

Objection 1

Cheltenham Civic Society consider this to be an unwelcome application that would further reduce the quality of the town centre of Cheltenham. Cheltenham Civic Society strongly objects on the following grounds, as set out in Cheltenham Borough Council's Street Trading Licensing Policy (2020):

Needs of the Area.

CBC has designated The Promenade as a 'market designated area', which this van is obviously not part of or contributing to. Neither the proposed van nor its fast food complement The Promenade's retail or Food & Beverage offer. Indeed, it appears to conflict with the style and feel of the area. Cheltenham already has more than enough burger-type outlets: McDonalds, 5 Guys, Burger King and many others. Those premises already pay high rents and business rates, so encouraging competition that undercuts them in the present economic environment seems most unfair. There is no demand for such a downmarket offering. Businesses on the Promenade pay the highest rents and business rates per square foot in the town centre. They represent brands at the top of the retail hierarchy who contribute to Cheltenham's reputation as a high-end destination.

Public Nuisance.

Selling burgers and chicken wings from midday to 8pm, i.e. 8 hours a day, 7 days a week 52 weeks a year from a particularly gaudy van in the heart of Cheltenham's prime shopping area would be highly inappropriate.

Public Safety.

The noise, look of and smell from a huge burger van 24/7/365, running for 8 hours a day would have a significant negative impact on the whole area, would cause more litter and be a magnet for potential antisocial behaviour. The town centre already suffers from dirty pavements, mainly as a result of food and drink waste, and this proposal would only contribute to that filth.

Appearance of the Stall or Vehicle.

It is a fallacy that street vending of food adds to the vitality of a town, especially from a solitary van. It does exactly the opposite, in our opinion. We are neither 'nimbys' nor anti small business, but are saddened to think that anyone would think that an outsize mobile van selling fast food in the prime retail area of town is a sensible idea that could enhance the visual appearance of the street scene. The proposed van is too large, overbearing and inappropriate in colour, design and style. Siting it on The Promenade would be to the detriment of surrounding businesses and damage the sight lines and character of such an important part of the Central Conservation Area.

Environmental Credentials.

The environmental impact of the van is significant. It would bring yet another large goods vehicle into the pedestrianised area of the town centre daily. Its weight would contribute to damage of the stone surface, which has suffered from years of abuse and is presently undergoing reinstatement by the Highway Authority. The reinstatement of bollards as part of this work will once again reduce areas for use by vehicles to the reinforced areas, so this vehicle risks blocking that access and contributing to further deterioration of the public realm. The application fails to state what fuels the van is operating on but it is fair to assume that this model has a diesel engine and a petrol generator, and gas hobs, unsustainable fossil fuels that contribute significantly to carbon and climate change, air particulates and poor air quality in a built-up area.

Conclusion.

The Civic Society, through its Successful Streets Group (which deals with public realm issues), has already been campaigning to remove the clutter caused by other ugly street vending such as the unsightly donut and crepe hut plonked on the High Street with noisy generator and attendant smell. All this within yards of retailers such as Next and John Lewis, who are making an effort to raise standards and who were welcomed to the town to enhance the high quality retail offer.

We consider this burger van proposal to be absurd and totally wrong for Cheltenham town centre and particularly for The Promenade, even if it were for one day a week. It should be completely rejected. This also smacks of a cynical attempt to get a watered-down licence by applying for a 7 days a week licence in the hope of settling for, say, a weekend licence. That would be equally unacceptable and we object to that accordingly.

The Promenade badly needs to be tidied up and improved - its paving, the facades of empty shops etc., not dragged further down by such a dreadful proposal.

We strongly urge you to refuse this application and equally, refuse any diluted variant of it. The townspeople, both residents and businesses alike, would be incensed if this were allowed to go ahead.

Objection 2

On behalf of the levy paying businesses which the BID represents, the BID is lodging a formal objection on the following grounds:

Visual impact on the area

The application is to place a large, brightly coloured van in a Central Conservation Area. Businesses which have moved into, or are about to move into, long-empty premises have designed their exteriors sympathetically so that they do not have an adverse effect on the area. This burger van does not compliment this area at all in terms of its appearance.

Impact on local businesses

Cheltenham Borough Council is working with Cheltenham BID to address the issue of vacancy rates. The Promenade has seen significantly high vacancy rates in the past. In the last twelve months this has been reversed and even long-empty premises such as the former Austin Reed and Jones the Bootmaker hereditaments are now being occupied.

The majority of businesses in this area offer high-end products and services. The type of food and design of this fast-food van do not, in the BID's view, compliment their offering. The smell of the cooked food which is likely to emanate from this van could end up wafting into nearby businesses and tainting their products, particularly those selling clothes and soft furnishings. Whilst we acknowledge that during the Christmas markets there are food stalls, they are not there seven days a week 365 days a year until 8pm at night.

In the current financial climate when people are tightening their purse strings, every business is fighting for a share of the market. Cheltenham has Current providers of this type of food range from the value, fast-food outlets such as McDonalds, Burger King and KFC to the higher end 5 Guys, Hub Box, Holee Cow, The Tavern and Smokey Joes. There are innumerable outlets where it is possible to purchase chips and soft drinks.

All of these businesses pay high rents, business rates and overheads which are set to increase. Allowing more competition from a trader with significantly lower overheads would be unjust.

