

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 25 March 2019

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Grimshaw and Stone

LACHP/19/32. Exclusion of the Public

A recommendation was made that the public is excluded during consideration of the items of business.

Decision

To exclude the public during consideration of the following items which involved consideration of exempt information relating to the financial or business affairs of particular persons, and public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LACHP/19/33. Application for a Street Trading Consent for Gemma Gill, Layby next to cemetery entrance on Nell Lane.

Application for Street trader consent licence to be located on Nell Lane layby next to Southern Cemetery, Chorlton Park was submitted with an objection received from the owner of Designer Flowers by Rodgers Ltd.

The Committee was advised that the applicant wished to trade from a Victorian Style Cart to sell flowers on the layby on Nell Lane 7 days a week, Mon to Friday 0830 to 1630, Sat 0900 to 1700 , Sun 0900 to 1400 hours.

The Committee was asked to give due consideration to the application and whether or not there was ample supply of similar goods in the locality and if in granting the application whether or not there would be increased congestion.

The applicant argued that there was sufficient demand to warrant granting the application and felt that there was ample parking in the area so as not to cause congestion.

The objector claimed that there would be a problem with parking, should the application be granted.

It was pointed out that any parking at the rear of his shop premises was at the discretion of the landlord and he had no influence over this given that he was merely a tenant.

He also claimed that Nell Lane had become a “rat run “and that the proposal would add to the congestion already prevalent in the area.

It was submitted that his business was suffering financially and to grant the application would only add to such concerns. He pointed out that the business paid substantial sums in business rates each year and that there was ample competition in the locality without adding to it.

The Committee took into account both written and verbal representations made by both parties and decided it was appropriate to grant the application.

It felt that there was sufficient demand in the area to allow the application and was not of the view that there was already enough traders supplying similar goods in the locality.

It noted that the proposed stall would be located at a point on the layby at sufficient distance from the objectors shop and that as a consequence there would be no significant increase in traffic congestion.

Decision

To grant the application.