sale of the furniture with the proceeds applied towards the costs of storage.

Obtaining a licence does not confer the holder immunity in regard to other legislation that may apply, such as health and safety legislation, nuisance, food hygiene requirements and premises licence conditions under the Licensing Act 2003.

All enforcement activity by the council will be undertaken in line with our Enforcement Policy. Periodic inspections of premises with pavement licences will be made by the council to ensure compliance with the licence and conditions.

If there is a breach of a licence condition, the council may either revoke the licence, or serve a notice on the licence holder requiring them to take steps to remedy the breach within a specified time. If the licence holder fails to comply with a notice, the council may revoke the notice or take the steps itself and recover the costs of doing so from the licence holder.

The council may also revoke a licence where:

- (a) all or any part of the area of the relevant highway to which the licence relates has become unsuitable for any purpose for which the licence was granted or deemed to be granted - for example, the licensed area (or road adjacent) is no longer to be pedestrianised.
- (b) there are risks to health or safety – for example by placing tables and chairs too close together
- (c) the use of the highway is causing an unacceptable obstruction – for example the furniture preventing a wheelchair user from passing along the highway
- (d) there is anti-social behaviour or public nuisance
- (e) it comes to light that the applicant provided false or misleading statements in their application, or
- (f) the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.

Where a licence is revoked, full notice with reasons will be given.

In addition, licences can be amended (with the agreement of the licence holder) to remedy any concerns in respect of items (a) to (d) above.

The usual procedure for a breach of conditions will be a warning to comply and that further contravention will result in revocation of the licence. The licensee will be allowed reasonable time to comply. If the contravention continues or is repeated within the licence period, the

licence is likely to be revoked. If any breaches of conditions are serious enough in nature, the licence may be revoked without the warning letter stage.

6. Review Procedures

This Policy will be reviewed at least every 5 years or when changes occur in relevant legislation, the nature of Pavement Cafés change generally or as a result of local considerations within the Cheltenham Borough.

BUSINESS AND PLANNING ACT 2020

NOTICE OF APPLICATION FOR GRANT OF A PAVEMENT LICENCE

I / We(1)

Do hereby give notice that on (2)

I / we have applied to Cheltenham Borough Council for a pavement licence at:

.....

..... (3)

Known as..... (4)

The application is for:

.....

..... (5)

To be used during the following periods (6):

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	:	:	:	:	:	:	:
Finish	:	:	:	:	:	:	:

Any person wishing to make representations to this application must send these to the Licensing Team at Cheltenham Borough Council at licensing@cheltenham.gov.uk by:

..... (7)

Details of the application can be viewed at www.cheltenham.gov.uk

Date (8)

Guidance notes on completing this notice of application

Complete the notice by putting the following information in the numbered spaces:

- (1) Name of the applicant
- (2) Date the application is made (submitted)
- (3) Postal address of the premises
- (4) Name the premises is known by
- (5) Brief description of application (e.g outdoor seating to the front of the premises for serving of food and drink).
- (6) Using 24 hour clock, enter proposed start and end times for the use of the furniture (use N/A for any days when furniture will not be used – please do not leave any of this section blank)
- (7) Last date for representations being the date 14 days after the date the application is submitted to the local authority (excluding public holidays)
- (8) The date the notice was placed (must be the same date as (2) above)

On the same day that the application is made, a completed copy of this notice must be fixed to the premises so that it is readily visible to, and can be read easily by, members of the public who are not on the premises. It should be secured so that the notice remains in place until the end of the 14 day public consultation period.

Failure to comply with this requirement may lead to the revocation of any licence granted or deemed granted.

Standard Pavement Licence Conditions

Please note that these conditions are not an exhaustive list. Each application will be considered on its own merits and individual, specific conditions may be attached where deemed appropriate.

Where a licence is deemed granted, the applicant is deemed to be a 'licence holder' and is required to comply with all of the below conditions. In such circumstances, references to 'licensed area' should be understood to mean the area proposed for licensing within the application.

1. The licence holder must ensure that no activity undertaken by them by the placing of furniture on the highway will:
 - (a) prevent traffic, other than vehicular traffic, from:
 - (i) entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - (ii) passing along the relevant highway, or
 - (iii) having normal access to premises adjoining the relevant highway,
 - (b) prevent any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
 - (c) prevent statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
 - (d) prevent the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.
2. The licence holder must ensure clear routes of access are maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in the Department for Transport's [Inclusive Mobility](#) document.
3. Where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence holder must make reasonable provision for seating where smoking (including vaping) is not permitted.
4. Furniture placed on the highway must be in accordance with the details and plans provided at the time of the application. No changes are permitted without prior approval from the council. This includes displaying all barriers to ensure that the pavement licence layout is compliant at all times.
5. The licence may be suspended where necessary to allow highway maintenance, any other necessary remedial work and special events to take place. In addition, the licence holder must comply with any request to remove the furniture due to an emergency

situation. A reasonable period of notice will be given to the licence holder where possible. The Highway Authority and/or council will not be liable for any loss of earnings arising out of the suspension of a licence.

6. Where a market is taking place, the pavement licence furniture must be removed except where an agreement has been reached by both operators and there is sufficient accessibility of at least 1.5 metres between objects.
7. Furniture must not be set out on the highway any earlier than half an hour before trading start, and the area must be closed and all furniture removed from the highway half an hour after the licence timings end. When not in use, all furniture must be stored securely inside a premises away from the highway.
8. If the furniture is (a) not removed outside the permitted hours or (b) located in breach of the licence, conditions or other regulatory requirements, the Highway Authority may remove and store or dispose furniture, at the cost of the licence holder and with no responsibility for safekeeping.
9. A clear route of access shall fall equally either side of the centre line of the highway to ensure the space available for tables and chairs is shared equally between premises on each side of the street. A clear pathway of at least 1 metre wide shall also be maintained to allow entry and exit from the premises.
10. Furniture must not protrude beyond the designated boundary of the licensed area or interfere with required vision lines for traffic and pedestrians.
11. The licensed area should be separated from the rest of the highway (for example, with a barrier or planters) to guide persons with a visual impairment around the area.
12. The licence holder shall ensure that the footway is not obstructed by patrons waiting to be seated, or by any other items of furniture or personal possessions of patrons.
13. The placement of furniture must not obstruct any emergency exits from the premises or any adjacent buildings, and emergency service vehicles must have access along all streets at all times, even in pedestrianised streets.
14. Any furniture shall be kept in a clean, safe and well-maintained condition. Any canopies or umbrellas must be adequately secured.
15. The licensed area must be kept clean and tidy at all times. This will include washing down the area and removing any refuse and litter on the highway in the immediate vicinity of the furniture.
16. No forms of musical entertainment (i.e. live music, recorded music and background music) are permitted in the area.
17. The licence holder must ensure that the licensed area is monitored regularly by staff to ensure compliance with the licence conditions and to ensure that the area operates in a safe and orderly manner to reduce the risk of nuisance.

18. The licence holder shall not allow their customers to cause any form of nuisance or annoyance to: (a) any other users of the highway (b) any neighbouring residents, or (c) any neighbouring businesses.
19. During hours of use, the licence holder or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to neighbouring residents and businesses upon request.
20. During the hours of darkness, suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed area must be approved in writing by the Highway Authority.
21. The licence holder shall ensure that disabled persons and wheelchair users can be adequately served.
22. The licence holder is not permitted to make any fixtures or excavations of any kind to the surface of the highway without prior written approval from the Highway Authority. Any costs incurred as a result of damage to the highway or council property, due to the use of the area under this licence, will be recovered in full from the licence holder by the Highway Authority.
23. The front page of the licence and the approved plan must be prominently displayed on the premises so that it may be easily viewed.
24. The licence holder shall maintain a policy of public liability insurance indemnifying the council and Highway Authority against any injury or damage to any person or property and against any claim, liability, expense or damage arising by reason or in consequence of the use of the area under this licence. The policy shall provide cover of not less than £5 million in respect of any one incident.
25. At the end of the licence period or on revocation of the licence the licence holder must remove any tables, chairs and other furniture immediately and reinstate the highway to its former state and condition. If they fail to do so, the Highway Authority will be empowered to carry out such work of reinstatement and recover the costs of such work from the licence holder.
26. These conditions may be varied where necessary and the new conditions will come into effect upon written notification by the council.

