

Minutes of a meeting of the General Purposes Licensing Casework Sub- Committee on Monday 31 July 2023

www.oxford.gov.uk



Committee members present:

Councillor Mundy (Chair)

Councillor Humberstone

Councillor Lygo (*substitute to Cllr Waite*)

Officers present for all or part of the meeting:

Tazafar Asghar, Legal Adviser

Matthew Stead, Senior Licensing Officer

Celeste Reyeslao, Committee and Member Services Officer

Apologies:

Councillor(s) Waite sent apologies.

Substitutes are shown above.

28. Declarations of Interest

Item 5: Application for Street Trading Consent on Blackbird Leys Park

Cllr Humberstone stated that he was a ward councillor for Blackbird Leys, which was where the site for this street trading application was located; it was not a pecuniary interest; he made the declaration for reasons of transparency and indicated that he would consider the application with a free and open mind.

29. Procedure to be followed at the meeting

The Sub-Committee noted the procedure for the hearings and the Street Trading Policy.

30. Street Trading applications for the Street trading pitch on George Street, Oxford

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of street trading applications for the advertised street trading pitch on George Street.

The applicants, Mr Abdul Rahman and Mr Muqarab Shabbir, supporter Mr Kashif, and Matthew Stead, Senior Licensing Officer joined the meeting.

The Chair asked everyone to introduce themselves and briefly explained the hearing process to be followed.

The Senior Licensing Officer introduced the report. He stated that the street trading site on George Street had been previously occupied by a street trader who had now ceased trading. He advised that two applications were received for the single vacant site. Neither of the applicants had purchased a food trading unit but had included photos of the unit they plan to trade from in their applications.

The Senior Licensing Officer advised the Sub-Committee that it was required to determine the application based on the contents of the full report which had been included in the agenda pack circulated prior to the meeting.

Mr Rahman addressed the Sub-Committee. He stated his past and current experiences working in a fast-food environment. In response to questions, he confirmed that this was his first attempt at street trading.

Mr Shabbir addressed the Sub-Committee, highlighting his 14-year experience working in the catering and fast-food industry. He stated his current profession as a Private Hire Vehicle driver and elaborated on his interaction with the public on a regular basis.

The Sub-Committee questioned each applicant to establish their background, awareness of healthy food campaigns such as *Sugar Smart*, and details regarding their individual applications.

In concluding this part of the hearing process, the Chair thanked both applicants for their contributions.

The applicants, members of the public and the Senior Licensing Officer left the meeting while the Sub-Committee considered both applications in private.

Having considered all submissions, the Sub-Committee noted both applicants' representation and each respective history in food-related industries. The Sub-Committee took into account the criteria set out in paragraph 6.8 of the Council's Street Trading Policy and agreed that Mr Shabbir's application and representation demonstrated a wider range of understanding in relation to a, b, c and e of the criteria. The Sub-Committee's decision also took account of Mr Shabbir's substantial experience with handling food.

Mr Rahman, Mr Shabbir and his supporter Mr Kashif, and the Senior Licensing Officer re-joined the meeting and were informed of the Sub-Committee's decision.

The Sub-Committee resolved to:

- **Grant** the approved vacant Street Trading pitch on George Street to Mr Muqarab Shabbir in accordance with the General Conditions for Street Trading Consents and the Street Trading Policy.

Following the decision, the Sub-Committee recommended that Mr Shabbir educated himself on the Council's Street Trading Policy, particularly the anticipated ban on single-use plastics, and the City's commitment to promoting healthy food options.

31. Application for Street Trading Consent on Blackbird Leys Park

Cllr Humberstone stated that he was a ward councillor for Blackbird Leys, which was where the site for this street trading application was located; it was not a pecuniary interest; he made the declaration for reasons of transparency and indicated that he would consider the application with a free and open mind.

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of an application for street trading consent.

Mr Blaine Morris-Smith (applicant) and Matthew Stead, Senior Licensing Officer joined the meeting.

The Chair asked everyone to introduce themselves and briefly explained the hearing process to be followed.

The Senior Licensing Officer presented the report stating that Mr Morris-Smith, trading as B's Street Eats Ltd, currently had an agreement with the Council's Parks Team to trade on the land, however Mr Morris-Smith was required street trading consent where selling of goods concerned the public. He advised that Mr Morris-Smith had been trading without consent for several months.

The Senior Licensing Officer advised the Sub-Committee that it was required to determine the application based on the contents of the full report which had been included in the agenda pack circulated prior to the meeting.

Mr Morris-Smith addressed the Sub-Committee and gave an explanation for his current trading position in Blackbird Leys Park.

Mr Morris-Smith stated that he had lived in Blackbird Leys throughout his entire life and had strong ties with the local clubs, being a part of the community himself. He emphasised that his business aimed to provide healthy food options to the community and promoted healthy eating by offering them at affordable prices and giving free water to children on occasions.

In response to questions, Mr Morris-Smith confirmed that his street trading van would be turned off during operations. He also stated that he was currently using a petrol-based generator for his operations but was financially prepared to get an electricity box installed to align with the Council's commitment to be carbon neutral by 2030.

The Sub-Committee continued to ask Mr Morris-Smith questions to further establish his application against the criteria listed in the Policy.

It was noted that the location of the unit had moved 30 metres from the location specified on the application. It was established that the new location was not within 100 metres of any entrance to a school.

In concluding this part of the hearing, the Sub-Committee thanked Mr Morris-Smith for his contributions.

Mr Morris-Smith and the Senior Licensing Officer left the meeting while the Sub-Committee deliberated in private.

Having considered all submissions, the Sub-Committee noted Mr Morris-Smith's representation, his intention to promote healthy eating and his commitment to the Blackbird Leys community. However, the Sub-Committee found no compelling reason to deviate from the standard trading hours set out in the Street Trading Policy.

