

Cheltenham Borough Council

Full Licensing Committee

Minutes

Meeting date: 6 September 2023

Meeting time: Time Not Specified - Time Not Specified

In attendance:

Councillors:

Also in attendance:

1 Apologies

Apologies were received from Councillors Harman and Boyes.

2 Declarations of interest

There were none.

3 Public questions

There were none.

4 Minutes of the previous meetings including miscellaneous and alcohol and gambling committees

5 Review of previous decisions

There were none.

6 Application for permission to place an object on the Highway - 'A' Board

The Licensing Officer introduced the report as published.

The applicant was not present.

It was confirmed to Members that the A board that was being requested was larger than the policy allows and the property does have a street frontage.

There was one objector who spoke on behalf of the Cheltenham Access Forum and the Sight Loss Council and she made the following points:

- The A board that is being requested does not fit with the policy.
- The premises is visible as it has two entrances.
- There is good footfall at its location due to the surrounding premises eg pubs.
- The visually impaired tend to use walls as a guide when walking which is why the national charity supports the idea of tables and chairs having defined physical surroundings.
- A boards tend to wander across the pavements and are never in exactly the same place twice.
- The A board causes a hazard for those in wheelchairs and also buggies. It really does not seem appropriate to have an A board in this location.

The Chair then confirmed with the Licensing Officer that the applicant had been invited to attend, there had been attempted contact over the last three days (aside from the initial invitation) and also a further email sent on the day of the meeting with no response.

The matter then went to Member debate where the following points were raised:

- There are definite concerns about accessibility as the pavement can be quite narrow by the premises, the board sticks out and is quite wide which is an easy tripping hazard.
- They have frontage on both sides and are very visible, the size exceeds the policy, the policy is there for a reason and if the a board is allowed it sets a precedence.
- An A board is used to advertise a business and in this instance is not required as you can smell the fish and chips being cooked.
- There are already two planters and two tall thin tables on the pavement, both of which it should be assumed need permission. Five items on the pavement when they do have street frontage and you can see through the window is excessive.
- Not in favour of granting and a suggestion that the other items need investigating.
- It was confirmed that Montpellier Walk is private.
- The policy was put together to limit street clutter and there is no reason to deviate.

The Chair drew the committees attention to sections 5.3 and 5.4 of the officer report, the A board does not comply with the policy, the property does have direct frontage, the board is too big and the area is classed as a conservation area. He also stated that the objector had drawn their attention to the difficulties of the visually impaired

and also buggies. He also noted that the applicant had failed to attend so the committee had not been given any compelling reason to deviate from the policy.

The matter then went to the vote on 1.7.2:
Against : 7 UNANIMOUS

Application refused and no right to appeal.

7 Local Government Act 1972

The committee then voted on the following:

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 paragraph 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

UNANIMOUS

8 Approval of Exempt Minutes

9 Any other items the Chairman determines urgent and requires a decision

There were none.

10 Date of next meeting

Next meeting 6th December 2023.