National Conditions

[All section references are to the Business and Planning Act 2020]

No-obstruction condition

Section 5(5)

A “no-obstruction condition” is a condition that anything done by the licence holder pursuant to the licence, or any activity of other persons which is enabled by the licence, must not have an effect specified in section 3(6):

Section 3(6)

The effects referred to in subsection (5) are-

- a) preventing traffic, other than vehicular traffic, from—
 - i. entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - ii. passing along the relevant highway, or
 - iii. having normal access to premises adjoining the relevant highway,
- b) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
- c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
- d) preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

Smoke-free seating condition:

Section 5(6)

A “smoke-free seating condition” is a condition that, where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.

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Licensing Committee – 2 September 2026

Review of Street Trading Licensing Policy

Report of the Licensing and Public Protection Manager

1. Introduction

- 1.1 The authority is currently consulting on revisions to the current adopted Street Trading Licensing Policy.
- 1.2 This report outlines the policy proposals for the Licensing Committee to consider these and provide a response as it sees necessary and appropriate.
- 1.3 The Licensing Committee acts as consultee to the Cabinet Member for Safety and Communities on recommendations/responses for the adoption and review of licensing policy. It is with this in mind that the Licensing Committee is asked to consider the policy proposals and provide a response to these.

Recommendations:

- 1.4 The Licensing Committee is recommended to:
 - 1.4.1 Note the policy proposals; and
 - 1.4.2 Provide formal recommendations and/or responses to the Cabinet Member of Safety & Communities in relation to these.

Implications

Legal	There is no statutory requirement to undertake a review of the licensing policy in relation to street trading activities, but it is good practice to do so. Any legal implications are covered in the report. One Legal E-mail: legalservices@onelegal.org.uk
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2. Street Trading Licensing Policy

- 2.1 Cheltenham Borough Council (the authority) previously adopted its Street Scene Activity policy in 2020.
- 2.2 The main purpose of this policy is to provide clarity to applicants, consultees, elected Members and other persons on how the authority will determine applications for street trading activities across the whole of the Borough of Cheltenham and also to provide a basis for all licensing decisions taken by the authority and inform elected Members of the parameters within which licensing decisions can be made.
- 2.3 This review is seeking views on the draft Pavement Licensing Policy and amendments to the existing Street Scene Policy.

3. Consultation

- 3.1 The 4-week consultation can be found on the authority's website and closes on 28 September 2026.
- 3.2 To assist the committee with considering its response, a copy of the draft policy is attached to this report.
- 3.3 Cabinet will consider the policy proposals and consultation feedback in due course following the conclusion of the consultations.

4. Draft Street Trading Licensing Policy

- 4.1 The following changes have been made to the document;
- Document updated to meet accessibility requirements
 - more advice for applicants/consent holders
 - offer a short-term consent for race day trading in Tommy Taylor's Lane/Evesham Road
 - remove zones – applications are now assessed on a case-by-case basis
- There is also a change to the current invoicing arrangements for traders in that they will pay for the annual charge rather than trading days

Background Papers

Service Records

[Current policy](#)

Appendices

Appendix 1 – Draft Street Trading Licensing Policy

Appendix 2 – Consultation response form

Report Author

Contact officer: Michelle Bignell
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 264135



Consultation on Cheltenham Borough Council's Street Trading Licensing Policy review

Consultation Closing Date: 23:59 on 28 September 2026

<https://www.cheltenham.gov.uk/consultations>

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Introduction

Cheltenham Borough Council (the authority) previously adopted its Street Scene Activity policy in 2021. The main purpose of this policy is to provide clarity to applicants, consultees, elected Members and other persons on how the authority will determine applications for charitable collections, consent to obstruct the public highway across the whole of the Borough of Cheltenham and other street scene activities and also to provide a basis for all licensing decisions taken by the authority and inform elected Members of the parameters within which licensing decisions can be made.

Following the introduction of the Business and Planning Act 2020, there is a separate legislation that governs the licensing of tables, chairs and other types of furniture that will assist premises with the sale of food and/or drink. Businesses can now apply to the Council for a Pavement Licence (and have been able to since 2020).

This draft policy proposes a new set of standard conditions for pavement licences and offers a transparent document for applications, enforcement and compliance.

This consultation is seeking views on the draft pavement licensing policy following an initial consultation which took place in 2026.

The street scene licensing policy consultation will follow later this year covering the remainder of street scene licensing.

How to respond

This consultation **closes at 23:59 on 28 September 2026 (4 weeks)**. There are several ways to respond to this consultation:

- Online using the electronic consultation form
- By completing and returning this form to licensing@cheltenham.gov.uk or by post to:
Cheltenham Borough Council
Licensing Section
Municipal Offices
Promenade
Cheltenham
GL50 9SA

Privacy and Data Protection

The Licensing Consultations Privacy Statement can be found on the authority's website at https://www.cheltenham.gov.uk/info/81/how_we_use_your_data/1375/licensing_privacy_data.

Policy Proposals

This section of the consultation document **outlines the proposed policy changes and amendments that the authority is specifically seeking feedback on** as part of the consultation process.

About you

Name (optional): _____

Email address: _____

Which best describes the capacity in which you are responding to this consultation (**required**):

- ☐ A councillor/committee member
- ☐ A Member of Parliament
- ☐ A licence holder
- ☐ A customer
- ☐ A Cheltenham resident
- ☐ A statutory body (police etc.)
- ☐ A body (for example disability awareness group)
- ☐ Other not specified (please specify): _____

Draft Street Trading Licensing Policy

This policy has been drafted from national legislation and statutory guidance.

Question 1: Do you have any comments regarding the draft Street Trading Licensing Policy? (**required**)

- ☐ Yes
- ☐ No

Please provide any further comments you wish to make in relation to your answer. Please quote relevant section numbers within the draft policy document (**optional**)

Question 2: Do you have any comments regarding the change in payments for consent holders. From 1 April 2027, traders will pay for the consent regardless of trading days similar to other Gloucestershire Licensing Authorities? (required)

☐ Yes

☐ No

Please provide any further comments you wish to make in relation to your answer. Please quote relevant section numbers within the draft policy document (**optional**)

Question 3: Do you have any comments regarding the waiver of licensing requirements for car boots/garage sales and honesty boxes? (required)

☐ Yes

☐ No

Please provide any further comments you wish to make in relation to your answer. Please quote relevant section numbers within the draft policy document (**optional**)

Question 4: Do you have any comments regarding the proposal for race day consents for Tommy Taylor's Lane and Evesham Road (required)

- ☐ Yes
- ☐ No

Please provide any further comments you wish to make in relation to your answer. Please quote relevant section numbers within the draft policy document (**optional**)

Question 5: Do you have any comments regarding the requirement for a site notice? (required)

- ☐ Yes
- ☐ No

Please provide any further comments you wish to make in relation to your answer. Please quote relevant section numbers within the draft policy document (**optional**)

Consultation

The authority is keen to hear your views on these proposals, and is consulting with the trades it regulates, relevant stakeholders and the wider public.

We will also use the authority website to publicise the consultation taking place and our proposals. An online survey tool to respond to the consultation will be available on our website and in paper form available from the authority reception area at the Municipal Offices.

We will also consult directly with the following groups, organisations or individuals.

- Cheltenham Borough Council Environmental Protection team
- Cheltenham Borough Council Food, Health and Safety team
- Cheltenham Borough Council Green Space Development team
- Cheltenham Borough Council Parks team
- Cheltenham Borough Council Marketing team
- Cheltenham Borough Council Planning Enforcement team
- Cheltenham Borough Council Townscape team
- Cheltenham Borough Council Ward Councillors (the individuals that are elected for the area where the application is made)
- Gloucestershire Constabulary
- Cheltenham BID
- Cheltenham Trust
- Ubico
- Inclusion Gloucestershire
- Gloucestershire Sight Loss Council

If you have any questions about this consultation, please contact licensing@cheltenham.gov.uk before making the final decision in respect of these proposals.

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Street trading licensing policy



CHELtenham
BOROUGH COUNCIL



www.cheltenham.gov.uk

This policy was approved **X** and takes effect from **X**

Version control

Document name: Street trading licensing policy

Version: 1.0

Responsible officer

- Michelle Bignell

Approved by: **X**

Next review date: **X**

Retention period: Indefinite

Revision history

Revision date	Version	Description

Consultees

Internal

External

Distribution

Available online.

