

Minutes of a meeting of the General Purposes Licensing Casework Sub- Committee on Monday 2 September 2024

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Committee members present:

Councillor Mundy (Chair)

Councillor Ottino

Councillor Muddiman

Officers present for all or part of the meeting:

Tazafar Asghar, Legal Advisor

Matthew Stead, Senior Licensing Officer

Richard Masters, Senior Licensing Compliance Officer

Celeste Reyeslao, Committee and Member Services Officer

Apologies:

None.

33. Declarations of Interest

None.

34. Procedure to be followed at the meeting

The Sub-Committee noted the procedure for the hearings, the street trading policy, and the policy on the relevance of warnings, offences, cautions and convictions.

35. Minutes

The Sub-Committee resolved to approve the minutes of the meeting held on 22 July 2024 as a true and accurate record.

36. Street Trading application for Lucy Hedges (Full of Beans)

The Head of Planning and Regulations had submitted a report to inform the determination of Ms Lucy Hedges (Full of Beans) street trading application.

Lucy Hedges (applicant), Jack Richens (partner) and Matthew Stead, Senior Licensing Officer, joined the meeting.

The Chair outlined the hearing procedures and requested that all attendees introduce themselves.

The Senior Licensing Officer presented a summary of the report, stating that Ms Hedge's application was for Peripatetic Street Trading. The proposed trading unit being a purpose built converted tricycle with a coffee machine selling coffee and edible goods. The application was for a mode of street trading that did not comply with Peripatetic Street Trading as defined by the Street Trading Policy. For this reason, the Sub-Committee was asked to determine the application and whether it wished to make an exception.

He stated that the application involved five trading locations detailed in paragraph 5 and appendix 2 of the submitted report. It was highlighted that the proposed locations had not been previously occupied, and that the proposed period of operation for four of the five locations would exceed the twenty minute maximum time for a peripatetic trader to trade in a location. It was noted that this would be a considerable change in policy.

The Sub-Committee was advised that the application was referred for the consideration of the panel as it did not comply with the Council's current Street Trading policy, however it was the policy of the Council to determine all street trading applications.

In response to questions from the Sub-Committee, the Licensing Officer made the following points:

- Attempts were made to contact the leisure provider regarding the application, however, no response was received. The leisure provider had the opportunity to respond during the consultation period.
- The Sub-Committee could grant Ms Hedges a peripatetic licence and the period of operation not to exceed twenty minutes or a static consent specifying a single location and defined times.
- A consent may not be granted for more than the proposed days and times being applied for. However, the panel may reduce them if minded to do so.
- The applicant could submit additional applications for other licences in the future.
- If the applicant wished to extend trading hours beyond the granted licence, they would need to go through the application process again, including a consultation period before determination by the Sub-Committee.

Ms Hedges was invited to address the Sub-Committee. She stated that she had been a long-term resident and works as a teaching assistant at a local school. She planned to use 100% compostable packaging and source supplies from local businesses. She expressed a preference for a peripatetic licence with special dispensation for two hours at specific locations, particularly Redbridge Park and Ride, and proposed trading during early morning hours. She emphasized that her setup would be safe, stable, and considerate of the environment, and she believed there was strong local demand for her coffee service.

The Chair noted that this was the first time they had encountered such an application and that whilst the policy did not provide specific guidance for this situation, the application was welcomed by the Sub-Committee.

The Legal Advisor advised that the applicant could withdraw the application for Peripatetic Street Trading and the Sub-Committee could instead treat the application as an application for a Street Trading Consent. If so, the operating hours would be from 0800 to 2100, which could be reduced where there were good reasons. He clarified that while the Sub-Committee could reduce the hours, it could not extend them, and the trading consent would apply to a single location.

Following agreement from the Sub-Committee, the meeting was adjourned for 10 minutes to allow the applicant time to decide how she wished to proceed with the application.

The Chair clarified to the applicant that if the application was changed from Peripatetic Street Trading to Street Trading Consent, the operating hours for a single proposed site would be from 0800 to 2100 (Section 17.2(b) of the Street Trading Policy). He emphasised that failing to adhere to these hours could constitute a breach of the General Conditions for Street Trading Consents.

Ms Hedges stated she would like to proceed with an application for a Street Trading Consent to operate on Monday, Tuesday, and Friday from 0800 to 1200 at Redbridge Park and Ride.

The Chair thanked Ms Hedges, Mr Richens and the Senior Licensing Officer for their contributions. They were asked to leave the room while the Sub-Committee considered the application.

The Sub-Committee noted the representations made at this hearing. The Sub-Committee considered the timings requested and raised no concerns. Having considered all submissions, the Sub-Committee agreed to approve the proposed Street Trading Consent application.

The Senior Licensing Officer, Ms Hedges and Mr Richens re-joined the meeting and were informed of the Sub-Committee's decision.

The Chair thanked the applicant for her application and patience, acknowledging the ambitions of the business and stating that it was something the Council would welcome in the future. The Sub-Committee granted her application for a Street Trading Consent for Redbridge Park and Ride, trading on Monday, Tuesday, and Friday between 0800 and 1200.

The Chair noted that this arrangement was within the Street Trading Policy and did not present any adverse issues. The applicant was reminded to maintain public liability insurance as part of the conditions of the consent.

The General Purposes Licensing Casework Sub-Committee resolved to:

- **Grant** Ms Hedges' application for a Street Trading Consent until 31 March 2025.
- **Grant** the trading hours applied for: Monday, Tuesday, and Friday 0800 – 1200.

37. Exempt Matters and Confidential Session

The Sub-Committee resolved that under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the remaining items of business on the grounds that their presence would involve the likely disclosure of exempt information as described in Paragraph 3 of Part 1 of Schedule 12A of the Act.

The Sub-Committee considered matters relating to Hackney Carriage and Private Hire Vehicle licensing in private.

38. New application to drive Private Hire Vehicles

The Executive Director for Communities and People had submitted a report to inform the determination of an application to drive Private Hire Vehicles in the City.

The Sub-Committee was advised that the application had been withdrawn by the applicant prior to the meeting.

As a result, no decision was required for this application.

39. Suitability to continue to drive Private Hire Vehicles

The Executive Director for Communities and People had submitted a report to inform the determination of an applicant's suitability to continue to drive Private Hire Vehicles in the City.

The General Purposes Licensing Casework Sub-Committee resolved to:

- **Adjourn** the consideration of the application until the next available meeting of the Sub-Committee.

40. Suitability to continue to drive Private Hire Vehicles

The Executive Director for Communities and People had submitted a report to inform the determination of an applicant's suitability to continue to drive Private Hire Vehicles in the City.

The General Purposes Licensing Casework Sub-Committee resolved to:

- **Adjourn** the consideration of the application until the next available meeting of the Sub-Committee.

41. Confidential Minutes

The Sub-Committee resolved to approve the confidential minutes of the meeting held on 22 July 2024 as a true and accurate record.

42. Dates of future meetings

The dates of future meetings were noted.

The meeting started at 6:15 pm and ended at 7:45 pm

Chair

Date: Monday 14 October 2024

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.