

Shire Hall  
Westgate Street  
Gloucester GL1 2TG  
30<sup>th</sup> April 2025

Cheltenham Borough Council Licensing  
by email to: [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)

Dear Mr Daly,

**25/00897/PRMA Objection**

In my capacity as county councillor for St Mark's and St Peter's Electoral Division on Gloucestershire County Council, I object to licensing application 25/00879/PRMA in respect of McDonald's Restaurants Limited at 374 Gloucester Road, Cheltenham GL51 7AY.

The proposed operating schedule, published by the council in the "conditions" section of the application online at [publicaccess.cheltenham.gov.uk](http://publicaccess.cheltenham.gov.uk) is unacceptable. Section 1.16 of the February 2025 Revised Guidance issued under s182 of the Licensing Act 2003 is very clear about the requirements for licensing conditions, whereas the proposed operating schedule is vague and does not lend itself to measurable and enforceable conditions. This raises serious concerns about how and even whether the applicant will comply with the licensing objectives, and stands as a basis for refusal.

As a reasonable and responsible councillor, I would be willing to engage in mediation with the applicant to potentially avoid a licensing hearing, but I am deeply concerned the poor quality of the operating schedule makes this overly burdensome for lay members of the community.

To highlight one of several examples where the applicant seems to have had minimal regard for the s182 guidance or the December 2020 Cheltenham Borough Council Licensing Act 2003 Statement of Licensing Policy, the wording in the operating schedule provides little measurable details about the performance of the CCTV system. This poor quality wording also suggests that the Council's Licensing Policy has either not been read by the applicant or has been ignored, as that document contains a far better set of conditions in relation to CCTV, as follows:

*"A CCTV system consisting of a minimum of <x> cameras shall be installed at the premises. The CCTV system shall be maintained in good working order, shall record at all times the premises are open, and recordings shall be kept for a minimum of 14 days and be provided on DVD to officers of the authority, Trading Standards or Police on request."*

*"A staff member from the premises, who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show the Police or Licensing Officer recent data or footage with the absolute minimum of delay when requested to do so."*

The licensing condition should also be modified to specify the minimum resolution and frame rate of the cameras for example 1080x1920@30fps to ensure there is a reasonable likelihood of identifying people via the footage.

The rest of the operating schedule, for example those statements relating to litter, have similar issues of being non-compliant with s1.16 of the s182 guidance, which at the final bullet point states *"Licence conditions: should be written in a prescriptive format."* As a multinational company with a market capitalisation measured in the hundreds of billions of US Dollars, the applicant has the resources to write compliant conditions.

Noting that the operating schedule may have been truncated by the council's online publication system, but that I can only comment on what is available at the time of writing this objection, I also want to comment on the issues it fails to mention.

Most seriously, the applicant makes no comments about the licensing objective of the Protection of children from harm. While the applicant is not selling alcohol, the s182 guidance makes it clear this condition *"includes the protection of children from moral, psychological and physical harm."* The premises is within half a mile of the Cheltenham 005C LSOA, which based upon the latest Indices of Deprivation for England, is in the most deprived decile for the Index of Multiple Deprivation and Income Deprivation Affecting Children Index. This raises issues about the scope of the licensing objective when considered against media headlines such as *"McDonald's Happy Meals see kids eating day's worth of sugar in just one serving"*<sup>1</sup> and harms to children such as childhood obesity.

Another risk is that the premises may become a focal point for gatherings of older children, for example those aged 15 to 17. While many may see this as a risk of anti-social behaviour, there are other issues such as preventing VAWG and safeguarding from exploitation in all its forms.

In terms of other matters not addressed in relation to the prevention of crime and disorder, the applicant's website suggests it offers a delivery service. However, there is no explanation of how it ensures those providing this delivery service are complying with all relevant legislation.

In terms of public nuisance, neither light pollution, odour nuisance, nor noise seem to have been considered or conditioned. Since this licence relates to activity after 23:00, it should address noise issues, and while the premises is on the main A40, quiet residential streets are just a few hundred yards away. In terms of noise, if the application is granted, it is reasonable and proportionate to request the condition *"Prominent, clear notices shall be displayed at all exits and in the car park requesting customers to respect the needs of local residents and leave the premises and the area quietly."*

Many residents have expressed concern about the applicant's activities causing an increase in crime and disorder, and particularly anti-social behaviour. However, since this is a new application and the applicant is not currently trading, there can be no direct evidence relating to this location. This presents an evidential challenge to objectors. However, media headlines such as *"Peterhead McDonald's bans under-18s without adults after 6pm amid rise in anti-social incidents"*<sup>2</sup> are indicative of potential issues. For multinational company with a nationwide presence, and in light of the evidential threshold being balance of probability, it is reasonable to extrapolate how incidents at other premises elsewhere in the country, can adduce the likelihood of issues at this location.

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1 <https://www.mirror.co.uk/money/shopping-deals/mcdonalds-happy-meals-see-kids-18996744>

2 <https://www.aberdeenlive.news/news/aberdeen-news/peterhead-mcdonalds-bans-under-18s-10030162>

In summary, as currently worded, the operating schedule does not provide confidence the applicant will operate the premises in a way that promotes the licensing objectives. It presents a vague miasma of respectability, but upon closer inspection it does not lend itself to creating licensing conditions that are precise, enforceable, clear, and unambiguous. It is my view the conditions need to be re-written in a prescriptive format, taking into account location-specific issues, and compliant with the s182 guidance, or the application should be refused.

Yours sincerely,