South Cambridgeshire Hall Cambourne Business Park Cambourne Cambridge CB23 6EA

t: 01954 713000 f: 01954 713149 www.scambs.gov.uk



South CambridgeshireDistrict Council

Monday 16 October 2023

To: Chair – Councillor Mark Howell

Councillors Sunita Hansraj and Peter Sandford

Dear Councillor

You are invited to attend the next meeting of Licensing Appeals Sub-Committee, which will be held in Council Chamber - South Cambs Hall at South Cambridgeshire Hall on Tuesday, 24 October 2023 at 10.00 a.m. This meeting will not be streamed live, anyone wishing to view this meeting must attend in person or via Microsoft Teams.

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully **Liz Watts** Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

Agenda

1. Declarations of Interest

Pages

As a Councillor, you are reminded of the requirements under the Council's Code of Conduct to register interests and to disclose interests in a meeting. You should refer to the requirements set out in the Code of Conduct which are summarised in the notes at the end of this agenda frontsheet.

2. Introductions / Procedure

5 - 6

The Chair of the Sub-Committee will welcome those present and introduce him/herself; the remaining members of the Sub-Committee and the officers will then introduce themselves.

A copy of the Sub-Committee appeals procedure is attached.

3. Application for the Grant of a Street Trader Consent

7 - 56

Guidance For Visitors to South Cambridgeshire Hall

Disclosable pecuniary interests

A "disclosable pecuniary interest" is an interest of you or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) which falls within the categories in Table 1 of the code of conduct, which is set out in Part 5 of the Constitution.

Where a matter arises at a meeting which directly relates to one of your disclosable pecuniary interests you must:

- disclose the interest;
- not participate in any discussion or vote on the matter; and
- must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

It is a criminal offence to:

- fail to notify the monitoring officer of any disclosable pecuniary interest within 28 days of election
- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.

Other registerable interests

These are categories of interest which apply to the Councillor only (not to their partner) and which should be registered. Categories are listed in <u>Table 2 of the code of conduct, which is set out in Part 5 of the Constitution.</u> Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests, you must disclose the interest. You may speak on the matter only if members

of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of non-registerable interests

Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which affects – a. your own financial interest or well-being; b. a financial interest or well-being of a relative or close associate; or c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2 you must disclose the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied. Where a matter (referred to in the paragraph above) affects the financial interest or well-being: a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and; b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

[Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]



Agenda Item 2 SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

LICENSING APPEALS SUB-COMMITTEE

HEARING PROCEDURE

1. Introduction

- The Chair of the sub-committee will welcome and introduce everyone present, giving explanations of roles where necessary, and outline the procedure to be followed.
- The hearing will take the form of a discussion to be led by the sub-committee.
- Members of the sub-committee will be able to ask questions of any party, or the Licensing Officer, at the hearing. They will try, so far as possible, to ask their questions at the conclusion of each party's submission.
- The sub-committee will consider any requests for permission to ask questions of other
 parties. It will decide if questions are required in order for it to consider the case properly. If
 permission is given to one party, it will usually be given to all other parties.
- The Chair may ask any person behaving in a disruptive manner to leave and may refuse to permit that person(s) to return or may permit them to return with specified conditions. Such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.
- Members of the sub-committee will be asked to make any Declaration of Interests.

2. Witnesses

The sub-committee will consider any requests from any of the parties to call witnesses.

3. New evidence/information

The sub-committee will consider any requests for permission to present new evidence or information not previously disclosed to all the parties and the sub-committee prior to the hearing. The general rule is that such information or evidence must not be considered unless all parties at the hearing agree to it being considered on the day of the hearing. A request may be made for a short adjournment to allow time for everyone to receive copies of the extra information and time to read it.

4. Licensing Officer's report

The Council's Licensing Officer will outline details of the application and representations received by the council. No recommendation to members will be made.

5. Applicant's case

The applicant will present their case first. They have a right to:

- address the sub-committee on any points of clarification the council has sought;
- address the committee generally; and
- call any witnesses that they have been given permission to call. Witnesses may be crossexamined if permission is granted. If this happens, the time taken for questions will count towards the allocated time of the party asking the questions, not the party answering them.

Members of the sub-committee may ask questions of the applicant.

6. "Responsible authorities" representations

Other "responsible authorities" (Police/Fire/Environmental Health Officer/Social Services/Trading Standards/Planning Directorate) will then make representations, with the same rights as listed at s.6. Members of the sub-committee may ask questions of those authorities represented.

7. Any other representations

Anybody else making representations will go last, with the same rights listed at s.6. Members of the sub-committee may ask questions of any person who has made a representation.

8. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked to outline any relevant legal guidance.

9. Decision-making

The sub-committee will then retire to another room to make its decision. The Council's Legal Officer and Clerk will accompany members to advise where necessary and take notes of the decision.

10. Notification of decision

Depending on the nature of the application, a determination of the case will either be made at the conclusion of the hearing, or within 5 working days. In most cases, all parties will be notified of the decision in writing.