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Introduction

- 1.1 This policy sets out Cheltenham Borough Council's ('the Council') framework and approach for the management of street trading in the borough.
- 1.2 Through this policy, the authority aims to control:
 - The location of the street traders; and
 - The number of street traders.
- 1.3 The policy also aims to:
 - Prevent unnecessary obstruction of the highway by street trading activities;
 - Sustain established shopkeepers in the town;
 - Maintain the quality of the townscape and add value to the town; and
 - Encourage inward investment.
- 1.4 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.
- 1.5 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.
- 1.6 It is the intention that this policy will be reviewed every 3 years.

Legislation

- 2.1 The powers to control street trading within the Council's area are contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 ('the Act') which has been adopted by the Council.
- 2.2 The Act defines street trading as the selling or exposing or offering for sale of any article (including a living thing) in a street.
- 2.3 For the purposes of the legislation, a street is any road, footway, beach or other area to which the public have access without payment.
- 2.4 As a result of the wide statutory definition of street, consent can be required even when trading on private land. This was confirmed in *West Berkshire District Council v Paine* (2009).
- 2.5 Under The Act, a local authority may designate any street in their district as:
 - A prohibited street;
 - A licence street; or
 - A consent street.

- 2.6 The Council has resolved that the entire borough be designated as consent streets. A consent street is a street in which street trading is prohibited without the consent of the district council.
- 2.7 In designating the whole of the borough as consent streets, the Council has consulted all relevant corporations under the Act.
- 2.8 The Act also makes certain activities exempt from the requirement to hold a street trading consent. The exempt activities are:
- a) Trading as a Pedlar under the authority of a Pedlar's Certificate granted under the Pedlars Act 1871.
 - b) Any trade in a market or fair held under a charter which has been granted or established by statute. This exemption does not apply to car boot sales and informal markets which have been set up.
 - c) Trading in a trunk road picnic area provided under the Highways Act 1980 (section 112). Motorway service areas fall within this exemption.
 - d) Trading as a news vendor (where the only articles sold or offered for sale are newspapers and periodicals).
 - e) Trading at premises used as a petrol filling station or from a street adjoining a shop premises as part of the business or shop. This exemption enables people operating petrol stations to offer a range of goods on their forecourt and for shop keepers to offer goods outside their shop premises (for example a display of fruit and vegetables outside a greengrocers or plants / flowers outside a florists).
 - f) Offering or selling things as a Roundsman. For these purposes a "Roundsman" is a person who follows the round of his customers to take orders and deliver the pre-ordered goods of his customers. Case law has established that mobile ice cream sales are not exempt from street trading controls.
 - g) The use for trading under the Highways Act 1980 (Part VIIA Section 115B) of an object or structure (such as a booth or kiosk) placed on, in or over a highway.
 - h) The operation of facilities for recreation or refreshment provided under of the Highways Act 1980 (Part VIIA Section 115C).
 - i) Street collections for charitable purposes authorised by a street collection permit (issued under regulations made under section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916).

Street trading objectives

- 3.1 To support the Council in discharging its duties under the Act, and to provide a clear and consistent approach for applicants, consent holders, and other interested parties, this policy identifies five objectives the Council will seek to uphold when dealing with street trading:

- a) **Needs of the area** – whether the retail offer of each pitch, including the goods and unit, complement, and do not conflict, with the goods sold by other established retailers within the vicinity. The Council may undertake a qualitative assessment of the goods to be sold by each applicant or consent holder against those on sale in the adjacent area. This will apply equally on both new and renewal applications as the Council recognises that the surrounding retail environment is subject to change.
- b) **Public nuisance** – whether the street trading activity represents, or is likely to represent, a risk of nuisance to the public, or properties in the vicinity, from noise, misbehaviour, emissions, smells, litter or similar.
- c) **Public safety** – whether the street trading activity or individual(s) involved represents, or is likely to represent, a substantial risk to the public, including from the point of view of obstruction, fire, hygiene, crime and disorder, or danger that may occur when a trader is accessing or using the site. The Council would expect a minimum of 2 metres of unobstructed highway / walkway on at least one side of the proposed trading unit / location.
- d) **Appearance of the unit or vehicle** – whether the trading unit enhances the visual appearance of the street and street scene rather than detract from it. The Council expects that units are constructed in a suitable scale, style, and design using appropriate materials. It should be fully accessible for all customers and advertising material, which must be professionally designed and printed, must be limited to the name of the stall; the type of product sold; and a simple price list. Units which fully or substantially block lines of sight to established retailers in the vicinity will generally not be permitted. And any street trading operation which negatively impacts public access by walking, cycling, or public transport will generally not be accepted.
- e) **Environmental credentials** – whether there will be a negative impact of the proposed operation on the local environment. This includes street surfaces; tree pits & materials; power supply; carbon footprint; supply chain; packaging; waste minimisation and recycling; and waste disposal and waste created by customers. The Council encourages the use of sustainable products, and expects applicants to submit environmental statements to accompany applications.

Application and licensing process for new applicants

- 4.1 New applicants are advised to contact the Council at their earliest opportunity, preferably before an application is made.
- 4.2 All applicants must be 17 years of age or above.
- 4.3 Applications can be made for:
- A static consent for a trader who remains in one place during trading; or

- A mobile consent for a trader who wishes to move from place to place.
- 4.4 Street Trading Consents are issued for a period of 12 months from the date of grant.
- 4.5 A Street Trading Consent may be surrendered at any time. It shall then cease to be valid.
- 4.6 Seasonal trading consents may be considered for a 6-month period e.g. mobile ice cream vehicles.
- 4.7 A short-term Consent may be granted for a period of up to 7 days. The process is the same as for an annual/seasonal Consent.
- 4.8 Whether applying for a fixed pitch or roaming consent, all applications for the grant of a new street trading consent must include:
- A completed application form;
 - A photograph of the trading unit;
 - Documents to prove that the applicant has the right to work in the UK;
 - Public liability insurance with a minimum indemnity of £5 million;
 - A basic DBS certificate dated within one month of the application being made which is subscribed to the update service; and
 - The relevant application fee.
- 4.9 Applicants applying for a fixed pitch must also identify a suitable trading location and provide a scale plan alongside permission from the landowner if there is one.

Suitable location and scale plans

- 4.10 It is the responsibility of applicants to identify a suitable pitch. When doing so, they should have regard to the street trading objectives outlined within this policy.
- 4.11 The Council has not identified any 'pre-approved' licensing zones within this policy.
- 4.12 The Council discourages applications being made for the pedestrianised area of the High Street (between Winchcombe Street and Pittville Street) and the Promenade, unless these are being made for an extremely limited duration.
- 4.13 Where it is proposed that a unit is sited on a road, there must be no Traffic Regulation Orders (TROs) in place. Applications made for areas covered by a TRO must be refused under the Act.
- 4.14 Where an applicant identifies a suitable location, they shall submit to the Council a scale plan (1:100) showing:
- The proposed location of the unit;
 - The size of the unit;
 - The distance from the unit to the edge of the pavement / highway;
 - The distance from the unit to nearby buildings / premises and any external seating at the premises;

- The distance from the unit to nearby fixed structures, including (but not limited to) street furniture, tree pits, lampposts and signposts, and railings.
- 4.15 Scale plans must show a minimum of 2 metres of clearance between the unit and any nearby structures to allow for accessibility.

Other considerations

- 4.16 When considering making an application for a street trading consent, new applicants should contact Cheltenham Borough Council's Planning team to ascertain whether planning permission may also be required.
- 4.17 If an application is being made for private land which falls within the scope of the Act, applicants should consider attaining the consent of the landowner. This is the responsibility of the applicant alone to arrange and procure.
- 4.18 Consents will not be granted to more than one trader for the same location for the same hours/days.
- 4.19 Street traders that propose to serve hot or food drink at any time between 23:00pm at 05:00am will require a premises licence that authorises late night refreshment under the Licensing Act 2003.
- 4.20 If it is proposed that food or drink is sold under a street trading consent, it is a legal requirement that the applicant registers as a food business with their local authority. The applicant should be able to demonstrate that all food handlers are appropriately trained / experience. Food hygiene training certificates should be available for food handlers.
- 4.21 A valid gas safety certificate for all gas appliances should be available for inspection. Certificates must be issued by a Gas Safe registered engineer who holds the relevant competencies (commercial / catering and liquified petroleum gas (LPG)). As a minimum, catering gas appliances should be inspected and tested every 12 months.
- 4.22 The Council encourages applicants to engage with nearby businesses prior to, or at an early point, in the application process to address any issues or concerns that may arise informally.

