

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 20 May 2019

Present: Councillor Grimshaw – in the Chair

Councillors: Jeavons and T Judge

LACHP/19/56. 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/19/57. Application for a Street Trading Consent for Market Stall, Corner Bury New Road, Waterloo Road and Howard Street, Manchester, M8.

The Hearing Panel considered an application from DA for a Street Trading Consent licence to sell car seat covers on a stall located at the corner of Bury New Road, Waterloo Road and Howard Street on Sundays from 0800 – 1800 hours.

Committee heard that objections had been submitted from Licensing out of Hours and North Neighbourhood Teams on the basis that the Applicant had been trading without consent in the locality for a number of years and that the location was one particularly vulnerable to littering, parking and traffic congestion so as to cause a nuisance.

The Applicant indicated that he had been trading from the locality for a number of years paying rent to the owner of the land and had not met with any complaints.

He indicated that if the licence was granted he would endeavour to work with the owner to ensure that the site was tidied up and made a more attractive to the area.

He further reminded the committee that the application was just for Sunday.

The Committee heard from the objectors that the locality posed a number of challenges including public nuisance, problems with littering but most notably traffic congestion issues that could be exacerbated should the licence be granted.

It was also suggested that the land was owned by Manchester City Council and no permission had been granted to operate a stall from the locality.

Decision

To refuse to grant the licence

Reasons

The Committee did not feel it appropriate to grant the Application.

It was of the view that there was insufficient space at the locality to ensure that the streets would not become obstructed or present a danger to persons using the streets,

The Committee noted that the stall was to be located at a busy junction and could present a nuisance or annoyance to road users as well as to neighbouring businesses.

The Committee was also concerned that the Applicant had been trading from the location for a number of years without a licence on land apparently owned by the City Council.