

Licensing Sub-Committee – Meeting held on Thursday, 13th October, 2011.

Present:- Councillors Abe, Dodds (Chair) and Rasib

Officers Present:- Mrs Kauser (Democratic Services) and Ms Osbourne (Legal Services)

PART 1

15. Declarations of Interest

None.

16. Application for Street Trading Consent - Tasty Bunz, Opposite 413 London Road, Langley, Slough

Following introductions, the Chair explained the procedure for the hearing and confirmed with all parties that they had received a copy of the paperwork.

Licensing Officer

The Licensing Officer in introducing his report stated that an application had been submitted by Mr Kondal for a street trading licence. The application was for the sale of hot and cold food, situated opposite 413 London Road, Langley. The hours of operation were detailed as:

Monday to Wednesday: 0700 hours to 1430 hours.

Thursday to Friday 0700 hours to 1430 hours and 1730 hours to 2300 hours.

Saturday: 1700 hours to 2300 hours.

It was explained that although the whole area of London Road was subject to parking restrictions (double yellow lines) there was a small section of approximately 30 metres in length opposite 413 London Road which was not subject to parking restrictions. It was this area from which the applicant wished to trade from.

Members were reminded that in accordance with the Council's Street Trading Consent Policy, a number of organisations and council departments were consulted with regard to the proposed application. It was noted that no objections were received from any of these parties. However a number of objections were submitted by residents and businesses within the vicinity of the proposed site.

Questions to Licensing Officer

Members asked for confirmation regarding the fact that no reply had been received from the Council's parking, highways or transport departments. The Licensing Officer confirmed that they had been consulted regarding the application but no formal objections were made.

Licensing Sub-Committee - 13.10.11

Members stated that they had a number of queries regarding parking and highways issues and requested that an officer from the relevant department be called to attend the meeting.

The meeting was adjourned at 10.05am and reconvened at 10.25am

Martin Mallia from Transport was in attendance. It was explained that there were parking restrictions along this stretch of London Road with the exception of an approximate 30 metre gap. It was noted that there was also a ban for HGV lorries parking within the area. The gap had been introduced following requests from local businesses and residents.

Members asked a number of detailed questions regarding parking and traffic issues within the area. Mr Mallia submitted that there were no difficulties with traffic merging onto the dual carriageway. Concern was expressed regarding the possibility of customers parking in a near-by bus stop. Mr Mallia stated that it was an offence to park in a bus stop and should the issue arise it would be dealt with via parking enforcement.

Applicant's Case

Mr Sehbat, on behalf of Mr Kondal presented the reasons as to why an application for a street trading application had been submitted. It was stated that the proposed trading would add value to the area. It was noted that signs would be posted advising patrons to park considerately. In addition, to address the parking issues it was noted that individuals would be requested to email or telephone their orders prior to collection, which would result in individuals parking for a shorter period of time.

Members were informed that a number of bins would be placed close to the site and sweeps of the area would be made to ensure litter was collected on a regular basis. CCTV would be installed within the van and staff would work in partnership with the local Neighbourhood Watch Scheme. Addressing concerns relating to noise nuisance, it was submitted that signs would be displayed advising patrons that it was a residential area, requesting them to leave quietly. It was noted that the terminal hour of operation was 2300 hours on a Thursday, Friday and Saturday.

Questions to Applicant

A number of detailed questions were put to the Applicant and his representative. It was stated that individuals would be encouraged not to congregate in the area and there would not be any facilities for them to eat on site. Responding to the limited parking space available within the area, Sub-Committee Members were informed that having dropped off the trailer, Mr Kondal would drive his car back home and return to site on his scooter. It was submitted that they could not be held responsible for individuals parking illegally.

Representations by Interested Parties

Licensing Sub-Committee - 13.10.11

Councillor Plenty stated that he had spoken to a number of residents and was present at the hearing to convey their reservations regarding the application. The main issue of concern related to the limited parking space available and an increase in the traffic to the area to visit the premises. Whilst noting that it was a good business initiative, it was submitted that the location was not suitable for the type of business being proposed.

Mr Crier, representing Toby Carvery, also stated the location was unsuitable for a street trading pitch due to the lack of amenities and parking for customers. Although Mr Crier acknowledged that individuals did on occasions park in the Toby Carvery car park, granting this application would exacerbate the problem.

Mr Harmes and Mr Austin representing local businesses expressed their concerns regarding the application. Limited parking and parking restrictions in the area would create parking difficulties for local residents and visitors to the businesses within the vicinity. It was submitted that the business would attract passing trade from the M4, the majority of which were likely to be Heavy Goods Vehicles, which would add to the parking difficulties in the area.

All parties were provided with an opportunity to provide a summary and were then asked to leave the room whilst the Sub-Committee deliberated.

Decision

All parties were asked to re-join the meeting.

Having taken into account all information available, Members refused the application for a street trading licence.

In reaching their decision, Members took into account representations made by the Applicant, his representative and Interested Parties and decided that there was not enough space in the street for the applicant to engage in street trading without causing undue interference or inconvenience to persons using the street. The street trading licence was refused in accordance with Schedule 4, Paragraph 3(6) of the Local Government (Miscellaneous Provisions) Act 1982.

17. Application for a Personal Licence (Reference PL01-11)

Sub-Committee Members were informed that the Applicant had withdrawn his application for a personal licence and the matter therefore would not be considered.

Licensing Sub-Committee - 13.10.11

Chair

(Note: The Meeting opened at 9.37 am and closed at 12.40 pm)