

Licensing Committee
14 DECEMBER 2020

Present: Councillors: John Blackall, Mike Morgan and Jim Sanson

LI/1 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Jim Sanson be elected Chairman for the meeting.

LI/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

LI/3 **ANNOUNCEMENTS**

There were no announcements.

LI/4 **APPLICATION FOR CONSIDERATION**

Street Trading Consent permit application from Mr Duncan Ashdown in respect of a layby on the A283

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties. The sub-committee noted the size and location of the layby and heard from the Environmental Health and Licensing officers.

Consultees: There had been no objections from Sussex Police or Sussex Highways. Since publication of the report two further representations had been received: South Downs National Park Authority raised no objection; and Friends of South Downs National Park objected to the application and raised concerns regarding the disposal of litter.

Both local Ward Members objected to the proposal. The Parish Council had raised no objection.

The two local Ward Members, Councillors Roger Noel and Councillor Mike Croker, addressed the sub-committee in objection to the application. The applicant then addressed the sub-committee.

The Chairman and members of the sub-committee asked questions of the applicant and interested parties.

Members considered all the evidence and submissions before them including the representations made on the application, and the answers to questions given by those present.

The sub-committee concluded that the layby would be an appropriate location for the converted horse trailer to serve hot and cold drinks and food for the hours of 07.00 to 18.00 each day. They considered that additional conditions should be added to the Schedule of Consent Conditions, as set out in appendix five, to limit the environmental impact of the proposal.

RESOLVED

- i) To grant a street trading licence to Mr Duncan Ashdown.
- ii) That the following additional conditions and amendment be added to the Schedule of Consent conditions as set out in Appendix 5 of the report:
 - a) The use of biodegradable plates, cups and other utensils dispensed to customers
 - b) To use a LPG generator.
 - c) To amend condition (k) to read (additional text in bold):

The consent holder is responsible for keeping the layby and adjoining verges in a clean and tidy condition and for the removal of ALL litter therefrom, **and will take reasonable endeavours to undertake litter clearances three times a day.**

LI/5 APPLICATION FOR CONSIDERATION

Street Trading Consent permit application from Mr Nicholas Dawson in respect of a layby on the A283

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties. The sub-committee noted the size and location of the layby and heard from the Principal Environmental Health Officer.

Consultees: There had been no objections from Sussex Police or Sussex Highways. Since publication of the report two further representations had been received: South Downs National Park Authority raised no objection; and Friends of South Downs National Park objected to the application and raised concerns regarding the disposal of litter.

Both local Ward Members objected to the proposal. The Parish Council had raised no objection.

The two local Ward Members, Councillors Roger Noel and Councillor Mike Croker, addressed the sub-committee in objection to the application. The applicant then addressed the sub-committee.

The Chairman and members of the sub-committee asked questions of the applicant and interested parties.

Members considered all the evidence and submissions before them including the representations made on the application, and the answers to questions given by those present.

RESOLVED

Having considered the application to trade on the A283 on its own merits, the sub-committee was minded to refuse a street trading licence to Mr Nicholas Dawson.

REASON

- (a) That there is not enough space in the street for the applicant to engage in the trading in which he desires to engage without causing undue interference or inconvenience to persons using the street;
- (b) that there are already enough traders trading in the street from shops or otherwise in the goods in which the applicant desires to trade.

The Chairman of the sub-committee advised that there was no direct right of appeal to the Council, however paragraph 6 (5) of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 sets out the rights of appeal to a Magistrates Court.

The meeting closed at 12.22 pm having commenced at 10.00 am

CHAIRMAN