Consultation

- 4.23 Upon receipt of a valid application, a 14-day consultation period will commence. The consultation period commences on the next working day following receipt of a complete application.
- 4.24 The consultation will seek the views of the following:
- Cheltenham Accessibility Forum;
 - Cheltenham BID;
 - Cheltenham Borough Council Environmental Protection;
 - Cheltenham Borough Council Food Safety;

- Cheltenham Borough Council Health and Safety;
- Cheltenham Borough Council Parks and Green Space Development;
- Cheltenham Trust;
- Gloucestershire Constabulary;
- Gloucestershire Fire and Rescue Service;
- Gloucestershire Highways;
- Gloucestershire Trading Standards;
- Marketing Cheltenham;
- Planning – Cheltenham Borough Council;
- Townscape;
- Relevant ward councillors; and
- Any other persons or bodies the Council deems relevant.

- 4.25 The Council will distribute details of the application to the consultees via email.
- 4.26 For the duration of the consultation period, the applicant must affix a prescribed public notice in the location they wish to trade. The public notice must remain in place until the application has been determined.
- 4.27 Failure to display the public notice will invalidate the application. So that the Council can be confident it is appropriately displayed, the applicant must provide a photograph of the public notice in situ by no later than 17:00 on the first day of the consultation.
- 4.28 The Council will accept relevant representations from its consultees or any interested party, unless they are deemed to be irrelevant, frivolous, or vexatious.

Determination

Applications with no representations

- 4.29 A consent will be automatically granted if the application meets the objectives and no valid representations are received.

Applications with representations

- 4.30 If the application does not meet the objectives, or there are valid representations, officers will contact the applicant to discuss additional conditions that could be attached or changes that could be made to the proposed location, goods, or trading hours to mitigate the concerns raised.
- 4.31 If these changes or additional conditions resolve the representation or alleviate concerns around the objectives, a consent will be issued.
- 4.32 If they do not resolve the representation or alleviate concerns around the objectives, the application will be referred to a Licensing Sub-Committee for determination.

Decisions

- 4.33 Where an application is referred to the Licensing Sub-Committee as a result of a valid representation being made or concerns existing around the objectives, it will determine each application on its own merits.
- 4.34 Applicants and the person / agency making the representation will be invited to attend, and Members of the Licensing Sub-Committee will consider the information submitted as part of the application and give due consideration to persons making a representation.
- 4.35 The Council will aim to hold the Committee within 28 days of the consultation ending.
- 4.36 The Licensing Sub-Committee may:
- Grant the application;
 - Grant the application, attaching such conditions to it as considered reasonably necessary; or
 - Refuse the application.
- 4.37 A consent may be refused in any circumstance where the Council think it would not be fit to grant a consent. This gives the Council wide discretion, but it will always inform the applicant of any reasons for refusing the application.
- 4.38 An applicant will be notified of the decision of the Sub-Committee within five working days of the decision.
- 4.39 Where the Council approve an application and attach additional conditions as considered reasonably necessary, the standard conditions will still apply.
- 4.40 There is no statutory right of appeal against refusal of an application for street trading consent, or against additional conditions attached to the consent.
- 4.41 A person aggrieved by a decision of the Council to grant, attach conditions to, or refuse a street trading consent may make an application to the High Court for Judicial Review of the decision. For further information on potential grounds for Judicial Review applicants should seek advice from an independent solicitor as soon as they receive notice of the decision.

Application and licensing process for renewals

- 5.1 Applications for renewal must be submitted no later than 4 weeks prior to the expiry date of the current consent.

- 5.2 Renewal applications made after this date will not be valid and a new application will have to be made. If the existing consent expires and the new application is yet to be determined, no trading may take place until the new consent is issued.
- 5.3 The application form for the renewal of the consent must be accompanied by:
- Street trading consent fee; and
 - Public liability insurance with a minimum indemnity of £5 million.
- 5.4 A check of the DBS update service for the basic certificate provided at initial application will also be made. If the update service subscription has ended, a new basic DBS certificate will be required.
- 5.5 Renewal applications will be automatically granted provided the following criteria have been met:
- No substantiated complaints have been received in the previous 12 months which relate to the street trading objectives;
 - No relevant enforcement action has been taken against the consent holder or persons working for them; and
 - No additional information is shown on the DBS update service, or new certificate if applicable.
- 5.6 If the criteria are not met, the renewal will be subject to the same procedure as a new application.

Transfers

- 6.1 A street trading consent cannot be transferred or sold to another person.
- 6.2 Whilst the subletting of a street trading consent location or pitch will ordinarily be prohibited, the Council may permit sub-letting in the case of a consent granted to a Parish Council where it is satisfied that Parish Council has, or will put in place, satisfactory measures to ensure that any individual / organisation to whom they sublet will comply fully with the conditions subject to which the Parish Council's Consent was granted.

Conditions

- 7.1 The Council will apply standard conditions to all street trading consents. Appendix 1 contains the Council's approved standard conditions.
- 7.2 The Council will apply conditions to ice cream traders as shown in Appendix 2 in addition to the standard conditions.
- 7.3 The conditions attached to the consent can be varied. In the interests of fairness, notice of any proposed variation will be given to the consent holder in advance.

- 7.4 Additional conditions can be attached to a street trading consent following a Licensing Sub-Committee. These conditions will be in addition to the standard conditions referred to at 6.1.

Fees

- 8.1 Fees will be set for the grant and renewal of a street trading consent. The fees will be fixed by the Council and will be reviewed annually.
- 8.2 Fees may differ based upon the location and goods being sold.
- 8.3 Fees will be due for the type of consent granted and will not be calculated on the number of days traded. There will be no refunds for holidays or non-trading days when the trader is licensed to trade and chooses not to.
- 8.4 An application fee for new and renewal applications will always be payable, and additional consent fees will apply for the duration of the consent. These fees can be paid by monthly instalments.
- 8.5 Failure to pay an instalment within 14 days will result in the Consent being revoked.
- 8.6 Where a consent is surrendered during the term of a street trading consent, or the consent is revoked, no refund will be paid.
- 8.7 Details of the current fees can be found on the Council's website.

Enforcement and compliance

- 9.1 The Council is committed to enforcing the provisions contained within the legislation and to work in partnership with all enforcement agencies to provide consistent enforcement on licensing issues.
- 9.2 The Council will always have regard to its Corporate Enforcement Policy and delegations outlined in the Constitution when considering taking enforcement action in line with this policy.
- 9.3 It is an offence to trade in a consent street without a street trading consent. Doing so carries a fine of up to £1000 on conviction by a Magistrates' Court.
- 9.4 The Council expects individuals who do not hold a street trading consent to refrain from street trading.
- 9.5 Where licensable activities are conducted without holding a street trading consent and the Council is made aware of such activities, the individual concerned will be asked to cease trading with immediate effect.
- 9.6 The Council has discretion to gather evidence and take enforcement action, including by means of prosecution, where an individual is identified trading without a street trading consent.

- 9.7 Where appropriate, the Council will provide an opportunity to apply for a street trading consent if it is not already held. During any application period, trading will not be permitted.
- 9.8 For individuals or organisations that hold a street trading consent, the Council will monitor activity to ensure compliance with the law and the conditions of a consent.
- 9.9 The Council will endeavour to carry out inspections during the course of a consent to ensure compliance.
- 9.10 The Council will also accept and investigate complaints made about consent holders.
- 9.11 Where issues are identified, whether by means of inspection, complaint, or non-compliance, the Act gives the Council discretion to revoke a street trading consent at any time if appropriate.

Community, charitable, and miscellaneous trading

Community and charitable events

- 10.1 Events organised by charities, or by individuals / organisations as part of a community event, will be required to seek street trading consent.
- 10.2 Charities with a registered charity number, or applicants who can produce a letter of authority from a registered charity showing the event is being organised on their behalf, will be offered a reduction of 50% from both the application and consent fees due.
- 10.3 This reduction will not be offered to organisations who are unable to evidence any link to a registered charity.

