

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 23 April 2019

Present: Councillor Ludford (Chair)

Councillors: Grimshaw and Hughes

LACHP/19/44. Application for a Street Trading Consent for Mobile Unit, Howard Street, approx 25 m from junction with Bury New Road.

Consideration was given to an application for a Street Trading Consent for Mobile Unit on Howard Street, approx. 25 metres from junction with Bury New Road. The Applicant attended the hearing. The Committee considered the evidence from the Applicant and the objectors (Out of Hours Team and the Neighbourhood Team in attendance) and the written representations. The Committee also considered the Council's Street Trading Policy.

Decision

To refuse the application for a Street Trading Consent for Mobile Unit on Howard Street, approx. 25 metres from junction with Bury New Road.

Reasons

The Committee accepted the evidence given by the Out of Hours Team and the Neighbourhood Team regarding the suggested location being unsuitable for this vehicle to trade from. In particular the Committee concluded from the evidence that there is insufficient space in the street for the vehicle to be parked for the hours requested and to be used as street trading unit. Also there are clear problems with parking on the street already and this problem will only be exacerbated if this street trading consent were to be granted.

Further, the Committee heard evidence that there is already a sufficient number of outlets that sell the same or similar items, so another is not required.

The Committee also accepted the evidence presented about the environmental problems in the area in particular fly tipping and litter problems and again by granting this consent would only cause further problems of this kind.

LACHP/19/45. Exclusion of the Public

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

Decision

To exclude the public during consideration of the following item 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/19/46. Application for a Hackney Carriage Driver Licence and a Private Hire Driver Licence (IK)

The Committee considered an application for a Hackney Carriage Licence and a Private Hire Care Driver Licence.

The applicant attended the hearing accompanied by his trade representative and addressed the Committee.

The Committee has considered the report provided along with the representations made by the Council's Licensing Unit.

The Committee also took into consideration the Council's Statement of Policy and Guidelines and applied them in particular paragraph 11 (5 year guideline).

Decision

Refuse to renew the Hackney Carriage Licence and revoke the Private Hire Licence.