

Licensing Sub-Committee - Miscellaneous

Wednesday, 28th April, 2021

6.00 - 6.35 pm

Attendees	
Councillors:	David Willingham (Chair), Wendy Flynn (Vice-Chair), Diggory Seacome and Simon Wheeler
Also in attendance:	Claire Morris, Harry Mayo, Louis Krog, Vikki Fennell and Jason Kirkwood

Minutes

1. APOLOGIES

Apologies were received from Cllr. Collins.

2. DECLARATIONS OF INTEREST

There were no declarations of interest, though Cllr. Willingham stated that he visited the 2 proposed sites.

3. APPLICATION FOR STREET TRADING CONSENT - BANCA ALVES CORTICEIRO COFFEE VAN

The Licensing Team Leader presented the report, which related to an application for street trading consent to sell hot drinks, cakes, pastries and biscuits from a van on the pavement adjacent to Imperial Gardens.

Cllr. Wheeler asked when the railings would likely be installed. The Licensing Team Leader responded that this work was due to commence this year.

The applicant (Mr Daniel Corticeiro) thanked members for considering the application and responded to the objections. The van would increase access to artisanal coffee in the town and enhance the area. He acknowledged that there might be a small queue at the entrance of the park and possibly an issue with the railings but would take these into consideration. He did not intend to disrupt any local traders or events, and rejected the notion of possible market saturation in the area. He also suggested that he would be happy to accept a shorter license than 12 months, in line with the council's Covid recovery plan.

Cllr. Flynn asked the applicant about the orientation of the van. The applicant responded that he intended to have it pointing north, so any queues would take up no more than half of the pavement, but that he would be happy to reposition it if necessary.

Cllr. Seacome asked whether waste bins would be provided. The applicant responded that there would be a 30 litre bin next to the van.

Cllr. Willingham suggested that the plan seemed viable. Competition with other premises would be negligible and it would not cause a public nuisance or any safety issues. He was sure that there would be conditions on how the vehicle arrived from the public highway, as on similar sites. The appearance of the unit was appealing and the environmental credentials, including waste disposal, seemed solid.

Cllr. Flynn agreed that it would be an attractive addition, but was concerned about its proximity to the entrance of the park, and possible issues that may arise when the railings were installed.

Cllr. Willingham suggested that if the committee was minded to approve the application, they could apply conditions requiring the van to cease operation during large events organised by Marketing Cheltenham, and requiring it to be parallel to the pavement.

Cllr. Seacome asked the applicant from which part of the vehicle the coffee was served. The applicant responded that this was done from the back of the vehicle. Cllr. Seacome suggested that any queue should form along the railings so it did not block the pavement.

Cllr. Wheeler suggested that as there were no street traders currently on the site, the application would not crowd the area.

Cllr. Seacome asked if there were any reason why the van could not be parked closer to the Queens Hotel, which would avoid blocking off a bench. The Licensing Team Leader responded that although the application needed to be considered on the basis of the information provided, neither 131 nor the Queens Hotel had objected so it would not materially change the application too much. The applicant responded that he would be happy to move closer to the hotel if necessary.

The Chair moved to a vote on the application, on the conditions that it move slightly towards the Queens Hotel, that the serving hatch face the hotel, and that trading consent might be suspended for the installation of the railings.

The Legal Officer conducted the vote.

For: 4

Against: 0

Abstain: 0

4. APPLICATION FOR STREET TRADING CONSENT - LA PIZZERIA

The Licensing Team Leader introduced the report, which related to an application for street trading consent to sell Italian-style made-to-order stone baked pizza, barista coffee and soft drinks from a trailer.

Cllr. Willingham asked whether the land was private. The Licensing Team Leader responded that it was not on a public highway.

The applicant (Mr Richard Hancock) addressed the committee, emphasising his experience in the hospitality and retail sector and the quality of the product. The stall would employ at least 8 people and source plenty of ingredients locally to support local businesses.

Cllr. Seacome asked whether the vehicle would be left there set up each night or moved overnight. The applicant responded that it would remain in place overnight, and that the owners of the land had given permission for it to do so.

Cllr. Wheeler was concerned that it was a large vehicle which might dominate the street. However, there had been no objections on this basis from nearby shops or otherwise.

Cllr. Flynn described it as a suitable location for the unit, and noted that the food on offer would complement other local options.

Cllr. Willingham noted that due to Covid restrictions it would be beneficial to have another option for members of the public to eat outside. The clay ovens could be a potential nuisance but any problems would be dealt with by Environmental Health. It was on private land and there did not seem to be any public safety issues. Having visited the site, he reassured Cllr. Wheeler that it was not an overbearing unit. The applicant confirmed that waste would be disposed of promptly.

Cllr. Seacome noted that several nearby pubs served hot food, so the unit risked causing saturation. Cllr. Wheeler suggested that since the pubs served alcohol too, the offer was not quite the same.

Cllr. Wheeler added that he was concerned about the amount of room for queuing, considering social distancing guidelines. Cllr. Willingham noted that the report seemed to show an adequate amount of room for people to queue without blocking the footpath.

The Legal Officer conducted the vote on whether to grant the consent, not subject to any conditions.

For: 3
Against: 1
Abstain: 0

**5. LOCAL GOVERNMENT ACT 1972 EXEMPT INFORMATION
RESOLVED**

"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 paragraphs 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

6. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE
The Senior Licensing Officer presented the report.

It was unanimously agreed that there would be no further action at this time.

7. ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND WHICH REQUIRES A DECISION

The Chair suggested that there should be some referral for drivers suffering from mental health issues as the last year has been extremely difficult for them.

David Willingham
Chairman