

LICENSING SUB-COMMITTEE

Thursday 6 June 2024

Present:

Councillors Holland, Sheridan and Snow

Also Present:

Legal Advisor, Apprentice Solicitor, Licensing Officer (GP), Licensing Officer and Democratic Services Officer (LS)

33

APPOINTMENT OF CHAIR

Councillor Snow was appointed as Chair for this meeting.

34

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

35

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

36

APPLICATIONS FOR CONSENT TO ENGAGE IN STREET TRADING ON ONE SITE IN CASTLE STREET

The Chair introduced the Licensing Sub Committee Members and Officers.

The Apprentice Solicitor explained that as there were two applications for one pitch. the applications should be considered at the same time. The Applicants would present their applications one after the other and then the Licensing Sub Committee would retire to determine which application to be granted.

First Application

The Apprentice Solicitor set out the hearing procedure and all parties in attendance agreed that the procedure was understood.

The Licensing Officer presented the report which advised that the Applicants were seeking the approval of the Licensing Sub-Committee for a 6-month licence for a stationary candy floss bike, trading between Monday and Sunday between 1100 and 2000hours.

The Applicant was in attendance, accompanied by a friend and both spoke in support of the application, stating:-

- That this would be the first cotton candy stall in Exeter,
- That he had previously set up a similar stall in Ukraine and it became a

- community hub,
- That he had read the conditions and set out how he would comply with each individually.

The Applicant answered questions from the Members and the Apprentice Solicitor.

Second Application

The Chair introduced the Licensing Sub Committee Members and Officers. The Apprentice Solicitor set out the hearing procedure and all parties in attendance agreed that the procedure was understood.

The Principal Licensing Officer presented the report which advised the Applicants were seeking the approval of the Licensing Sub-Committee for a street trading consent for a food trailer at the bottom of Castle Street. The Applicant had applied for consent to trade for 7 months trading between Monday and Thursday between 1000 and 2200hours and on Friday and Saturday between 1000 and 0300hours and Sunday between 1000 and 1800hours.

The Applicant was in attendance and spoke in support of the application, stating:-

- He had seen wider variety and in other cities and wanted to give back to Exeter where he had studied,
- He would offer something different and described menu items,
- That he had worked in other catering establishments including night trade.

The Applicant answered questions from the Members and the Apprentice Solicitor.

RESOLVED that the second application be refused, but the Applicant be encouraged to speak to the Licensing Team to discuss alternative sites. The full determination would be issued to the applicant in writing.

RESOLVED that the first application be approved with the following conditions:

- a) all of the conditions contained within Appendix A of the Street Trading Policy dated 2015 should be included in the consent,
- b) the consent holder will provide a bin for customer use and that the consent holder will ensure that any rubbish in the vicinity (within 100m of the business), emanating from the business is cleared away at regular intervals,
- c) the use of A boards and flags be prohibited,
- d) the consent holder will not conduct fly posting,
- e) in the event that issues do arise from this consent, then this consent may be revoked by the Service Lead Environmental Health and Community Safety in consultation with the Chair of the Licensing Committee,
- f) in line with the Council's resolution of 24th April 2018, any cutlery, food/ drink containers, and drinking straws used should not be made from single use plastics.

(The meeting commenced at 10.00 am and closed at 11.14 am)

Chair