

Minutes of the meeting of the Licensing and Appeals Hearings Panel held at 9.30 am on Wednesday, 13th July, 2022 at Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor R Kirk (in the Chair)

Councillor K G Hardisty

Councillor J Noone

Also in Attendance

Councillor G W Dadd

LAHP.2 **Application for Street Trading Consent, Stephen Pearson - Nitrovit Lane, Sandhutton**

All Wards

The subject of the decision:

The Director of Law and Governance submitted a report seeking consideration of an application for a Street Trading Consent from Mr Stephen Pearson and Ms Angela Pearson trading as Flamin' Tasty at a specified location on Nitrovit Lane, Sandhutton.

Alternative options considered:

The Panel considered all of the options outlined in paragraph 6.2 of the officer's report and concluded that it was not necessary to reject the application or to modify the standard conditions.

The reason for the decision:

The Panel considered the report of the Director of Law and Governance, the representations of the parties both written and oral, the Council's Street Trading Policy and the relevant legislation.

The applicants initially sought to authorise the sale of food and drink from a mobile catering unit on Nitrovit Lane, Sandhutton between the hours of 7am and 7pm from Monday to Friday and between 8am and 12noon on Saturday. The applicant informed the Panel that, on consideration of the representations from the Parish Council, the proposed hours of operation had been amended to 7am to 3pm from Monday to Friday only.

Representations from Sandhutton Parish Council related to the location of the unit, the times of operation and to public nuisance.

The applicants informed the Panel that most of the concerns raised by the Parish Council had been considered and resolved prior to submitting the application.

The applicants indicated that they were aware of their responsibilities to manage any litter and arrangements had been put in place with Yorwaste in this regard.

The applicants informed the Panel that a new filtration system had been installed in the catering unit to reduce cooking smells.

The applicants also informed the Panel that the landowner had placed a 20-foot by 8-foot concrete slab on the ground for the purposes of their street trading proposal. The applicants confirmed that they intend to remove the catering unit at the end of each trading day.

With reference to the Parish Council's concerns over congestion, the applicants informed the Panel that the proposed location is not frequently used by heavy good vehicles and therefore the catering unit was unlikely to exacerbate any perceived issues in this regard.

Having considered the assurances provided by the applicant, the Parish Council informed the Panel that there is no longer any particular objection but indicated that it was beneficial to make representations at an early stage to ensure that any matters of concern are adequately addressed.

The Panel was satisfied that the Parish Council's concerns had been considered in full by the applicants. The reduced hours of operation were satisfactory to all parties and any concerns over the proposed location appeared to have been addressed.

The Panel concluded that the proposed street trading activities would be unlikely to have a significant adverse impact on the local area and the standard conditions of trading would impose adequate obligations on the permit holders to address any general concerns relating to nuisance and litter.

The Panel noted that no objections had been raised by any other consultees (including Environmental Health and Highways) and it was satisfied that the proposed activities may be subject to additional control in relation to food safety, general health and safety, environmental health, planning and highways. The Panel was satisfied that any concerns in this regard could be dealt with under the relevant primary legislation and, in the event of any actual adverse impact, the street trading permit could also be subject to further review.

The decision:

The Panel resolved to grant the application (as amended) to trade from the proposed location between the hours of 7am and 3pm Monday to Friday subject to the standard conditions.

The meeting closed at 10.17 am

Chairman of the Panel