Environmental impact

It is not clear from the application how this van and the cooking equipment would be powered.

If the intention is to use a petrol- or diesel-powered generator to run the cooking equipment and refrigeration, this would have an adverse effect on the air quality. It would be also not be in line with Cheltenham Borough Council's desire to reduce the reliance on unsustainable sources of power.

Littering, particularly from takeaway vessels, is already a problem in the town centre and the BID has been campaigning for an increased number of bins in public areas. The additional litter this outlet is likely to create will compound the situation. The Promenade does not currently see the volume of litter that the High Street does, but this burger van is likely to cause that to change.

Objection 3

There are three main strands to my objection. These are:

1. The appropriateness of the location
2. Adverse impact on business ratepayers in the vicinity/economic wellbeing of the Town Centre.
3. Litter and environmental impact

1. The area. The Promenade is important within the town centre as part of the conservation area. To site a long wheel base unit there, selling what is described by the applicant as 'street food' (presumably in an attempt to give the application more credibility when in fact they are selling burgers and chicken wings) is completely contrary to any reasonable view of what constitutes good use of this sensitive area. It's also the market area - how would both be accommodated? Many organisations, not least Cheltenham Borough Council itself, work hard to keep Cheltenham the vibrant regency town it is. Placing a fast food van within the heart of the conservation area completely cuts across policies contained within the Cheltenham Plan, such as 'Assist in developing and maintaining an attractive retail offer in the town centre and other designated centres'.

2. Businesses locally would suffer as a consequence of this application. The smell of fast food would cause problems for many, and the fact that it is so close to Huffkins, Santiagos, and Franco Manca is unacceptable. They pay business rates on their premises, including the outside seating areas. This outdoor seating would be seriously undermined by having a fast food van so near. There is also the risk of antisocial behaviour stemming from the van, which would be a deterrent to people wishing to eat outdoors at any of these restaurants, or of those shopping in the retail units nearby.

3. Like all towns, Cheltenham suffers from litter. You don't need to be a regular litter picker (which I am) to know this sort of van will increase the problem. This is unacceptable. Not only is this unsightly and undermines the efforts of those seeking to promote the town, it also attracts gulls which are a huge issue. Furthermore, the van is almost certainly a petrol or diesel engine which would add to pollution. It would also, of course, further damage the already damaged slabs.

To summarise, this is utterly inappropriate for the location. This would contribute nothing to the town centre in terms of economic growth, and I would urge the licensing committee not to go down this path. As a former Head of Economic Development, I am familiar with this sort of application, and I know this would undermine economic growth rather than support it. Town Centre health is all about creating the conditions for businesses to establish themselves and grow, and for people to have a range of activities to enjoy. A van selling burgers does not contribute to this. I admire the applicant's chutzpah in applying, but ultimately, that is all there is to admire. They can work at festivals and events and in appropriate locations to build up their business, and good luck to them. The town centre is not such a location.

Objection 4

I am writing to provide comments on behalf of Cotswold Markets regarding the above application for street trading.

We have to object to this application on the grounds that it would be a big conflict with our markets that take place on the Promenade.

Not only do we have Farmers Markets every 2nd and last Friday of each month in this position, but we also have Monthly Arts & Crafts Markets on the third Saturday of the month covering the whole of the Promenade.

In addition to this, in the run-up to Christmas we have an extended run of dates of craft markets, which is in discussions to be integrated with a wider christmas market that would fill the promenade for a longer period of time; obviously having a catering unit on the site would be a big issue for us at this time as well as at all other periods of the year.

Objection 5

The unit is applying to trade and sell a range of food types, most of which are fried and also will have a strong odour, which has a high potential to impact those in the vicinity including businesses. As a result there is a likelihood of odour complaints being received as a result of the trading of this vehicle which would then be investigated under the Environmental Protection Act 1990 as an alleged statutory nuisance

- The application states the vehicle will be on the proposed pitch 7 days a week from 12:00 – 20:00 this is a total of 8 hours of trading, furthering the likelihood of complaints of a persistent and continuing nature of odour as a result of trading
- Although the applicant states there will be no generator with the vehicle during trading, there will need to be a power source of some description, which again could result in noise complaints for any kind of power source/engine running for the period of time on the application

Objection 6

I would like to raise a concern to the license planning as I believe the approval will be more detrimental to the ambience of the local area and businesses. Reasons for this belief, is as such; as the business is run out of a van it is unlikely to have adequate refuse facilities resulting in increased litter, I feel that it will. 1, spoil the view and the feel of the promenade and 2, increase the amount of pests in the area E.G. seagulls, foxes, rats. I also believe the

type of business is inappropriate to the area and location as the promenade is a showcase of Cheltenham and a burger van would ruin the high end reputation of the town.

Objection 7

This will hamper footfall, create unwanted mess, create unwanted smells and will have an impact on the visuals of the lovely Cheltenham prom.

Objection 8

1. There are plenty of food businesses in the local vicinity that pay business rates, employ staff and contribute to the local economy and community.
2. The style of the unit does not fit in with the character of the Promenade.
3. Having a huge van park daily on the already decaying paving slabs is a bad idea
4. What power source are they using? Likely diesel. How does this fit in with net zero targets?
5. The smell of the cooking will enter retail shops on the Promenade and especially clothing shops and ruin their merchandise.

There's no benefit to this licence being granted. The location and type of food unit is wrong.