

# Cheltenham Borough Council

## "Miscellaneous" Licensing Sub-committee – 3 July 2019

### Highways Act 1980 Part VIIa Local Government (Miscellaneous Provisions) Act 1982

#### Application for permission to place an object on the Highway – ‘A’ Board

#### Report of the Senior Licensing Officer

### 1. Executive Summary

The Three Store based at 171 High Street has applied for a permission to display an ‘A’ board.

1.1 The item is referred to committee, as the application goes against policy to place an ‘A’ board on the highway at this location.

#### 1.2 The Committee can:

1.2.1 Grant the application because Members are satisfied that the location is suitable, or

1.2.2 Refuse the application because it does not comply with council policy.

#### 1.3 Summary of implications

Legal

No right of appeal.

Contact officer: One Legal

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Tel no: 01684 272015

### 2. Application

2.1 The Three Store is making a new application.

2.2 The consent is to display the ‘A’ board on the following days and times:

Monday	09:00 – 18:00
Tuesday	09:00 - 18:00
Wednesday	09:00 - 18:00
Thursday	09:00 - 18:00
Friday	09:00 - 18:00
Saturday	09:00 - 18:00
Sunday	None

2.3 The width of footpath available is in excess of 2 metres (13 feet).

### 3. Policy Principles, Aims & Objectives

3.1 The current consent does not comply with the council’s “Revised Outdoor Advertising Protocol” that

states:

*No 'A' board will be approved within Conservation Areas except in the following circumstances; having regard to the position and location of the premises:*

*a) where those premises are located at basement or first floor level i.e. the premises has no shop-front at street level;*

*b) the premises are situated along a side alleyway and / or on private land which is not a public thorough fare / right of way.*

- 3.2 The location subject to this application for an 'A' board does not comply with the council policy restrictions in that the business is located at street level with full street level frontage in the central conservation are. The policy was adopted with the consideration that a business in such circumstances is not deemed to be in need of this form of additional advertising, unless they are affected by the factors above.

#### **4. Consultee Comments**

- 4.1 No comments were received in relation to the application.

#### **5. Licensing Comments**

- 5.1 **The application goes against council policy, but there have been no objections received. Members must still consider the application, in light of the policy and provide reasons for their decision.**

#### **6. Officer recommendation**

- 6.1 The officer recommendation is that this application be refused.

**Reason(s):** The location is not considered as disadvantaged and in need of this additional form of advertising in accordance with the restrictions set out in the Revised Outdoor Advertising Protocol.

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**Background Papers**

Service Records

**Case Officer**

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