

Minutes of a meeting of the General Purposes Licensing Casework Sub- Committee on Monday 18 December 2023

Committee members present:

Councillor Lygo (Chair)

Councillor Miles

Councillor Waite

Officers present for all or part of the meeting:

Tazafar Asghar, Legal Adviser

Richard Masters, Senior Licensing Compliance Officer

Nicholas Cox, Team Manager Business Regulation

Matthew Stead, Senior Licensing Officer

Alessandra Ruggirello, Business Regulation Compliance Assistant

Celeste Reyeslao, Committee and Member Services Officer

Apologies:

None

59. Election of Chair for the meeting

Councillor Lygo was elected Chair for this Sub-Committee meeting.

60. Declarations of Interest

There were no declarations of interest received.

61. Procedure to be followed at the meeting

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

62. Minutes

The Sub-Committee resolved to approve the minutes of the meeting held on 4 December 2023 as a true and accurate record.

63. Street Trading application for The Little Blue Van on Frideswide Square

The Head of Planning & Regulatory Services had submitted a report to inform the determination of a street trading application on Frideswide Square in Oxford.

Mr James Sherriff (applicant), Matthew Stead, Senior Licensing Officer and Alessandra Ruggirello, Business Regulation Compliance Assistant joined the meeting.

The Chair asked everyone to introduce themselves.

The Senior Licensing Officer presented a summary of the report, noting that the application involved a trading spot which had not been occupied previously. He stated that the applicant sought permission to trade from a blue vintage Citroen van, offering hot and cold drinks and snacks from Monday to Friday between 0600 and 1800. It was noted the application proposed operations beyond standard trading hours.

The Senior Licensing Officer stated that the application was subject to a 14 day objection period which had garnered two adverse comments against the grant of the application and one in support.

The Sub-Committee was reminded 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.

In response to questions, the Senior Licensing Officer mentioned the County Council Highway Authorisation's concerns relating to high footfall in the area. With regard to site allocation, it was noted that the process aligned with the policy which considered historical trading location but allows for new applications in certain areas.

Mr Sherriff addressed the Sub-Committee. He explained that the proposed van location was 4 metre wide, whereas the van itself was only 2 metres wide. This would leave ample distance from the pathway, minimizing impact on pedestrians. During peak times, train crowds would disperse in various directions before reaching the proposed site. In terms of queueing, Mr Sherriff emphasised that the business aims for a grab and go service, which was successfully tested at the Oxford Food Festival with a queue of 4 people at most.

Mr Sherriff highlighted his use of local suppliers supporting the local economy. He expressed a vision to enhance the area socially with the hope that his business would encourage people to come out and utilise the public benches provided in the space.

Mr Sherriff and the Licensing Officers left the meeting while the Sub-Committee deliberated in private.

Having considered all submission, the Sub-Committee noted the applicant's representation. The Sub-Committee was satisfied that varying the hours would not have an adverse impact on the area.

The Sub-Committee, therefore, approved the application for Street Trading Consent in Frideswide Square in accordance with the General Conditions for Street Trading Consents and Street Trading Policy. The Sub-Committee agreed to approve the proposed street trading hours of 0600 to 1800.

The Licensing Officers and Mr Sherriff re-joined the meeting and were informed of the Sub-Committee's decision.

The Sub-Committee resolved to:

- **Grant** until 31 March 2024 Mr Sherriff's application for Street Trading Consent in accordance with the Standard Conditions for Street Trading Consents and the Street Trading Policy, and to vary the trading hours to 0600 to 1800, taking into account the details set out in the report and the representations made at this Sub-Committee meeting.

64. Street Trading application for Zaza's Kebab on Botley Road Retail Park

The Head of Planning & Regulatory Services had submitted a report to inform the determination of a street trading application on Botley Road Retail Park.

Mr Bahtiyar Demirtas (applicant), Mr Rod Navarrete (representative), Matthew Stead, Senior Licensing Officer and Alessandra Ruggirello, Business Regulation Compliance Assistant joined the meeting.

The Chair asked everyone to introduce themselves.

The Senior Licensing Officer presented a summary of the report, noting that this was a new application for a location which had not had street trading prior. He stated that Mr Demirtas would be trading under the name Zaza's Kebab and proposed to trade from an airstream caravan style trailer which would be purchased and built based on the outcome of this hearing. The application requested permission to trade from Monday to Sunday between 0800 and 2300. It was noted that the proposed times of trading were outside the standard trading hours set out in the policy.

The Senior Licensing Officer mentioned that Mr Demirtas had obtained a written agreement from the landowner to trade in Botley Road Retail Park, which was bound separately outside of the Council's street trading conditions. He added that the application was subject to a 14 day consultation period and confirmed it did not receive any adverse comments from shareholders.

A rendered drawing of the proposed trading unit was submitted, which the Sub-Committee had agreed to consider.

The Sub-Committee was reminded 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.

It was established that combining daytime and evening hours of street trading operation was not a usual practice in Oxford.

Mr Navarrete addressed the Sub-Committee on behalf of Mr Demirtas. He stated that Mr Demirtas was passionate about good food and had been working in the food industry for over a decade. His intention was to experiment with grill-style food as opposed to fried and was putting time and effort in finding the appropriate unit in order to do so.

In response to a query from the Sub-Committee, Mr Demirtas stated that he would offer breakfast options in the morning and serve burgers and kebabs in the evening. He intended to trial his business operation hence the proposed trading hours of 8:00 am

until 11:00 pm on his application. He expected to start trading in March 2024 depending on the completion of his trading unit.

Mr Demirtas, Mr Navarrete and the Licensing Officers left the meeting to allow the Sub-Committee to consider the application.

The Licensing Officers, the applicant and his agent were invited back to the meeting to clarify further queries from the Sub-Committee relating to section 17.2 of the street trading policy.

Mr Demirtas, Mr Navarrete and the Licensing Officers left the meeting while the Sub-Committee deliberated in private.

Having considered all submissions, the Sub-Committee was not satisfied that there was a need to deviate from the standard trading hours for daytime roadside vehicles. The Sub-Committee, therefore, agreed to approve Mr Demirtas' application for Street Trading Consent in Botley Road Retail Park in accordance with the General Conditions for Street Trading Consents and Street Trading Policy.

The Licensing Officers and Mr Sherriff re-joined the meeting and were informed of the Sub-Committee's decision.

The Sub-Committee resolved to:

- **Grant** until 31 March 2024 Mr Demirtas' application for Street Trading Consent in accordance with the Standard 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.

65. 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.

66. New application to drive Private Hire Vehicles

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

The Sub-Committee resolved to:

- **Grant** the application to drive Private Hire Vehicles in the City, on the condition that in the event of any minor or major incidents within the first 12 months of his licence he would be required to appear before the Sub-Committee to determine his suitability to continue to hold a licence.

67. Confidential Minutes

The Sub-Committee resolved to approve the confidential minutes of the meeting held on 4 December 2023 as a true and accurate record.

68. Dates of future meetings

The dates of future meetings were noted.

The meeting started at 6.00 pm and ended at 8.20 pm

Chair

Date: Monday 15 January 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.

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