

Minutes of a meeting of the General Purposes Licensing Casework Sub- Committee on Tuesday 22 October 2024

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Committee members present:

Councillor Mundy (Chair)

Councillor Ottino

Councillor Miles (*substitute for Cllr Azad*)

Officers present for all or part of the meeting:

Alison Daly, Legal Adviser

Celeste Reyeslao, Scrutiny and Governance Adviser

Katie Thorp, Senior Licensing Compliance Officer

KC Prawesh, Licensing Compliance Officer

Matthew Stead, Senior Licensing Officer

Apologies:

Councillor(s) Azad sent apologies.

Substitutes are shown above.

53. Declarations of Interest

None.

54. Procedure to be followed at the meeting

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

55. Street Trading variation application (Lucy Hedges: Full of Beans)

The Committee agreed to consider this item alongside item 5 (Peripatetic Street Trading application (Lucy Hedges: Full of Beans)), as both pertained to the same applicant.

The Head of Planning and Regulatory Services submitted a report to inform the variation of a street trading consent for Full of Beans coffee company.

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

The Chair explained the procedures of the hearing and asked all attendees to introduce themselves.

The Senior Licensing Officer presented a summary of the reports. He explained that the variation application related to the street trading consent granted by the General Purposes Licensing Sub-Committee on 2 September 2024. The consent permitted Full of Beans to operate at the Redbridge Park and Ride on Monday, Tuesday, and Friday from 0800 to 1200. Ms Hedges sought to amend the permitted trading hours to Monday, Thursday, and Friday from 0630 to 1030, to accommodate her full-time employment. He mentioned that the application had been subject to a 14-day consultation period, during which no objections were received. As the requested hours fell outside the standard times specified in the Council's Street Trading Policy, the Sub-Committee was required to determine the application.

The Senior Licensing Officer then proceeded to provide a summary of Ms Hedges' peripatetic street trading application, stating that the trading unit to be used would be the same professionally converted tricycle with an affixed coffee machine. If granted, the peripatetic consent would be separate from the static consent applied for in the previous item. It was noted that no adverse comment was received during the 14-day consultation period, and a letter of support was received from Oxford City Councillor Anna Railton.

The Sub-Committee noted policies 34 and 35, annexed to the Street Trading Policy.

In response to questions, the Senior Licensing Officer clarified several points:

- The restriction on trading hours before 0800 was intended to prevent public nuisance and noise disturbance
- Redbridge Park and Ride operated 24/7, with buses starting at 0600 and the terminal opening at 0700. In terms of trading location, Full of Beans would be positioned behind the terminus building, near the electric vehicle chargers, and could adjust her position in inclement weather
- The policy distinguished between static and peripatetic consents, with peripatetic traders required to move every 20 minutes. Deviating from this would require a policy amendment.
- While the proposed peripatetic route provided designated stops, Ms Hedges would not be obligated to adhere to them strictly unless a condition was attached.
- Ms Hedges would need to conduct a risk assessment to ensure the safety and suitability of her chosen locations, though competition with nearby coffee shops could be a potential concern.

Ms Hedges was invited to address the Sub-Committee and explained the rationale for her request to start trading earlier. She noted that she had conducted a survey and observed significant demand at the Redbridge Park and Ride on a typical Friday morning, with 15 people already waiting by 0630 and a total of 90 arrivals by 0730. By the time she started trading, the number of potential customers grew to nearly 200. Ms Hedges expressed concern that if she were only permitted to start at 0800, she would miss the early morning rush, as customers would already be waiting for coffee by 0730, and she would not be prepared to serve them.

