

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Thursday, 1 November 2018

Present: Councillor Ludford (Chair)

Councillors: Barrett and McHale

LACHP/18/90. 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/18/91. Application for a Street Trading Licence for What A Potato, Spring Gardens, Manchester (at junction of Market Street)

The Committee considered the application, the objections both written and oral and all the representations made by the parties. The Committee noted that one of the objectors asked them to grant a licence for a different location and suggested simply moving the unit further back from Market Street. The reason given for the request was that this would assist profitability of their business as the unit would not block visibility from Market Street and also it would reveal the man hole cover under the present location of the Unit. The objector stated that during the May Bank Holiday there had been a flood at their premises and United Utilities had been unable to access the man hole cover for four days which had led to a delay in the remedy of the problem and as a consequence the premises had remained closed during the Bank Holiday.

The Applicant told the Committee that he doesn't remove the unit daily as sometimes there are problems with the bollards behind the Unit which restricts access. The Unit can be moved in approximately thirty minutes and the applicant stated he lives locally and is willing to come back to the Unit to move it if contacted in an emergency. The Committee also heard that the trader from the neighbouring unit can move it if necessary. The Committee was therefore satisfied that the Unit can be moved within a reasonable time in an emergency and therefore it does not need to be relocated.

The Committee also took into account the fact that the trader had been trading for 29 years in that location and the Committee was familiar with the location and was satisfied that the operation of the Unit at that location was not creating an obstruction for users of the street.

The Committee was also satisfied that the Applicant had all necessary waste removal contracts in place and there was no evidence that the operation of this Unit had a detrimental effect on the environment.

The Committee therefore considered it appropriate in all the circumstances to grant the application as applied for.

Decision

To grant the application for renewal as applied for.