

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

5TH AUGUST 2019 (10.30AM)

Present:

Councillors: P Dyke (Chairman), M Rayner (Vice-Chairman), J F Byng, A Coleman, R H Coleman, C E E Edginton-White, I Hardiman, K Henderson, F M Oborski MBE, J W R Thomas and L Whitehouse.

Observers:

Councillor B S Dawes.

LIC.07 Apologies for Absence

There were no apologies for absence.

LIC.08 Appointment of Substitutes

No substitutes were appointed.

LIC.09 Declaration of Interests

Councillor Oborski declared that she was a Member of the Hereford and Worcester Fire and Rescue Authority and the new Wyre Forest Emergency Services Hub would be located close to the proposed site of the application being considered.

LIC.10 Minutes

Decision: The minutes of the meeting held on 10th June 2019 be confirmed as a correct record and signed by the Chairman.

LIC.11 Consideration of the Grant of a Street Trading Consent

The Committee received a report from the Head of Worcestershire Regulatory Services which asked the Committee to consider and determine an application for street trading consent.

The Senior Practitioner – Licensing led Members through the report giving details including background to the application, location of the proposed site and objections received. He reminded Members of the Street Trading in Wyre Forest District guidance notes and the Street Trading Policy Statement included in the agenda pack. In response to questions from Members the Senior Practitioner – Licensing gave details of the licence held by another trader in the same proximity to the proposed site and confirmed that the

statutory consultees had not raised any concerns about traffic in the immediate area.

The applicant, Samantha Luckock addressed the Committee on behalf of herself and her husband who was the joint applicant. She explained to Members that they were an existing reputable company who had moved from their previous site due to roadwork's effecting business and detailed the types of food they would be providing including breakfast foods, wraps, jacket potato and homemade chilli. Mrs Luckock responded to Members questions about proposed clientele and opening times.

Mike Southwell, Managing Director from Beakbane Ltd, addressed the Committee with details of his objections to the application. He explained that his primary concern was around safety at the nearby road junction detailing 3 known instances in the last 8 years when collisions had occurred between vehicles. He also informed Members that he felt the area was already sufficiently serviced by food outlets. He answered Members questions on proposed location of the catering van, traffic issues in the area and details of the traffic collisions he had previously mentioned.

The Senior Practitioner – Licensing, the applicants and the objector left the room at this point (11:11am) for Members to deliberate their decision. The Solicitor and Assistant Committee Services Officer stayed in the meeting whilst the Committee reached their decision.

The meeting was adjourned at 11:30am and resumed at 11:43am.

12:03pm Councillor Rayner left the room and returned at 12:05pm.

12:05pm Councillor Henderson left the room and returned at 12:07pm.

The Senior Practitioner – Licensing and the applicants returned at 12:10pm and the Solicitor read out the decision of the Committee.

DECISION: Having carefully considered Samantha and Donald Luckock's application dated 6 April 2019 to grant a street trading consent to trade from the area on the Eastern side of the grassed verge between the main A451 Stourport Road and the service road which runs parallel with it, opposite to the junction of the spur road leading into Oldington Trading Estate, selling hot and cold refreshments, the Committee have, having regard to the Local Government (Miscellaneous Provisions) Act 1982, the Wyre Forest District Council's Street Trading Policy Statement and its criteria for Considering Applications for Street Trading Consents and the representations raised by interested parties decided to grant a street trading consent to sell hot and cold refreshments from a trailer at the above mentioned site, Monday to Friday between the hours of 7:30 and 15:30 for the period of 12 months.

And the reasons for the Committee's decision are as follows:

- 1. The Committee do not consider that there will be a significant impact on the business of the other unit trading under a street consent from the area due to the actual operating hours of the business already at the site.**
- 2. The Committee do not consider that the additional street trading consent is likely to have a significant impact on the road safety due to increased traffic in the area because most users of the establishment are likely to walk.**
- 3. The Committee consider that the type of refreshment proposed in the representations is sufficiently different from that currently on offer in the locality and as such will enhance the vitality of the shopping area in the immediate vicinity.**

There being no further business the meeting ended at 12:13pm.