

Cheltenham Borough Council

Licensing Sub-Committee – 3rd May 2023

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

- 1.1 Mr Adrian Becker based at, Foodloose, Cheltenham has made an application to place an advertising board at High Street, Cheltenham. The proposed advertising board is 105cm H, 60cm W, 70cm D.
- 1.2 It is intended that the ‘A’ board be displayed;

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	09:00 - 18:00

- 1.3 **The Committee are minded to note that the size of the advertising board complies with the standard sizes recommended in the council’s policy.**
- 1.4 **A picture of the proposed structure is attached at Appendix B.**
- 1.5 Width of footpath available is 3m plus.
- 1.6 A location plan of the proposed location is attached at **Appendix C.**
- 1.7 **The Committee can:**
- 1.7.1 **Approved the application because Members are satisfied that the location is suitable, or**
- 1.7.2 **Refuse the application because it does not comply with the provision of the Street Scene policy.**
- 1.8 **Summary of implications**

Legal No right of appeal.

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2. Introduction

- 2.1 Following the loss of the highways agency and the associated transfer of responsibility for this aspect of highways enforcement to the borough council.

3. Policy Principles, Aims & Objectives

- 3.1 All new applications for 'A' boards/display stands are considered by the Licensing Committee.
- 3.2 Such objects are subject to a maximum width of 60cm in any one direction and a height of 1.1 metres and must be of a colour, design, finish and materials which are of a high standard appropriate to the conservation area.
- 3.3 The Town Centre Policy for Street Trading and Objects on the Highway in relation to Advertising 'A' boards, states that *"It is accepted that some businesses operate from premises which are not in a prominent location and yet rely in large part on passing trade, and it is appropriate to assist in the promotion and success of those businesses to allow the use of 'A' boards or similar advertising displays. The Council does not however, want to see a proliferation of such items and will restrict to one per business with a clear need. It is not intended that every business in the town centre will be permitted to display an 'A' board"*.
- 3.4 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 thoroughfare / right of way.

Nothing in this protocol overrides requirements set out in the Council's policy on the licensing of 'A' boards so where an 'A' board meets the exemptions in the protocol, it will still be subject to the normal policy on the licensing of 'A' boards set out in the policy.

4. Consultee Comments

- 4.1 Cheltenham Business Improvement District - The BID is fully supportive of this application.
- 4.2 No comments from any of the other consultees have been made.
- 4.3 One objection from the public. A business in the surrounding area of the applicant has stated that. Having more than one A Board at the entrance of Grosvenor Terrace was always deemed to be an absolute negative by Cheltenham Borough Council
The current issued a board consent at this location, were only ever granted permission on the understanding that the A Board would be shared and therefore it would keep the congestion of the surrounding area free for the public footfall
On many occasions, despite not having planning, this company "Footloose "has continuously placed A Boards on The Strand and outside their shop premises at the same time

5. Licensing Comments

- 5.1 The committee must determine the application with a view to promoting the Council's adopted policy.

- 5.2 This report has been brought to member's attention as prescribed in the scheme of delegation set out in the Street Scene Policy (page 6) adopted on 1st April 2013, whereby all new applications are referred to the Licensing Committee.
- 5.3 This application must be determined on its individual merits and in view of promoting the current policy on the licensing of advertising boards.
- 5.4 Members are to note that the four businesses in question are located down an alleyway off the High Street and therefore situated in a location of lower footfall and to that extent the application does comply with the criteria set out in the current policy.
- 5.5 Members are to note that an application has been previously made on behalf of four businesses whose premises are located on Grosvenor Terrace, namely the Butcher Shop, Regency Dry Cleaners, Feed Sandwiches and The Hair Company in May 2011. Members approved the application, the aforementioned businesses will share the 'A' board in order to avoid an increase of 'A' board at the entrance of Grosvenor Terrace to avoid obstructions.
- 5.6 Mr Becker has been sent a copy of this report and invited to attend the meeting and advised that he may be represented if he so chooses.

Background Papers

Service Records

Case Officer

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