

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 3 May 2022

Present: Councillor Andrews – in the Chair

Councillors: Connolly and Jeavons

LACHP/20/67. 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/20/68. Application for a Street Trader Consent - Polly's Pantry, Adjacent to the West Didsbury Club

The Hearing Panel considered a report of the Director of Planning, Building Control and Licensing regarding the above application for Street Trading Consent.

The Applicant attended the hearing and outlined the details of the application, including the hours of operation and the range of food to be supplied.

The Panel noted that two objections had been received regarding the application; one from a local business and one from a nearby resident. Neither of the Objectors attending the hearing, however the nature of their representations were outlined in the hearing. They centred around concerns over noise nuisance, littering, traffic congestion and that service provision was already catered for in the locality of the proposed catering unit. Questions were also raised about the impact on planning and highway considerations. Such issues were addressed by the Licensing Officer who confirmed that the Planning and Highways department had not expressed any concerns about the application.

The Hearing Panel was then referred to the Council's Street Trading Policy and to the legislation applicable when considering whether to grant the application or not.

The Applicant then addressed the concerns of the Objectors by advising that an agreement had been reached with the adjacent West Didsbury Club with regard to how the catering unit would operate. This included using an oven connected to the club's electricity meter to cook food rather than cooking via a grill and frying food, thus eliminating the possibility of odour nuisance emanating from the site. The Panel noted that no generator would be used.

The Applicant provided photographs of the outside seating area and provided an explanation about the way in which customers would queue for food.

With regard to parking, the Panel was advised that a nearby car park allowed free parking for 90 minutes and thus the Applicant indicated this would alleviate concerns about traffic congestion. An assurance was provided that display notices would be placed on site to request that customers be respectful of nearby residents who may be affected by excessive noise levels.

The Panel heard from a representative of the West Didsbury Club who explained that it had been in discussion with the Applicant for a considerable period of time regarding the possible siting of the catering unit. The Panel was also advised that waste generated at the business would be stored in receptacles at the Club and that agreement had been reached with the Applicant regarding the sharing of costs incurred regarding electricity used and waste disposal.

The Panel was advised that a lot of work had been carried on at the club to save it from closure and that the provision of a food outlet at the Club would assist in its popularity increasing and provide a community hub for nearby residents and its existing members.

In reaching its decision, the Panel agreed that the Applicant had demonstrated that it could provide a valuable service to the community, working in conjunction with the support of the club. It felt that it was capable of alleviating the genuine concerns of objectors and was satisfied that it did not need to add any additional conditions to the consent. The Panel acknowledged that the Applicant had done its research and felt that it would work well together with the assistance of the Club .

The Panel also took into account the Council's Street Trading Policy before arriving at its decision.

Decision

To grant the application for a Street Traders consent.