

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

### **Minutes of the meeting held on Monday, 19 February 2024**

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

**Councillors:** Connolly and Hilal

#### **LACHP/24/13. 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/24/14. Application for a Street Trader Consent - Max Wright/Jacket Potato Company, Broughton Street and Bradstone Road**

The Hearing Panel considered the report from the Director of Planning, Building Control and Licensing regarding the above application. The written papers and oral representations of the parties who attended were also considered, as well as the relevant legislation.

The Hearing Panel heard from the applicant that they had been granted a Street Trading Consent for the same location on 28 November 2023, without any objections, and the application is for a larger unit. The previous unit is 10ft long and the new unit is 14ft long. No other changes are proposed.

The Hearing Panel were given details of the nature of the operation being off road on land now owned by the applicant and that it will not cause any obstruction. The applicant also confirmed there is no frying or grease and they do not expect issues with food odours for the local business objector whose premises is located around 150ft away from the premises site.

The Hearing Panel carefully considered the written objection from a local business however the Hearing Panel accepted the comments from the applicant that they had addressed the concerns as much as they can and tried to make contact with the objector, however the objector was not present at the hearing to respond.

The Hearing Panel were of the view it is fit to grant the street trading consent.

##### **Decision**

To grant the Street Trader consent as applied for, with the conditions, as set out in the report submitted.

**LACHP/24/15. Application for a Street Trader Consent - Martins Trailers,  
Car park on Churnet Street**

The Hearing Panel considered the report from the Director of Planning, Building Control and Licensing regarding the above applications. The written papers and oral representations of the parties who attended were also considered, as well as the relevant legislation.

The hearing was attended by the applicant and objectors.

The Hearing Panel heard from the applicant about his desire to start up a new business to sell food to builders working the current local construction site adjacent to the plot as indicated on the plan submitted, however they also had to take into consideration their street trading policy and the suitability of the area within which he wished to trade.

The Hearing Panel agreed with the concerns of the objectors regarding the inappropriate location of the proposed unit being in very close proximity to residential properties particularly given the proposed trading hours 6 days a week. The Hearing Panel were of the view there would be significant loss of amenity due to the additional noise and odours from the proposed business. The applicant also failed to address how he would deal with potential additional litter. The proposed site is located in an area where the residents who live adjacent to the plot park and use as a turning space and they would also lose this amenity.

Having heard from a local café owner and Licensing Out of Hours officer as to the trade in the area the Hearing Panel were of the view that there was already adequate provision of the goods very similar to those the applicant wishes to sell in the local area.

The applicant has a right to appeal to the full Licensing and Appeals Committee.

**Decision**

To refuse the application for the reasons stated.