Ms Hedges further addressed the issue of the required 50 metre distance between trading spots, stating that while some stops might be slightly under 50 metre, they were still very close to the guideline with only minor deviations. She mentioned that certain areas were unsuitable for trading due to being low-lying. Although her application requested a start time of 0630, she indicated flexibility, noting she would be open to

starting slightly later if necessary, and that the stops listed were potential locations rather than a strict order

Ms. Hedges clarified several aspects of her application queried by the Sub-Committee. She explained that she prioritised starting at Redbridge on Saturdays due to reduced commuter traffic, and confirmed that she would be open to starting later on weekends. She agreed to comply with conditions, such as pushing her bike through areas like Hinksey Park where cycling is restricted. While she expressed a preference for a 0630 start on weekdays, she would be comfortable with a later start on weekends and suggested extending her trading hours to 0800 to 1500. She also noted that her bike setup was minimal and produced less noise than an engine, unlikely to cause disturbance. Lastly, she acknowledged the importance of staying within walking distance to manage the workload of pedaling her converted bike.

In summing up, the Senior Licensing Officer highlighted the key conditions Ms Hedges would need to adhere to, particularly conditions 12 and 15 of the Street Trading Policy, which focused on ensuring safe setup practices and minimising any public nuisance or noise disturbance. He emphasised that the Sub-Committee should consider whether to require Ms Hedges to follow the proposed route, and noted that any byelaws or road regulations would need to be observed. Additionally, the officer pointed out that fairness and the regulation of competition should be considered, as other traders may seek similar permissions. Ms Hedges had no further comments to add to her representation.

Ms Hedges and the Senior Licensing Officer were asked to leave the room whilst the Sub-Committee considered the application.

Having taken all submissions into consideration, the Sub-Committee agreed to grant the variation to Ms Hedges' street trading consent, allowing her to operate from 0630 to 1030 on Monday, Thursday, and Friday. The Sub-Committee appreciated that Ms Hedges had conducted her own research and surveying of the area to assess customer demand, and recognized the clear demand for early morning trading at the Redbridge Park and Ride. The Sub-Committee noted minimal concerns regarding public nuisance, as the trading location is not in close proximity to residential areas. These factors led them to conclude that the variation was appropriate and justified.

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

The General Purposes Licensing Casework Sub-Committee resolved to:

- **Grant** the variation to Ms Hedges' street trading consent to operate from 0630 to 1030 on Monday, Thursday, and Friday.

56. Peripatetic Street Trading application (Lucy Hedges: Full of Beans)

The Committee agreed to consider this item alongside item 4 (Street Trading variation application (Lucy Hedges: Full of Beans)), as both pertained to the same applicant. Full notes of the combined hearing is detailed under the previous item.

The Head of Planning and Regulatory Services submitted a report to inform the determination of a peripatetic street trading application for Full of Beans coffee company.

Having considered all submissions, the Sub-Committee agreed to grant Ms Hedges' application for a peripatetic street trading consent, allowing her to operate on Saturday

between 0800 and 1500 hours. The Sub-Committee agreed to disapply condition 34 of the Street Trading Policy when operating near Grandpont Nursery School, citing compelling reasons, particularly that the nursery is closed on Saturdays and Ms Hedges coffee business was aimed at adults rather than children. However, the Sub-Committee clarified that condition 34, which restricts trading within 100 metres of schools, would still apply if Full of Beans operated near any other schools in the city.

The General Purposes Licensing Casework Sub-Committee resolved to:

- **Grant** Ms Hedges application for a Peripatetic Street Trading Consent until 31 March 2025.

57. 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.

58. 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 General Purposes Licensing Casework Sub-Committee resolved to:

- **Refuse** the application taking into account the details set out in the report and the representations made at this Sub-Committee meeting.

59. 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 ‘fit and proper’ status to continue to drive Private Hire Vehicles in the City.

The General Purposes Licensing Casework Sub-Committee resolved to:

- **Revoke** the applicant’s private hire vehicle licence taking into account the details set out in the report and the representations made at this Sub-Committee meeting.

60. Dates of future meetings

The dates of future meetings were noted.

The meeting started at 6:10 pm and ended at 9:50 pm

Chair

Date: Tuesday 26 November 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.