

## **Licensing and Appeals Sub Committee Hearing Panel**

### **Minutes of the meeting held on Monday, 6 July 2020**

**Present:** Councillor Jeavons – in the Chair

**Councillors:** Hassan and Lyons

#### **LACHP/20/66. Exclusion of the Public**

##### **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/20/67. Application for a Street Trading Consent - Ricco's Street Food, Ashover Avenue, Manchester, M12 5FW**

The Hearing Panel considered the content of the application along with the written and oral representations of the applicant and objectors.

A Licensing Out Of Hours (LOOH) officer addressed the Hearing Panel, stating that the proposed location was situated close to other road junctions which they felt posed a risk to both drivers and pedestrians.

A spokesperson from GMP spoke about the likely effect the catering unit would have on local residents with regard to regular disturbance from customers arriving and leaving the unit and also the congregation of customers awaiting service.

The Hearing Panel had concerns regarding the proposed location for this unit. The site proposed is directly outside the driveway of a residential address. The Hearing Panel carefully considered the evidence provided by the Licensing Out Of Hours officer who confirmed they had visited the location and the highway proposed is relatively narrow and is often populated with vehicles from local residents parking outside their properties with vehicles mounting the pavements on both sides.

The Hearing Panel concluded from the representations made by GMP and LOOH that there is not enough space in the street without the catering unit causing undue interference and/or inconvenience to persons using the street.

When making their decision the Hearing Panel considered their Statement of Policy which aims to ensure that street trading is properly regulated and only take place in appropriate locations, at appropriate times and in appropriate ways. Further to ensure that trading does not cause an unreasonable disturbance to residents and businesses.

## **Decision**

To refuse the application for street trading consent.

### **LACHP/20/68.      Renewal of Street Trading Licence - Ben's Ices, Brown Street, Manchester, M1 1PN**

The Hearing Panel considered the content of the application along with the written and oral representations of the applicant.

The Hearing Panel noted that the applicant had a recent conviction which they had declared. Furthermore the Hearing Panel noted that there had been no objections received from members of the public, nearby businesses or responsible authorities and that there were no complaints on file regarding the applicant.

The applicant addressed the Hearing Panel to state that this was an isolated incident and that they have traded on the same location for a many number of years without any issues.

When making their decision the Hearing Panel took into account the Guidelines relating to the relevance of convictions for street trading licence and consent applications but felt they could depart from the policy due to the mitigating circumstances surrounding the offence.

The Hearing Panel felt confident that there was no risk posed to the public by granting this licence.

## **Decision**

To grant the renewal for street trading consent for the area on Brown Street, Manchester, M1 1PN.