Agenda Item 3



South Cambridgeshire District Council

South Cambridgeshire District Council

Report to: Licensing Sub-Committee
Author/s: Licensing Technical Officer

Date: 11 October 2023
Lead Officer: Natasha Wade-Guest

Application for the Grant of a Street Trader Consent –

Dale Price, T/A Slice of Price

Purpose

1. To request the Sub-Committee determine a mobile street trading consent application which has been subject to representation.

Background

- 2. 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.
- 3. The application form is attached as **Appendix A**, and a copy of the location plan is attached as **Appendix B**.
- 4. 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
- 5. 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.

Photographs of the trading location are attached as **Appendix F.**

- 6. 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.
- 7. The application to trade at the Black Horse, Melbourn has been opposed by Melbourn Parish Council. A copy of the representation is attached as **Appendix C.**
- 8. A petition was handed to the Council by Cllr Jose Hales on behalf of the Black Horse, Melbourn in support of small business food vendors trading at the premises and is attached as **Appendix D** along with a letter from Steve Harrington, landlord of the Black Horse, Melbourn attached as **Appendix E**.
- 9. 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;
 - a. Trading was not taking place daily, only once a fortnight for a short time period.
 - b. 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 noncompliance.
 - c. There have been no nuisance complaints lodged with Environmental Health.
 - d. It was advised that the local amenity had been supportive of the business, so to remove without notice may have prejudice those service users.

Key Considerations

- 10. A representation against an application must relate to one of the following criteria; Public Safety, Public Nuisance or "General".
- 11. The Council will normally grant a Street Trading Consent unless one or more of the criteria below are identified.

(a) Public Safety

- (i) Road Safety: A significant effect on road safety would arise either from the siting of the trading activity itself such as interference with sight lines for any road users or pedestrian crossings, or from customers using, visiting or leaving the site;
- (ii) Accidents: Where there are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited; (iii)Traffic Orders: There is a conflict with traffic orders such as waiting restrictions;
- (iv)Access: The site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes;

- (v)Obstruction: The trading unit obstructs the safe passage of users of the footway or carriageway;
- (vi)Food Safety: the trader has failed to meet adequate food safety/hygiene standards.
- (vii)Health and Safety: the trader has breached or failed to meet any health and safety standards

(b) Public Nuisance

(i) Loss of amenity: There would be a significant loss of amenity caused by traffic, noise, rubbish, potential for the harbourage of vermin, odour, or fumes.

(c) General

- (i) Commodity duplication: That within the proposed pitch location, there are already traders or businesses offering the same service or providing the same principal food/commodity during the hours the consent is applied for. This is to ensure a diverse offering of services. Competition issues will not be a consideration;
- (ii) Unit unsuitability: The trading unit is not considered to be suitable in style or in keeping with the location(s) requested.
- (iii) Fees: In the case of a renewal application the previous year's fees have not been paid.
- (iv) Complaints: The consent holder has been the subject of a serious substantiated complaint or multiple substantiated complaints relating to public safety and/or public nuisance as detailed above
- (v)Suitability of applicant: This Licensing Authority will only issue a street trader consent to an applicant which it considers to be 'fit and proper' to hold a consent i.e. they have not disclosed any convictions that would bring into question their suitability to be issued a licence and has the right to work under UK immigration law,
- 12. All applications will be determined on their own merit.

Recommendations

- 13. The sub-Committee are requested to determine this application.
- 14. When determining an application, the sub-Committee may:
 - (a) Grant consent to the applicant as applied for.
 - (b) Grant consent to the applicant subject to modifications to the days, times or locations on which trading may take place; attach additional conditions to the consent.
 - (c) Refuse to grant the Consent.

Legal Implications

15. The Committee must have regards to the Policy, and only take into consideration the relevant factors of the representation. There is no right of appeal to a Magistrate's Court should the application be refused.

Contact Officer: Natasha Wade-Guest

Appendix A Copy of application form

Appendix B Location map

Appendix C Copy of representation.

Appendix D Petition in support of application
Appendix E Letter from the Black Horse
Appendix F Photographs of trading location

Background Paper: South Cambridgeshire District Council Street Trading Policy effective April 2022.

APPENDIX A

Form title: Street Trader Application Form - Standard Consent

Your ref no: ZQGFXMJV

Page:

This form was started at:26/04/2023 12:30:26 This form was completed at:30/04/2023 18:34:14 Internal form classification:N / A

Your ref no: ZQGFXMJV

Page: Who are you

National Insurance number

All personal information that you provide us is managed in accordance with our Privacy Policy. Please visit our **Privacy Notice** where you can find out information about how we handle your information and your rights of access.

