

## South Cambridgeshire District Council

Minutes of a meeting of the Licensing Appeals Sub-Committee held on  
Tuesday, 24 October 2023 at 10.00 a.m.

### 1. **Declarations of Interest**

There were no declarations of interest.

### 2. **Introductions / Procedure**

The Chair introduced panel members and officers and explained the procedure for the hearing.

### 3. **Application for the Grant of a Street Trader Consent**

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| <b>Date of Hearing:</b>              | 24 October 2023  |
| <b>Trading body</b>                  | Slice of Price   |
| <b>Premises Address:</b>             | The Black Horse, 63 Orchard Road, Melbourn,<br>Royston, SG8 6BP  |
| <b>Application:</b>                  | Application for street trader consent  |
| <b>Those present at the hearing:</b> |  |
| <b>Sub-Committee:</b>                | Mark Howell (Chair)<br>Sunita Hansraj<br>Peter Sandford  |
| <b>SCDC Officers:</b>                | Natasha Wade-Guest, Licensing Technical<br>Officer<br>Rachel Jackson, Principal Licensing Officer<br>Felicity Goldsbrough, Legal Adviser (attended<br>virtually)<br>Aaron Clarke, Democratic Services Technical<br>Officer (attended virtually)                            |
| <b>Applicant:</b>                    | Mr Dale Price (attended virtually)<br>Mrs Elizabeth Price (attended virtually)   |
| <b>Representees:</b>                 | Cllr Sally Ann Hart – Melbourn Parish Council<br>(attended virtually)<br>Cllr Steve Kilmurray – Melbourn Parish Council<br>(attended virtually)<br>Mr Steven Harrington – Owner of Black Horse<br>pub<br>Mr David Freeman - Observer<br>Hannah Brown – Cambridgeshire Live |

## **The application**

To consider the application for street trader consent.

## **Background**

On 30 April 2023, an application for a mobile street trading consent was submitted to trade Fridays (every month) between 18:00 and 21:30 at The Black Horse, 63 Orchard Road, Melbourn, Royston, SG8 6BP. The application also requested to be able to trade at Whaddon Golf Centre to which there were no representations received.

In line with the Council's current Street Trading Policy, views were sought on the application by consulting with:

- Ward & Division Councillors
- Parish or Town Councils
- South Cambridge Council Environmental Health
- Cambridgeshire Constabulary
- Shared Planning Service
- Cambridgeshire County Council Highways

In addition, a site visit was undertaken by the Licensing Principal Officer on 18 May 2023, to both assess suitability and to follow up a complaint from a neighbour who had raised concerns regarding trading within the premise car park and had suggested the location was dangerous and a nuisance. The Officer considered the location of the trading unit, space available within the car park and access to the car park to be in a suitable location, and does not impede traffic flow, nor cause a hazard.

Where valid representations have been received against an application, the application will be referred to the Licensing Sub-Committee for determination. There is no formal right of appeal against refusal of an application following the decision.

The application to trade at the Black Horse, Melbourn has been opposed by Melbourn Parish Council.

A petition was handed to the Council by the Black Horse, Melbourn in support of small business food vendors trading at the premises along with a letter from Steve Harrington, landlord of the Black Horse, Melbourn.

The report stated that the petition had been submitted by Cllr Jose Hales but this was incorrect, this was submitted by The Black Horse directly to the authority. Cllr Jose Hales had submitted support for the application but was not involved with the petition.

The trader has been permitted to trade at the location pending the decision of the Committee, in order to support the business due to a number of factors;

- Trading was not taking place daily, only once a fortnight for a short time period.
- As soon as the trader was advised a Street Trading Consent was required, the application was immediately applied for, and all paperwork and safety checks were in order, therefore suggesting there was no evidence to suggest non-compliance.
- There have been no nuisance complaints lodged with Environmental Health.
- It was advised that the local amenity had been supportive of the business, so to remove without notice may have prejudice those service users.

**Observations:**

The panel heard representations from the applicant, who explained the details and key points of the application. The following was explained:

- The Black Horse pub does not serve food and as such, decided to bring in external catering using food vans. The busiest trading period of the week at the Black Horse pub between 4 and 8:30pm on a Friday when the food service is in operation. The vans finish trading at 8:30/9pm and everyone is off-site by 9:30pm.
- Slice of Price had been trading at the Black Horse in Melbourn for 19 months and had received no complaints until the licence application was submitted. The business would have engaged with any complaints if they had been aware.
- Slice of Price submitted a Freedom of Information request to the Parish Council for any complaints regarding Slice of Price and nothing was received.
- The Slice of Price business operates from a marquee in the Black Horse car park which was within the boundaries of the business and did not cause any access issues.
- It was commented that parking is an issue in Melbourn but it was noted that the photos submitted by the Parish Council did not have date stamps indicating when they were taken.
- It was commented that rubbish from the pub and Slice of Price was being

dealt with commercially and that no rubbish would be allowed to be left in a public waste bin.

- The Parish Council commented extra traffic generated by the street traders is increasing the parking issues and the traffic flow at a tight intersection causing safety issues. It was noted that this could cause issues for pedestrians in the winter due to reduced light.
- The Parish Council believes that parking issues have got worse since street trading started at the Black Horse Pub and the traffic had increased due to individuals driving to pick up food at the street trading vendors.
- It was commented that of those who had signed a petition to support the food van, the majority of those were not residents who lived in the vicinity of the Black Horse Pub.
- The Parish Council had not submitted a complaint to the Licensing authority.
- South Cambridgeshire District Council had received one complaint regarding street trading at the Black Horse Pub and none regarding Slice of Price in particular as a trading outfit.
- Slice of Price emphasised that they had provided evidence of parking during their hours of operation to demonstrate that no issues were occurring, it was also emphasised that their area is well lit and there were no obstructions.

### **Decision**

Taking all the above into account the Sub-Committee **decided to grant consent to the applicant as applied for.**

### Reasons

- There were no reasons demonstrated to not award the licence to Slice of Price.
- The panel believes that the extra traffic is not to the extent that it is detrimental to the surrounding residents.
- During 19 months of operation, one complaint had been received and this did not relate to Slice of Price in particular.
- None of the evidence provided by photograph by the Parish Council had demonstrated that the issues with regards to litter had come from Slice of Price.

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**The Meeting ended at 12.00 p.m.**

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