Trading along Evesham Road and Tommy Taylor's Lane during racing events

- 10.4 It is recognised that racing events supports the local economy and that there is a significant increase in temporary trading taking place along these roads.
- 10.5 The Council will permit daily consents to sell goods along here for **race days only**.
- 10.6 An application can be made using the race day Street Trading Consent application form on the Council's website. This must be accompanied by the fee, location map and a photograph of the responsible adult who must be contactable at all times when sales are taking place. The Council retains the right to alter the specified trading location to ensure that trading remains spaced out and not saturated in one area.
- 10.7 You must be over 17 years of age to apply.

- 10.8 The Council will limit the number of Consents along these roads to a maximum of 10 per road. These will be allocated on a first-come, first-served basis (except where trading takes place on a private driveway which will still require a consent but be permitted with a valid application and fee).
- 10.9 Applications must be made at least 7 days prior to the event.
- 10.10 The Council will consult with Gloucestershire Police. Any objections will result in refusal of the application.
- 10.11 Trading can only take place from a stall no larger than 1.5m x 1m.
- 10.12 The stall must not obstruct the main walkway.
- 10.13 If the trading negatively impacts on the licensing objectives, causes an obstruction or the trader sells goods not permitted, the consent may be revoked.
- 10.14 Consents will be issued subject to conditions attached in Appendix 3.
- 10.15 Trading that takes place in conjunction with a street collection permit for charitable purposes is exempt from this requirement. For example, scouts raising money by selling cakes.
- 10.16 Commercial traders will be required to apply for a 'normal' street trading consent and will be subject to the full consultation and application fees.

Car boot and garage sales

- 10.17 Organisers of car boot or garage sale events are exempt from the provisions of this policy.
- 10.18 Commercial traders at these types of events may be subject to licensing requirements and organisers are advised to contact the Council for advice.

Honesty boxes

- 10.19 Individuals who wish to site / erect an honesty box will be required to notify the authority in writing of the location but will otherwise be exempt from the provisions of this policy. Alcohol will require permission under the Licensing Act 2003.

Sites on private land

- 10.20 Applicants for sites on private land will be required to seek street trading consent where their unit is accessible to the public without payment.

Vehicles

- 10.21 A street trading consent is required where vehicles are placed on a street and advertised for sale. This includes any vehicle displaying signs that name an individual or business, or displays notices / signs intended to sell the vehicle.

Markets

10.22 Applications for markets in the Borough are covered by the Food Act 1984.

Applicants should refer to the Council's website for further information ***

Additional authorisation

10.23 Additional authorisations may be required if the scope of activities proposed by an applicant / licensee go beyond the provisions of street trading. This may include, but is not limited to, authorisation under:

- The Licensing Act 2003 for sales of alcohol or late night refreshment;
- The Highways Act 1980 for display of other furniture or objects, including seating and A-boards;
- The Environmental Protection Act 1990 for the distribution of free printed matter;
- The Police, Factories, & c. (Miscellaneous Provisions) Act 1916 for charitable collections; and
- The Gambling Act 2005 for gambling activities including lotteries or raffles.

Appendix 1

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.

Appendix 2

Special Conditions for 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.

Appendix 3

Race Day Street Trading Consent conditions

1. Trading is only permitted from the site licensed to trade and the stall must stay in this location.
2. No other type of furniture is permitted.
3. Trading can only take place from a stall no larger than 1.5m x 1m.
4. The stall must not obstruct the main walkway.
5. If the trading negatively impacts on the licensing objectives, causes an obstruction or the trader sells goods not permitted, the consent may be revoked.
6. Any unauthorised items may be seized by a police officer.
7. A copy of the street trading consent must always be available for inspection when trading takes place.
8. The designated person must be contactable at all times and, if not present, must be able to attend if a police or council officer request them to do so.
9. Any person involved in the selling of goods must be courteous at all times.

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Licensing Committee – 2 September 2026

Review of Cheltenham Borough Council's Evening and Night-time Economy Strategy

Report of the Licensing and Public Protection Manager

1. Introduction

- 1.1 Cheltenham has an award-winning night-time economy. As a result of work and investment by the council and its partners, Cheltenham has successfully developed and maintained a thriving evening and night-time economy (ENTE).
- 1.2 In 2019 a strategy was adopted to ensure that there was a clear strategic and longer term plan to build on the success already achieved. To this end, the council has been working with its partners for the management of Cheltenham's ENTE.
- 1.3 This report briefly outlines the proposed revised strategy to carry us forward for the next three years.
- 1.4 The Licensing Committee acts as consultee to the Cabinet Member for Safety and Communities on recommendations/responses for the adoption and review of licensing policy. It is with this in mind that the Licensing Committee is asked to consider the strategy proposals and provide a response to these.

Recommendations:

- 1.4 The Licensing Committee is recommended to:
 - 1.4.1 Note the proposed strategy; and
 - 1.4.2 Provide formal recommendations and/or responses to the Cabinet Member of Safety & Communities in relation to these.

Implications

Legal	There is no statutory requirement to undertake a review of the strategy, but it is good practice to do so to ensure that it is kept up to date. One Legal E-mail: legalservices@onelegal.org.uk
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2. Cheltenham's ENTE

- 2.1 Cheltenham's ENTE has been recognised and externally assessed as safe, well managed and offering a broad appeal. The town has been accredited as a Purple Flag¹ town since 2016.
- 2.2 The evening and night-time economy is crucial to Cheltenham and never more so than now. With the shopping experience progressively moving online, hospitality effected by the covid pandemic, a thriving evening and night-time offer is still fundamental in sustaining the vitality of our town centre. It attracts visitors and residents to the centre and encourages business growth within the sector. Spending by visitors and residents makes a substantial contribution to the economy of the town. A thriving ENTE is a key element in promoting Cheltenham as a festival town and leisure destination.

3. ENTE strategy

- 3.1 A copy of the draft strategy is attached at Appendix 1.
- 3.2 The revised strategy has been devised alongside the ENTE working group which is made up of partners from the ENTE. These partners are also responsible for collating information for the Purple Flag submission each year.
- 3.3 The strategy has been updated to reflect purple flag assessment feedback, current issues and to ensure that Cheltenham remains safe and accessible to all.
- 3.4 The strategy sets out six priorities:
- Safety and Security
 - Cleanliness and Infrastructure
 - Transport
 - Business and Marketing
 - Community Engagement
 - Health and Wellbeing
- 3.5 Clear and specific actions in the draft strategy set out the work the council and its partners will undertake to meet the ambitions set out in the draft strategy.

4. Cheltenham Night-time Charter

- 4.1 As part of a commitment to offering a safe town, it has been proposed to offer a charter that ENTE businesses can sign up to demonstrating their commitment to offering a safe venue.
- 4.2 The charter has been drafted by a working group consisting of ENTE operators, Cheltenham Safe, Cheltenham BID, Gloucestershire Police and Cheltenham Borough Council (CBC).
- 4.3 The draft assessment and guidance are attached at Appendix 2.
- 4.4 It is proposed that venues will be able to sign up to the scheme on a voluntary basis, be assessed by one of the assessors and be awarded with artwork for their premises. There will be a launch in January 2027 and will be supported by all partners. The businesses will receive free promotion on the ENTE section of the CBC website and social media channels.

¹ Purple Flag is a national accreditation scheme managed by the Association of Town & City Management which on an annual basis assesses and recognises town and city centres that are committed to raising standards and broadening their appeal, specifically between the hours of 5.00pm and 5.00am

5. The next steps

- 5.1 Overall oversight for the adopted ENTE strategy will be the responsibility of CBC's licensing and public protection manager.
- 5.2 There is full acknowledgement however that the implementation of the ENTE strategy must be a partnership approach. No one partner can solely be responsible for the delivery of the strategy. As set out in the ENTE strategy, a multi-agency governance group will be set up to act as the strategic oversight of Cheltenham's ENTE including the implementation of this strategy and monitoring its impact.

Background Papers

Service Records

Appendices

Appendix 1 – Draft ENTE strategy

Appendix 2 – Draft charter assessment and guidance

Report Author

Contact officer: Michelle Bignell
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 264135

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Cheltenham Night-Time Economy Charter

Operator Guidance and Supporting Policy

Contents

1. Introduction
 2. What is the Cheltenham Night-Time Economy Charter?
 3. Why Sign Up?
 4. Benefits of Signing the Charter
 5. Charter Principles
 6. Charter Requirements
 - 6.1 Safety Champion
 - 6.2 Communication
 - 6.3 Supporting Staff
 - 6.4 Incident Reporting Procedures
 - 6.5 Safety Measures
 - 6.6 Training and Initiatives
 7. Assessment Process
 8. Maintaining Accreditation
 9. Commitment Statement
-

1. Introduction

Cheltenham's Night-Time Economy Charter is a voluntary scheme designed to encourage and recognise businesses that are committed to creating a safe, welcoming, inclusive and well-managed evening and night-time economy.

