

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 9 December 2019

Present: Councillor Lyons – in the Chair

Councillors: Grimshaw and Andrews

LACHP/20/10. Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the following 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/20/11. Application for a Street Trading Consent - DMO Bites, Oxford Road, front of All Saints Park, between existing traders

Prior to the submission of evidence being presented, the Hearing Panel considered the late objection submitted on behalf of Oxford Road Corridor Partnership and the reasons for the late submission. After confirmation that a copy had been served upon the Applicant 28 days prior to the hearing the Panel decided that the objection could be considered.

Manchester Metropolitan University re-iterated the comments that they had raised in its formal objection to the application in that if granted it would detract from the University's Public Realm Masterplan. They also stated that it would be incompatible with the Oxford Road Corridor Partners' plan to invest in and regenerate the Oxford Road area.

The view was also expressed that there was no requirement for a further hot food outlet and that to allow one would create a public nuisance.

The Oxford Road Corridor partnership expressed the view that it was incompatible with their development plans and stated that their desire was to encourage high quality retail units in the locality such as the Hatch and University Green which is a home to a number of retailers along Oxford Road.

A local Street Trader considered that granting the application would be detrimental to their own business and expressed the view that there was already enough food outlets in the area.

The Applicant did not attend the hearing but his assistant did attend and addressed the Panel on his behalf. He advised that the unit would focus on selling processed foods and Halal food with particular emphasis on vegetarian dishes. He stated that he felt that there was an unmet demand for the products that the business would be providing.

The Hearing Panel was of the view that if the application was granted there would be insufficient space in the street for street trading to be engaged without causing undue interference or inconvenience or risk to persons using the street. The Hearing Panel also considered that there was already adequate provision of food establishments selling similar food in the vicinity of the proposed site to be used for street trading purposes.

In arriving at its decision, The Hearing Panel took into account Manchester City Council's street trading policy and all relevant legislation.

Decision

To refuse to grant the application.