



## CHELTENHAM BOROUGH COUNCIL

# Additional guidance for applicants of new and variation applications

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### Introduction

In 2015 the council [adopted a revised alcohol policy](#) that sets out the following vision statement:

*“We want Cheltenham to be a safe and clean town that offers a greater diversity in the night time economy that is less focused on alcohol and protects the quality of life for residents.”*

The revised policy sets out a number of policy measures that the council has adopted to achieve its vision for the town.

The council will have regard to its own policy when determining applications with a view of promoting the policy objectives and to this end the council will expect applicants submitting new premises licence applications and applications to vary existing licences to:


- 1) have regard to these policy measures; **and**
- 2) address the policy measures in their applications and operating schedules.

In cases where applicants wish to submit applications contrary to the council’s policies (for example where they wish to trade beyond the recommended core trading hours or use outside areas for longer than the recommended times), they should consider providing the council with evidence and/or explanation for the need to deviate and also what steps are being taken to address the policy concerns in this context.

**This additional guidance should be read alongside the [whole policy document](#) to provide context and additional understanding of the relevant issues.**

### General Policy Objectives

The overall policy objectives are to:

- a) promote the four licensing objectives;
  - b) ensure that the premises are appropriate for their proposed use;
  - c) ensure the premises layout and condition are acceptable for the proposed use;
  - d) ensure that the premises are being managed responsibly; and
  - e) promote the policy vision statement.
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This policy also seeks to promote the council's wider priorities, in particular that:

- a) Cheltenham has a clean and well-maintained environment;
- b) Cheltenham has a strong and sustainable economy;
- c) communities feel safe and are safe;
- d) people are able to lead healthy lifestyles; and
- e) our residents enjoy a strong sense of community and are involved in resolving local issues.

## Specific Policies

### Designated Premises Supervisors

- The council will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. **The council expects that this will be in excess of 50% of a 7-day week.**
- The premises licence holder will be expected to ensure **that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.**

### Best Practice Schemes

A number of best practice schemes operate in Cheltenham. **It is the council's expectation that licence holders actively participate in these schemes.** These are:

- **Nightsafe (Pubwatch)** - The borough-wide Nightsafe network encourages its members to work together to promote the licensing objectives in their premises by providing a forum for sharing information, disseminating best practice and meeting with representatives of the council, the police and other responsible authorities. ([Contact the coordinator](#))
- **Best Bar None** - BBN is a national award scheme supported by the Home Office and aimed at promoting responsible management and operation of alcohol licensed premises. ([Contact the coordinator](#))

### Core Hours for Licensable Activities

The council will avoid arbitrary restrictions on licensing hours that undermine the principles of flexibility and consideration of each application is on its own merit.

**However, the council believes that licensable activities carried on within the core hours set out below will generally not have a harmful impact on the licensing objectives, will address the concerns raised by local residents and businesses and are less likely to attract representations.**

Type of premises	Commencement Hour No earlier than	Terminal hour No later than
Off licence	09:00	23:00

Restaurants	10:00	01:00
Theatres, cinemas and other performance venues	10:00	00:00
Pubs/Bars/Nightclubs	<u>Town centre</u> 10:00	03:00
	<u>Local Neighbourhood Areas</u> 10:00	00:00
Takeaways	n/a	04:00

### Latest Admission Times

The council considers it undesirable that persons should seek to 'top up' their alcohol intake by seeking out those premises that are admitting customers at the latest times because persons moving between venues late at night can lead to crime, disorder and public nuisance.

**It is therefore this council's policy that the latest admission time for licences premises open past midnight, to be no less than:**

- a) one hour for nightclubs & late night bars; and
- b) half an hour for pubs and other licensed premises

**before the terminal hour for licensable activities.**

### Takeaway food premises

It is recognised that takeaway premises open late at night can be associated with disorder as persons under the influence of alcohol having left, or in some cases being ejected from, late night venues congregate there.

As such the council considers **that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises.**

**Applicants for licences are recommended to have written policies for dealing with disorder and nuisance and should give consideration to the issues regarding takeaways.**

## Pavement Cafes and External Areas

The council wishes, as far as is compatible with other highway uses, to promote the 'cafe culture' in Cheltenham because of the added life and vitality this brings to the town.

Whilst the provision of tables and chairs outside a premises can enhance the attractiveness of a venue, regard should be had to the need to ensure that the use of such areas will not cause nuisance to local residents and other premises in the vicinity. **To this end, the council will normally restrict the use of external areas to 23:00.**

## Irresponsible Drinks Promotions and Drunkenness on Premises (Code of Good Practice for Drinks Promotions)

The council expects all licence holders to comply with its adopted code of practice for drinks promotions:

Principle
Align pricing with Alcohol by Volume (ABV).
Start the sale of alcohol later in the day and not align it purely with opening hours.
Refrain from all-inclusive offers.
Promotional information should clearly display: <ul style="list-style-type: none"><li>• factual information on the alcoholic strength of a drink(s);</li><li>• that no-one under the age of 18 years may take part in the promotion;</li><li>• display Drink Aware logo/information.</li></ul>
Promotions should not: <ul style="list-style-type: none"><li>• focus on the strength of any alcohol product as the principal theme;</li><li>• condone or encourage illegal, excessive or irresponsible drinking (such as binge-drinking, drunkenness or drink-driving);</li><li>• refer in any favourable manner to the effects of intoxication or consumption;</li><li>• suggest that alcohol consumption enhances sexual attractiveness or include promotion material that is linked to sexual imagery implying sexual success or prowess.</li></ul>
Restrict multi buy promotions.

No advertisements for alcohol in the shop window.
Alcohol should not be given away for free as part of a promotion or as an incentive.
Actively promote designated driver schemes where a driver is offered discounted or free non-alcoholic drinks.
Make food and hot drinks available in late venues.

## Off Licences: Layout and Operation of Premises

In most cases a licence holder will be able to address the potential problems and detriment to the licensing objectives, through the layout and the operation of the premises.

The council will encourage all licence holders licensed for off sales to:

- a) Store high strength alcohol behind the shop counter;
- b) Not store or display any alcohol at the entrance/exit points of the premises;
- c) Not advertise alcohol in a shop window;
- d) Not sell single cans of beer or bottles of beer under 1 litre;
- e) Not sell beer or cider over 5.5% ABV;
- f) Not store or display any alcohol at or near check-outs; and
- g) Refuse to sell alcohol to persons known to be persistent offenders (where the offence(s) relates/associated with alcohol) or street drinkers.

## Pool of Model Conditions

The council wishes to promote clear, enforceable and effective conditions and to this end has produced a pool of model condition for applicants to consult and use where appropriate.

The pool of model conditions is outlined at **Appendix C** of the policy document.

## Contact us

### Licensing Section

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