The Charter supports Cheltenham's vision of being a destination where residents, visitors, workers and businesses can enjoy the town safely and confidently after dark. It has been developed by stakeholders from Cheltenham's Evening and Night-Time Economy (ENTE) Working Group as part of the town's ongoing commitment to maintaining the Purple Flag accreditation and promoting best practice across the evening and night-time economy.

The Charter is intended to be practical, achievable, and accessible to businesses of all sizes.

2. What is the Cheltenham Night-Time Economy Charter?

The Charter is a voluntary commitment for businesses operating between the hours of 5pm and 5am to work collaboratively in creating a safer and more inclusive environment for everyone using Cheltenham's evening and night-time economy.

The Charter is open to:

- Licensed premises
- Restaurants and cafés
- Hotels
- Entertainment and cultural venues
- Late-night retailers
- Transport providers
- Community venues
- Any business operating during the evening and night-time economy

Businesses that successfully demonstrate compliance with the Charter standards will receive recognition and accreditation from Cheltenham Borough Council.

3. Why Sign Up?

The Charter has been designed to:

- ✓ Be completely free to join
- ✓ Be achievable for businesses of all sizes
- ✓ Promote practical measures that improve safety and wellbeing
- ✓ Support staff, customers and vulnerable individuals
- ✓ Encourage partnership working across Cheltenham
- ✓ Recognise businesses that demonstrate good practice

The Charter is not intended to create unnecessary work. Instead, it provides a framework that helps businesses demonstrate their commitment to high standards of safety, inclusion, and responsible operation.

4. Benefits of Signing the Charter

Businesses that achieve Charter accreditation will benefit from:

Demonstrating Commitment

Show customers, staff, residents, visitors, and regulators that the business actively promotes a safe and inclusive environment.

Increased Customer Confidence

Customers are more likely to visit and return to businesses where they feel safe, respected, and supported.

Improved Staff Wellbeing

Clear procedures, training, and support mechanisms help staff feel confident when dealing with incidents and safeguarding concerns.

Access to Resources and Training

Businesses can benefit from information, guidance, training opportunities, and local initiatives that support the evening and night-time economy.

Partnership Working

The Charter supports stronger relationships between businesses and:

- Cheltenham Borough Council
- Gloucestershire Constabulary
- Cheltenham BID
- Community Safety Partners
- Local businesses

Recognition and Promotion

Accredited businesses will receive:

- A Charter window sticker for display
 - Recognition on Cheltenham Borough Council's ENTE webpage
 - Demonstration of commitment to best practice within the local community
-

5. Charter Principles

Businesses signing up to the Charter agree to support the following principles.

Safety

Creating environments where customers, visitors, and staff feel safe.

Inclusion

Ensuring Cheltenham's evening and night-time economy is welcoming and accessible to everyone.

Respect

Promoting a zero-tolerance approach to harassment, discrimination, intimidation, and violence.

Partnership

Working collaboratively with local authorities, police, businesses, and community organisations.

Prevention

Taking proactive steps to reduce risks and prevent incidents before they occur.

Continuous Improvement

Maintaining standards through training, communication, and regular review.

6. Charter Requirements

To achieve and maintain Charter accreditation, businesses must demonstrate compliance with the following requirements.

6.1 Safety Champion

Requirement

Each business must appoint a named Safety Champion.

Purpose

The Safety Champion acts as the lead point of contact for:

- Staff welfare
- Customer safety
- Training requirements
- Reporting procedures
- Charter compliance

Responsibilities

The Safety Champion should:

- Promote a positive safety culture
- Support staff with concerns and reporting
- Monitor staff training
- Promote local initiatives
- Act as the point of contact during assessments

Evidence

Businesses should be able to demonstrate:

- A named Champion has been appointed
 - Staff know who the Champion is
 - The Champion understands their role
 - The Champion has completed all relevant training
-

6.2 Communication

Requirement

Businesses must visibly communicate their commitment to safety and inclusion.

Purpose

Clear communication helps customers and staff understand that concerns will be taken seriously, and that support is available.

Expectations

Businesses should display:

- Charter signage
- Ask for Angela signage
- Ask for Clive signage
- Information on reporting incidents
- Messaging regarding unacceptable behaviour

Good Practice

Signage should be:

- Clearly visible
 - Well maintained
 - Displayed in customer-facing areas
 - Displayed in staff areas where appropriate
-

6.3 Supporting Staff

Requirement

Businesses must create an environment where staff feel comfortable and confident reporting concerns.

Purpose

Many incidents go unreported because individuals fear they will not be believed, supported or taken seriously.

Expectations

Businesses should:

- Encourage open communication
- Promote confidential reporting
- Signpost support services
- Provide wellbeing support where available

Good Practice

Managers should:

- Regularly discuss behavioural expectations
- Challenge inappropriate behaviour
- Support staff following incidents
- Reinforce reporting procedures

Support Information

Staff should know how to access:

- Internal support procedures
- Local support organisations
- Employee Assistance Programmes (where available)

6.4 Incident Reporting Procedures

Requirement

Businesses must have a written procedure that explains how incidents are reported, recorded, and escalated.

Purpose

Consistent procedures ensure individuals receive appropriate support, and incidents are managed effectively.

Minimum Standards

Staff should know:

- How to receive a disclosure
- How to respond appropriately
- How to record information
- Who should be notified
- When police involvement is required
- When emergency services should be contacted

Responding to a Disclosure

When someone reports an incident, staff should:

1. Listen carefully.
2. Remain calm and professional.
3. Thank the individual for speaking up.
4. Reassure them that the matter will be taken seriously.
5. Explain available options.
6. Record details accurately.
7. Escalate in accordance with company procedures.

Record Keeping

Businesses should maintain accurate records of:

- Incidents
- Concerns raised
- Refusals (where applicable)
- Relevant CCTV evidence

Records should be factual, objective, and retained in accordance with the business's data management procedures.

6.5 Safety Measures

Requirement

Businesses must provide a safe environment for customers, visitors, and staff.

CCTV and Lighting

Businesses should ensure:

- CCTV systems are operational
- Equipment is regularly maintained
- Footage can be retrieved when required
- Internal areas are adequately lit
- External areas are adequately lit

Safe Space

Businesses should identify a safe space which can be used by individuals who require support following:

- Harassment
- Assault
- Welfare concerns
- Ask for Angela activations
- Ask for Clive activations
- Suspected spiking incidents

The space should:

- Be private where possible
- Be accessible
- Be supervised appropriately
- Allow an individual to remain safely while support is arranged

Partnership Working

Businesses are encouraged to work positively with:

- Gloucestershire Constabulary
- Police Alcohol Licensing Officers (PALO)
- Cheltenham Borough Council
- Cheltenham BID
- Community Safety Partners

Attendance at local partnership meetings, including Daysafe and Nightsafe meetings, is encouraged where appropriate.

6.6 Training and Initiatives

Requirement

Staff must receive appropriate training to support the objectives of the Charter.

Core Training

All relevant staff should receive training covering:

- Ask for Angela
- Ask for Clive
- Sexual harassment awareness
- Active bystander intervention
- Incident reporting procedures
- Counter Terrorism (ACT) awareness

Additional Requirements for Licensed Premises

Licensed premises should also provide training relating to:

- Responsible alcohol sales
- Challenge 25 and age verification
- Proxy sales
- Refusals procedures
- Spiking awareness
- Cheltenham Borough Council's ID Retention Policy

Training Records

Businesses should maintain records that include:

- Employee name
- Training subject
- Date completed
- Review date
- Employee signature
- Champion or manager sign-off

Refresher training should be completed at least every 12 months.

7. Recommended Assessment Process

The assessment process is intended to be supportive, proportionate, and evidence-based.

Step 1: Review Documentation

- Policies
- Procedures
- Training records
- Incident logs

Step 2: Venue Walkthrough

- Signage
- CCTV
- Lighting
- Safe space provision

Step 3: Staff Conversations

- Champion awareness
- Reporting knowledge
- Understanding of initiatives

Step 4: Outcome

- Compliant
- Minor actions required
- Significant actions required before accreditation

Assessment Standard

The Charter should be assessed using the principle:

"Can the business demonstrate that the requirement exists, staff understand it, and it is actively implemented?"

