

# **Cheltenham Borough Council Licensing Sub Committee-Alcohol and Gambling Minutes**

**Meeting date:** 27 October 2025

**Meeting time:** 4.00 pm - 5.45 pm

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**In attendance:**

**Councillors:**

Dilys Barrell, Dr Helen Pemberton and Simon Wheeler

**Also in attendance:**

Vikki Fennell (Senior Lawyer, One Legal) and Jacob Doleman (Licensing Officer)

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## **1 Election of Chair**

Cllr Wheeler was elected as Chair of the committee.

## **2 Apologies**

There were none.

## **3 Declarations of interest**

There were none.

## **4 Determination of a New Application for a Premises Licence**

The Licensing Officer introduced the report as published.

The response to a Member question was that the times that were on the original application had been changed due to input from Environmental Health.

The objectors addressed the committee and made the following points:

- The owner of 15 Royal Crescent explained that the property has been in the family for 60 years and at the rear of the property were 6 former garages, that were given planning permission for business starter units, this application is for one of those properties.
- The main issue of concern was that there is pedestrian and vehicle access over the land concerned and across the courtyard, the building is made up of both commercial and residential units and access is used 7 days a week.
- The proposed seating area is in the right of way area.
- It can not be safe to have seating on a right of way.
- Disorder is also a consideration that should be considered as if there is a crowd and who have been drinking the noise level for both the residential and businesses could cause a problem.
- Safety of children is also an issue. With the Coffee Pod at the moment people have to move their chairs to allow vehicles on to the site. Children are often in the courtyard area with their parents and that is a safety risk.

The Chair explained to the objector that although the committee was sympathetic with what he said, these are mostly planning matters and not for the licensing committee to consider.

- The next objector to address the committee explaining that she was a tenant of the property who runs a community interest company for children experiencing trauma.
- As a mental health service it is vital for their clientele that they operate in a calm, quiet and confidential environment.
- They carried out due diligence when they were looking for a suitable property.
- If the licence is granted the hours of operation that are being requested will be incompatible with their sessions.
- The outside area is a private road not a courtyard or outdoor venue, the access road can be used 24 hours a day, it is their emergency egress and serves as the main entrance to the residential flat.
- Their entire organisation supports children with trauma, permitting alcohol sales and the associated entertainment can be triggering or provoking, this also applies to unsuitable music lyrics and films.
- Their operating hours are 8-6 and granting the hours that the applicant has applied for will undermine the protection from harm objective.
- There was a concern that conversations in the building could be overheard from the proposed area, which would breach confidentiality as there is no double glazing (due to the building being a listed building).
- There are already concerns with regard to safety in the area and it is badly lit. There has already been problems with litter and drug paraphernalia, alcohol would increase this risk.
- Mixing vehicles and the public is not safe, the area is not suitable for alcohol led activities.
- Confidentiality issues could cause the service to close, loss of the service could be devastating and would not be in the public interest.

The matter then went to Member questions, to the objector the responses were as follows:

- Occasionally there have been problems with the Coffee Pod customers, in that people let their children play around the cars and their noise can disrupt

sessions with their clients. Anyone talking outside can be heard clearly, adding alcohol could make the problem worse.

- Any drug paraphernalia or beer bottles they just clear up, they do not report it to the police.

The Applicant then had the opportunity to address the committee and made the following points:

- He stated that he is the husband of a person who specialises in mental health and has no desire to cause any disruption to the service in Royal Crescent.
- He purchased the Tavern to make into a community space and is doing what he can to do that, they hold regular lunches for a local old peoples home and regularly host ladies who lunch.
- The Tavern is a small pub with no outdoor space by having this space it will hopefully improve revenue, particularly through the summer months.
- They wish to work collaboratively with the business and residents in Royal Crescent, they are happy to look at what they can concede from the original application.
- Four Cats cocktail bar operated from a unit for 3 years and there is no knowledge of any issues caused there.
- The tables and chairs are a good 10 metres away from the building.
- They do not want to show films or play music during the day, however they do partner with Cheltenham Festivals and would still like to have around an hour of jazz and other music during the 2 festivals.
- It is not a traditional pub it is more of a restaurant, they want drinkers in after 9.30 pm not in the day.
- Their typical demographic is 35-70, the only time this changes is during race week.
- They are not looking to attract the student market, they offer 20% off food Monday – Wednesday to bring people into the venue.
- Happy to do whatever is required to make sure that the counselling business is not effected. They are working with the coffee pod too, they won't be selling coffee.
- He hopes that their approach will be a collaborative one and that everyone can work together.
- The business is losing large amounts of money every month, they are building business by having a good food offer, however they need an easy way to build revenue during the summer and this seems like a solution.
- When he became the owner of the Tavern he removed all the TV's to make it a more enjoyable space, they want to attract families.

The responses to questions from the objectors were as follows:

- The applicant has sacked his old manager and he and his business partner have parted company.
- There is no reason to have music outside for the diners.
- Although it was applied for he only wants to serve food and alcohol in the space. The space would be more used at the weekend, the lunchtime trade is not alcohol based.
- The applicant will make their space more inviting so that there is no need for their customers to encroach on other areas in the vicinity.
- They are going to use the chairs and the tables that belong to the coffee pod after they close.

Prior to Member questions the licensing officer explained that Members could attach non-standard timings to the licence eg for the Festivals weeks and Members were told what they could do within the terms of the legislation.

The matter then went to Member questions, of which there were none.

The Members then retired to debate and to make their decision which was as follows:

Having considered the application; the evidence provided; the representations made by all parties, including those made at the hearing and the written representations; the provisions of the Licensing Act 2003, the obligation to promote the four licensing objectives; the relevant sections of the Council's Statement of Licensing Policy and the Statutory Guidance it was resolved that the premises licence be GRANTED SUBJECT TO MODIFIED CONDITIONS including those agreed with Environmental Health Authority being added to the licence.

- The performance of film will be excluded from the licence as agreed with the applicant
- There will no live music save for every Friday and Saturday between 18:00 – 22:30 hours
- In relation to all racing festivals in the Cheltenham race calendar live music is permitted any day between the hours of 18:00 and 22:30
- In relation to the Jazz festival and the music festival live music is permitted on up to three occasions on each of those weeks with a months written notice to the licensing authority of the timings requested

The Sub-committee found the applicant to be very open and honest and prepared to concede numerous points of his application to work with businesses around him at the meeting today.

The Applicant has moved his position to try and respond to those objections raised today

The Sub-committee has no jurisdiction over the use of the drive way and parking area, this is not something the sub-committee can be involved in

The location is a town centre core area, there are other public houses within metres of the venue, it is already a very busy area therefore it would not be reasonable to refuse on that ground.

Sub committee deem him to be a responsible applicant based on what they have seen and heard this evening.

Environmental Health are the relevant responsible authority and it is them that can monitor if there are issues. If issues arise then it is, open for the licence to be called in to review.

It is a single small business not a big chain moving in.

The Sub-committee understand the objections raised but hopes that the concessions offered this evening have alleviated some of the concerns.

All parties were reminded that there is a right of appeal within 21 days for anyone dissatisfied with the decision

The residents were reminded that there is a right of review should there be any issues once the business is up and running.

**Unanimous decision to grant.**

**5 Any other items the Chairman determines to be urgent and which requires a decision**

There were none.

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