

Cheltenham Borough Council Licensing Sub-Committee - Miscellaneous Minutes

Meeting date: 7 February 2024

Meeting time: 6.00 pm - 6.20 pm

In attendance:

Councillors:

David Willingham (Chair), Angie Boyes (Vice-Chair), Simon Wheeler, Ed Chidley and Tim Harman (Reserve)

Also in attendance:

Vikki Fennell (Senior Lawyer) and Jason Kirkwood (Licensing Team Leader)

1 Apologies

Apologies received from Councillor Seacome and Councillor Harman is acting as substitute.

2 Declarations of Interest

Councillors Willingham and Harman informally visited the site.

3 Public Questions

There were none.

4 Application for permission to place an object on the highway - 'A' Board

The Licensing Team Leader explained that the reason this application has come to committee is that the policy that is place was not clearly publicised and that we were publicising the previous stance which was that these applications would come to committee. In addition there were two objections made against the application.

In future any application that is not compliant with policy in respect of size of the 'A' board and where it is in a conservation area and has a shop frontage then those applications would not come to committee and would be determined at officer level.

The Licensing Team Leader then introduced the report as published.

The following response was provided to a member question:

- According to the policy the requirement for the 'A' board still arises, whether the land upon which the 'A' board will sit is private land or adopted public highway. Although the payment is slightly different, the applications would still be dealt with in the same way.

In the absence of the applicant the matter then went to debate where Members raised the following issues:

- Would not hold too many concerns about the 'A' board as the pavement is significant, the structure, size and image used. However, having said that would feel that any clutter on footpaths is difficult for people with poor vision and would like to restrict any unnecessary obstructions on the footpath.
- Do not see a reason why the 'A' board is necessary and it is obscuring the view of the signage in the window and feels counterproductive.
- Signage on shop front is clear from a distance away. The 'A' board is not needed and see that it would be a problem as an obstruction on the footpath.
- Do not see an exceptional reason for the 'A' board and nature of business is different to others in the area.
- The 'A' board conflicts with the policy, as the business is on the ground floor, has shop frontage, and the applicant is not present to offer reasons for the committee to deviate from policy.
- It is in a conservation area and the objections are relevant and not minded to approve.
- The 'A' board does not meet any exceptions and a business in the same area a few months ago was refused for similar reasons.
- Would highlight our equality act considerations and overarching policy of not having 'A' boards as street clutter as it is difficult for the people who are mobility impaired, parents with prams and those who are visually impaired. Any item that is not fixed causes more issues for people than fixed infrastructure.
- The applicant was invited to attend and submit exceptional reasons and they have not done so.
- Do not consider financial impact on business as a licensing matter.
- The 'A' board does not comply with policy and there are clear reasons for not granting license.

The matter then went to the vote to refuse:

Refused: Unanimous

5 BRIEFING NOTES

There were none.

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

There were none.