Evidence should not be limited to paperwork. Staff knowledge, venue conditions and day-to-day practices are equally important.

8. Maintaining Accreditation

Charter accreditation represents an ongoing commitment to maintaining high standards of safety, inclusion, and responsible business practice.

Businesses are expected to:

- Maintain Charter standards.
- Keep staff training up to date.
- Review policies and procedures regularly.
- Continue supporting local initiatives.
- Engage positively with partners and stakeholders.
- Comply with all relevant legislation and licence conditions.

Compliance Monitoring

As part of Cheltenham Borough Council's commitment to maintaining a safe and responsible evening and night-time economy, accredited businesses may be subject to monitoring and compliance activity.

For licensed premises this may include:

- Test purchasing operations.
- Reviews of age-verification procedures.
- Checks on refusals records.
- Reviews of staff training records.
- Monitoring compliance with Premises Licence conditions.
- Monitoring compliance with responsible alcohol retailing practices.

The purpose of these activities is to support businesses in maintaining high standards and protecting the public, particularly children and vulnerable people.

Reporting Concerns

Concerns relating to a business's compliance with the Charter may be reported by:

- Members of the public
- Staff members
- Partner agencies
- Responsible authorities
- Other businesses

Concerns should be submitted to:

licensing@cheltenham.gov.uk

Reported concerns may result in engagement with the business, the provision of advice and guidance, or a review of Charter accreditation.

Review of Accreditation

Where concerns are identified, Cheltenham Borough Council will seek to work constructively with businesses to achieve compliance.

However, failure to maintain Charter standards, engage with agreed improvement actions or comply with relevant legal requirements may result in a review or withdrawal of Charter accreditation. In this case, the information will be referred to the Community Safety Partnership for consideration.

9. Commitment Statement

By signing up to the Cheltenham Night-Time Economy Charter, businesses demonstrate their commitment to creating a safe, welcoming and inclusive environment for everyone who lives, works and visits Cheltenham.

Through partnership working, training, prevention and continuous improvement, accredited businesses help support a thriving, responsible and respected evening and night-time economy that reflects the values and aspirations of Cheltenham.

Operator Self-Assessment & Assessment Checklist

Business Name: _____

Premises Address: _____

Safety Champion: _____

Assessment Date: _____

Assessor Name: _____

Licence Number (if applicable): _____

Charter Compliance Checklist

Section 1: Safety Champion

Requirement	Yes	No	N/A	Comments/Evidence
Safety Champion appointed	☐	☐	☐	
Staff know who the Champion is	☐	☐	☐	
Champion understands responsibilities	☐	☐	☐	
Champion has completed required training	☐	☐	☐	

Section 2: Communication

Requirement	Yes	No	N/A	Comments/Evidence
Charter signage displayed	☐	☐	☐	
Ask for Angela signage displayed	☐	☐	☐	
Ask for Clive signage displayed	☐	☐	☐	
Reporting information	☐	☐	☐	

visible to customers				
Reporting information visible to staff	☐	☐	☐	
Unacceptable behaviour messaging displayed	☐	☐	☐	

Section 3: Staff Support

Requirement	Yes	No	N/A	Comments/Evidence
Staff encouraged to report concerns	☐	☐	☐	
Harassment reporting arrangements in place	☐	☐	☐	
Staff support information available	☐	☐	☐	
Local support services information available	☐	☐	☐	
Employee Assistance information available (where applicable)	☐	☐	☐	

Section 4: Reporting Procedures

Requirement	Yes	No	N/A	Comments/Evidence
Written reporting policy in place	☐	☐	☐	
Incident escalation procedure documented	☐	☐	☐	
Incident logbook/reporting system available	☐	☐	☐	

Staff trained in responding to disclosures	☐	☐	☐	
Staff know when to contact Police	☐	☐	☐	
Staff know when to contact emergency services	☐	☐	☐	

Section 5: Safety Measures

Requirement	Yes	No	N/A	Comments/Evidence
CCTV operational and maintained	☐	☐	☐	
Adequate internal lighting	☐	☐	☐	
Adequate external lighting	☐	☐	☐	
Safe space available	☐	☐	☐	
Staff know how to use safe space procedure	☐	☐	☐	
Ask for Angela response procedure understood	☐	☐	☐	
Ask for Clive response procedure understood	☐	☐	☐	
Spiking response procedure understood	☐	☐	☐	
Area agreed with PALO (licensed premises)	☐	☐	☐	
Engagement with neighbourhood policing team	☐	☐	☐	

Participation in Daysafe/ Nightsafe meetings where appropriate	☐	☐	☐	
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Section 6: Training & Initiatives

Requirement	Yes	No	N/A	Comments/Evidence
Ask for Angela implemented	☐	☐	☐	
Ask for Clive implemented	☐	☐	☐	
Sexual harassment awareness training completed	☐	☐	☐	
Counter Terrorism (ACT) training completed	☐	☐	☐	
Training records maintained	☐	☐	☐	
Refresher training completed within 12 months	☐	☐	☐	

Additional Requirements for Licensed Premises

Requirement	Yes	No	N/A	Comments/Evidence
Spiking awareness training completed	☐	☐	☐	
Responsible alcohol sales training completed	☐	☐	☐	
ID Retention Policy in place	☐	☐	☐	
Staff trained on age verification procedures	☐	☐	☐	
Refusals/	☐	☐	☐	

Incident book maintained				
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Documents Reviewed

- ☐ Staff Training Records
- ☐ Incident Log
- ☐ Reporting Procedure
- ☐ Harassment Policy
- ☐ Equality Policy
- ☐ CCTV Maintenance Records
- ☐ Premises Licence (where applicable)
- ☐ Refusals Log (where applicable)
- ☐ Other: _____
-

Staff Interviews

Question	Confirmed
Can staff identify the Safety Champion?	☐
Can staff explain how to report an incident?	☐
Can staff explain Ask for Angela/Clive procedures?	☐
Can staff identify the safe space?	☐
Can staff explain escalation procedures?	☐

Assessment Outcome

Overall Result

- ☐ PASS
- ☐ PASS SUBJECT TO ACTIONS
- ☐ FURTHER IMPROVEMENTS REQUIRED
-

Improvement Actions

Action Required	Responsible Person	Target Date

Assessor Comments

Declaration

I confirm that the above assessment has been completed in accordance with the Cheltenham Night-Time Economy Charter.

Assessor Signature: _____

Date: _____

Operator Signature: _____

Date: _____

Cheltenham Borough Council

Evening and Nighttime Economy Strategy

2026 - 2029



Ensuring safety, vibrancy & inclusivity in our ENTE



Cheltenham has successfully developed and maintained a thriving evening and nighttime economy (ENTE). This is largely the result of the broad appeal of the nighttime offer and the town's reputation as a good and safe night out, confirmed by the Purple Flag status awarded to Cheltenham every year since 2016.

A thriving evening and nighttime offer is fundamental in sustaining the vitality of our town centre. It attracts visitors and residents and encourages business growth within the sector. Spending by visitors and residents makes a substantial contribution to the local economy of the town. The evening and nighttime economy is a key element in promoting Cheltenham as a festival town and a competitive leisure destination.

Cheltenham Borough Council is also proud to have signed up to the Institute of Licensing's Partnership Charter for the night-time economy which is incorporated into our strategy.



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Our responsibilities

1 - Coordinate the ENTE Partnership Forum to provide oversight and the implementation of the strategy, monitoring its impact and sharing best practice.

2 - Coordinate the management of public safety in Cheltenham's evening and nighttime economy working in partnership with enforcement and support services and the facilitation of the Purple Flag priorities.

3 - Coordinate public realm services including public facilities and street cleansing to ensure they are appropriate and adequate to meet the needs and requirements of ENTE users.

4 - Work with statutory regulators to support businesses to achieve an appropriate level of operational compliance but equally recognising formal enforcement will be necessary and proportionate.

5 - We will work to improve engagement with and the involvement of residents and groups in the management of our evening and nighttime economy, creating space for greater local ownership.



Priority One

Safety & Security

A safe evening and nighttime economy is pivotal to its success and sustainability. It is important that visitors, residents and those working within the sector feel safe.