The Sub-Committee, therefore, approved his application for Street Trading Consent in Blackbird Leys Park in accordance with the General Conditions for Street Trading Consents and the Street Trading Policy, on the condition that Mr Morris-Smith supplied an up-to-date plan of his trading location which is within 30 metres of the location marked on his application.

The Senior Licensing Officer and Mr Morris-Smith re-joined the meeting and were informed of the Sub-Committee's decision.

The Sub-Committee resolved to:

- **Grant** Mr Blaine Morris-Smith's application for Street Trading Consent in accordance with the General Conditions for Street Trading Consents and the Street Trading Policy, taking into account the details set out in the report and the representations made at this Sub-Committee meeting.

32. Application for Peripatetic Street Trading Consent

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of an application for Peripatetic Street Trading consent.

Mr David Brook (applicant) and Matthew Stead, Senior Licensing Officer joined the meeting.

The Chair asked everyone to introduce themselves and briefly explained the hearing process to be followed.

The Senior Licensing Officer presented the report, highlighting the conditions specific to peripatetic street traders as set out in the Street Trading Policy. Namely:

- Does not trade within 100 metres of any entrance to any school or college (without formal invitation from the establishment)
- Does not wait in one location for more than 20 minutes

The Senior Licensing Officer advised the Sub-Committee that it was required to determine the application based on the contents of the full report which had been included in the agenda pack circulated prior to the meeting.

Mr Brook addressed the Sub-Committee. He stated that he was intending to embark on an entrepreneurship with his partner that could offer better options and frequency than the ice cream van which currently serviced the local area. He emphasised his intentions to keep the costs of his products low for the community whilst sourcing supplies locally.

Mr Brook added that his business would offer a variety of fruit-based ice creams in keeping with the City's *Sugar Smart* campaign and use high-quality ingredients.

It was noted that the proposed timings of 1200 to 1900 on Mr Brook's application was an oversight. Mr Brook would be operating within the standard trading hours outlined in the Street Trading Policy.

In concluding this part of the hearing process, the Sub-Committee thanked Mr Brook for his contributions.

Mr Brook and the Senior Licensing Officer left the meeting while the Sub-Committee deliberated in private.

Having considered all submissions, the Sub-Committee noted Mr Brook's representation, his awareness of the City's *Sugar Smart* and healthy eating campaign, and his efforts to use local suppliers. The Sub-Committee, therefore, approved his application for Peripatetic Street Trading Consent based on standard trading hours for roadside traders of 1200 to 1800 for all days of the week, as set out in the Council's Street Trading Policy.

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

The Sub-Committee resolved to:

- **Grant** Mr David Brook's application for Peripatetic Street Trading consent in accordance with the General Conditions for Street Trading Consents and the Street Trading Policy, taking into account the details set out in the report and representations made at this Sub-Committee meeting.

33. Application for Street Trading Consent on Iffley Road

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of an application for Street Trading consent.

Mr Omar Taha (applicant), Ms Malala, Solo Manager and representative, and Matthew Stead, Senior Licensing Officer joined the meeting.

The Chair asked everyone to introduce themselves and briefly explained the hearing process to be followed.

The Senior Licensing Officer presented the report. He stated that Mr Taha would be operating under the business name 'Solo' and would be managed by Ms Malala. The application proposed non-standard trading hours of 0730 to 1730 on Monday to Friday and 1000 to 1600 on Saturday. He advised that the street trading unit would be placed within the grounds of the Mad Hatter pub on Iffley Road. He further advised that, whilst there was an agreement in place between Mr Taha and the landowners, street trading consent was required for the business to trade onto the highway.

The Senior Licensing Officer advised the Sub-Committee that it was required to determine the application based on the contents of the full report which had been included in the agenda pack circulated prior to the meeting.

Ms Malala addressed the Sub-Committee. She stated their intention to offer a variety of authentic Syrian dishes such as hummus and baba ghanoush with the use of healthy ingredients. She also stated that the unit would be situated inside private land using electricity for its operations.

Ms Malala mentioned that this would be their first attempt at street trading wherein she and Mr Taha would bring their combined experiences in the food sector for the proposed application. In response to questions, she explained her awareness of *Sugar Smart* adding that Syrian food was generally known to be healthy as it used simple ingredients, further stating that Solo would be using a local supplier for its ingredients and offer sugar-free drinks and vegetarian options where possible.

In response to queries regarding food hygiene, the Senior Compliance Officer confirmed that should consent be granted, Solo, as a registered business, would be subject to safety inspection. Any issues in relation would be dealt with by the Environmental Health Officer by use of advisory.

Mr Taha, Ms Malala and the Senior Licensing Officer left the meeting while the Sub-Committee deliberated in private.

Having considered all submissions, the Sub-Committee noted the applicant's representation, awareness of the City's *Sugar Smart* and healthy eating campaign, attention to hygiene and efforts to use local suppliers. The Sub-Committee found no compelling reason to deviate from the standard trading hours set out in the Council's Street Trading Policy and, therefore, approved Mr Taha's application for Street Trading Consent based on standard trading hours for a pavement location of 0800 to 2100 for all days of the week, and on the condition that the business obtained a public liability insurance.

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

The Sub-Committee resolved to:

- **Grant** Mr Omar Taha's application for Street Trading Consent in accordance with the General Conditions for Street Trading Consents and the Street Trading Policy, taking into account the details set out in the report and representations made at this Sub-Committee meeting.

Following the decision, the Sub-Committee requested that an environmental health visit be arranged to ensure disposal bins were not affecting Solo's food trading and that food hygiene standards were maintained.

The meeting started at 6.15 pm and ended at 8.42 pm

Chair

Date: Monday 4 September 2023

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.