Public perception can sometimes be negative and at odds with the reality. These perceptions can have an impact on the ENTE, contributing to a lack of footfall in the town centre, therefore working in partnership with police, businesses and venues, we will enhance the towns reputation for safety and continue to promote the varied and alternative offers.



How will we achieve this

Work with police and security staff to increase visibility at peak hours.

Review crime data to identify themes and hotspot locations to influence action.

Maintain and modernise the CCTV network to ensure coverage, quality, and reliability.

Work with GCC to improve street lighting and remove dark spots to reduce fear of crime.

Memorandum of Understanding to strengthen the coordination between police, emergency response services and venues.

Develop an ENTE Charter with businesses and venues linked to safe spaces campaign and the safety of women and girls agenda.

Priority Two

Cleanliness & Infrastructure

With ongoing investment in CCTV, lighting, accessible public facilities, effective waste management, and attractive public spaces, we create an environment that is welcoming, inclusive, and enjoyable for all.

Cleanliness and a strong infrastructure are the foundations of a vibrant and sustainable nightlife, giving residents, businesses, and visitors confidence in Cheltenham as a leading Purple Flag destination.



*CBC - Cheltenham Borough Council
*GCC - Gloucestershire County Council

How will we achieve this

Work with CBC and GCC to ensure public spaces, streets, and parks are cleaned regularly to maintain an attractive town centre.

Work with CBC and GCC to ensure public toilets are clean, well-maintained, and accessible.

Work with CBC and GCC to provide clear way finding signage, improved lighting, and well positioned seating and street furniture to enhance visitor comfort and navigation.

Support a joined up approach between CBC, GCC, Cheltenham BID and businesses with sustainable and effective waste management practices keeping the high street clean and safe.

Priority Three

Transport

Cheltenham Borough Council is committed to ensuring public transport safety by working in partnership with operators to provide safe, accessible, and reliable late-night transport networks.

Robust inspection and enforcement, and the consistent delivery of safeguarding and equality training for taxi drivers will contribute to the protection of vulnerable individuals and inclusivity.

Cheltenham Borough Council is committed to making the town carbon neutral by 2030 by implementing environmentally sustainable transport strategies and reducing emissions to minimise the contribution to climate change.



*CBC - Cheltenham Borough Council

How will we achieve this

Work with transport operators to extend late-night bus and rail services, and ensure reliability, affordability and sustainability.

Support enhanced late-night taxi and licensed private hire provision, as well as safe e-scooter and cycling schemes.

CBC Licensing to undertake regular taxi regulation inspections and enforcement.

Ensure car parks are well-lit, signposted, and monitored to promote confidence and security.

Ensure consistent delivery of safeguarding and equality & diversity training to drivers.

Contribute to the 'Connecting Cheltenham' strategy to transition to a low carbon town.

Priority Four

Business & Marketing

Cheltenham celebrates a vibrant choice of leisure and entertainment for a diversity of ages, groups, lifestyles, cultures and incomes.

By maintaining a wide range of choice for residents and visitors in terms of places to eat, drink and other activities such as theatres, cinemas and other leisure facilities, Cheltenham holds its appeal of being inclusive to everyone, this includes promoting more alternative choices and options such as alcohol free and LGBT+ venues.



*CBC - Cheltenham Borough Council

How will we achieve this

Work in partnership with Visit Cheltenham and Cheltenham BID to showcase our diverse evening and nighttime offer beyond the pubs and clubs, to include theatres, cinemas, live music venues, family friendly activities, entertainment venues and cultural events.

CBC Licensing to support and encourage restaurants, bars, and cafés in exploring incentives to extend operating hours and flexible licensing.

Influence and encourage alternative evening and nighttime activities which could include themed nights, regular markets, and pop-up cultural programming to draw varied audiences and broaden participation.

Priority Five Community Engagement

Community engagement ensures that local voices inform priorities, policies, and practical solutions. By addressing concerns around safety, accessibility, and diversity, this creates a shared ownership in the nighttime offer.

This collaborative approach will support a balanced economy that meets community needs, reduces harm, and enhances the quality of the nighttime experience.



How will we achieve this

Provide clear feedback channels (digital platforms, surveys, forums) for residents and visitors to report experiences, concerns, and suggestions to influence change.

Strengthen the collaboration between the Purple Flag Group, Cheltenham Borough Council, police, local businesses, cultural institutions, and community and volunteer groups to develop activities that cater to a wide demographic, from families to older residents, ensuring inclusive accessibility.

Inform and influence alcohol and entertainment licensing and planning policy reviews to ensure alignment with ENTE objectives.

Priority Six

Health & Wellbeing

The evening and nighttime economy should contribute positively to the health, safety, and wellbeing of all who live, work, and spend time in our town.

This will be achieved by promoting safer socialising through well designed spaces, proactive licensing and reducing anti-social behaviour.

Creating inclusive, welcoming nighttime environments that reduce stigma, social isolation and encourages diversity for all.



How will we achieve this

Support the delivery of awareness campaigns on responsible drinking, drug prevention, and tackling spiking.

Encourage and promote alternative options including alcohol-free and low-alcohol social venues through marketing.

Highlight accessibility of trained first-aid staff and Safe Spaces based in the town centre on a weekend.

Memorandum of Understanding with non-statutory partners operating in Cheltenham's ENTE to agree service wellbeing standards and operational boundaries to support the ENTE community.



Key Priority Indicators



Priority One Safety & Security

CCTV

- Review quarterly incident & response data
- Review quarterly operator inactivity data
- Review quarterly footage retrieval & evidence handling requests data

Anti social behaviour

- Quarterly Town Centre ASB report data from Police, CBC NT and Solace - Community Safety Partnership ASB priority
- Public perception results - Purple Flag and OPCC surveys



Key Priority Indicators



Priority Two

Cleanliness & infrastructure

Street cleaning

- Public realm complaints & response time
- Frequency of cleaning inc. bin locations, collection times etc.
- Quarterly Environmental reporting data

Stakeholder engagement

- Business feedback - Cheltenham BID
- Public Realm feedback - Street Pastors
- Public perception survey - Purple Flag Assessment & OPCC Safety Survey



Key Priority Indicators



Priority Three Transport

Training

- 100% delivery of safeguarding and Equality & Diversity training to taxi drivers.
- 100% annual compliance check of Ask for Angela at licensed venues.

Accessibility

- Alternative transport usage data e.g VOI scooters
- No. of taxi/private hire operating in evenings
- No. late night bus services and routes

Key Priority Indicators

Priority Four Business & Entertainment

Town Centre Engagement

- Quarterly Footfall data
- Quarterly licensing applications - approval rates, refusals etc.
- Business satisfaction - Cheltenham BID
- Quarterly Social media engagements - Visit Cheltenham

ENTE Offer

- Mapping venue diversity of ENTE offer
- Annual attendance uplift to venues
- Creation and promotion of 3 itineraries to provide visitors with information about Cheltenham's ENTE

Key Priority Indicators

Priority Five Community Engagement

Representation

- Diverse and inclusive representatives at ENTE meetings
- No. of activities designed to be inclusive of priority demographics
- Accessibility compliance data

Engagement

- Annual Purple Flag Perception Survey
- No. Purple Flag meetings held annually
- No. policy consultations and impacts facilitated by ENTE Group
- Annual ENTE strategy review
- Accessibility Forum -Accessibility walk assessments

Key Priority Indicators

Priority Six Health & Wellbeing

Raising Awareness

- Launch and review of ENTE Charter
- No. of campaigns per year
- No. Police Operations - spiking, drug testing
- Joint communication strategy with Police and ENTE partners

Community Wellbeing

- Quarterly engagement data from ENTE services - Cheltenham Guardians, Night Hub & Street Pastors
- Quarterly A&E admissions due to drugs and alcohol

Evaluation & Monitoring



What we will do

- Review and challenge levels of crime data.
- Awareness of business performance indicators.
- Monitor town footfall in ENTE areas.
- Collate public perception survey results.
- Utilise media and marketing engagements.
- Monitor engagements in training offers.
- Hold bi-monthly ENTE Forum meetings to monitor and where required, escalate operational challenges to the Community Safety Partnership. Appendix 1.
- Conduct annual reviews to develop the strategy to fit the need.
- Benchmark Cheltenham's progress against other Purple Flag towns and regional participants.

Our Partnership