Type of application	Mobile (Trading at any pitch or location for up to 4 and a half hours in a day)
Would you like to add any employees/assistants?	Yes
Section: Tell us who you are	
Title	Mr
Pronoun	
First name	Dale
Surname	Price
Date of birth (DD/MM/YYYY)	
Address line 1	
Address line 2	
Address line 3	
Address line 4	
Postcode	
Email	
Daytime telephone number	

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Your ref no: ZQGFXMJV

Page: Vehicle / Trailer / Unit details

Description of vehicle / trailer / unit	Pizza pop up trailer with marquee
Registration number (if applicable)	
Make and model (if applicable)	
Address at which the trailer / vehicle / unit is normally kept	

Your ref no: ZQGFXMJV

Page: Trading details

Trading name	Slice Of Price	
Types of goods traded	Pizza	
Local Authority which registered your food business (food vendors only)		
Full address(es)/location(s) at which trading will take place (specific sites/streets required).	The Black Horse, 63 Orchard Rd, Melbourn, Royston SG8 6BP Church St, Whaddon, Royston SG8 5RX	
How many locations?	2	

Section: Locations		
Location	Black Horse	
Days of the week	☐ Monday ☐ Tuesday	
	□ Wednesday	
	□ Thursday	
	▼ Friday	
	☐ Saturday	
	□ Sunday	

Location	When did not not be a subjective
Location	Whaddon golf centre
Days of the week	■ Monday
	□ Tuesday
	■ Thursday
	▽ Friday
	□ Saturday
	□ Sunday

Section: Times in which you will be trading on each day, if not trading on any days please type NA

Monday	n/a	
Tuesday	n/a	
Wednesday	n/a	
Thursday	n/a	

Friday	18.00-21.30
Saturday	n/a
Sunday	n/a
How often are you at this location?	Every month
Where the application is to trade on private land do you have planning permission or the owner's consent for the location(s) from which you plan to trade?	Yes

Your ref no: ZQGFXMJV

Page: Employee / Assistant details

Section: Tell us who you are	
Title	
Pronoun	
First name	Elizabeth
Surname	price
Address line 1	
Address line 2	
Address line 3	
Address line 4	
Postcode	
Date of birth (DD/MM/YYYY)	
Daytime telephone number	
National Insurance Number	
If you intend to add more employees, please use the space below with the information requested above for each additional employee	

Your ref no: ZQGFXMJV

Page: Declarations and checklist

Declaration of Previous Consent or Licence Refusal, Revocation or Suspension

Have you ever been refused a street trading consent	No	
or street trading licence or had such a Consent or		
Licence revoked or suspended?		

Declaration Of Convictions, Fixed Penalties and Formal Cautions

	Has any person named on this application been	No
	convicted of any foreign or domestic offences, or	
-	received any Police cautions, or warnings? NB:	
	There is no need to declare any offences considered	
	"spent" under the Rehabilitations of Offenders Act	
	1974.	

Declaration of Right to Work and Application

I am entitled to work in the UK and am not subject to a condition preventing me from doing work relating to the carrying on of a licensable activity. I understand that my licence will become invalid if I cease to be entitled to live and work in the UK.

It is a criminal offence to knowingly supply information, which is false or misleading for the purposes of obtaining a licence. Evidence of any statements made in this application with regard to the property concerned may be required at a later date. We may approach other authorities, such as the Police, Fire and Rescue Service, Office of Fair Trading etc. for additional information and verification. Signing of the application will be taken as your agreement to any such action. If we subsequently discover something which is relevant and that you should have disclosed, or which has been incorrectly stated or described, your licence may be cancelled, or other action taken. It is an offence under section 24B of the Immigration Act 1971 to work illegally.

Your attention is drawn to Schedule 4 Paragraph 10(3) of the Local Government (Miscellaneous Provisions) Act 1982 in that any person who, in connection with an application for a street trading licence or for a street trading consent, makes a false statement which he knows to be false in any material respect, or which he does not believe to be true, shall be guilty of an offence.

I declare that to the best of my knowledge and belief the answers given above are true. If a consent is granted, I undertake to comply with the conditions attached to the consent.

Name	Dale Price
Date (DD/MM/YYYY)	26/04/2023

Uploaded files* dale passport1.jpg liz passport.jpg black horse area.jpg whaddon area.jpg evidenceofcover.pdf dale level 2 new.pdf liz level 2 new.pdf Ιf empty, no files were uploaded

Application checklist

- Application form completed in full
- Proof of right to work e.g., passport of the applicant and any employee/assistant
- A clear map of the location(s)/ area(s)/ route(s) in which you intend to trade from
- ▼ Two identical passport style photographs of yourself and any employees/assistants, clearly named on the reverse of the image
- Colour photographs of the trading vehicle/unit and its specifications (if not yet purchased, a brochure or drawing from the supplier)
- Where the application is to trade on private land, which is not a Consented Premises, written confirmation of authority to trade on the land
- □ Certificate of public liability insurance (plus employers liability insurance if required)
- Where gas cylinders are used, a valid gas safety certificate
- Where the vehicle/unit has a 240-volt electrical system, a valid electrical installation certificate
- Where food is sold, please provide your food hygiene certificates for yourself and any employee/assistant
- Minimum accredited Level 2 food hygiene certificates (needed for all staff involved in the preparation of food)
- Evidence of an FSA food hygiene rating score of 3 or more (for food vendors)

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Your ref no: ZQGFXMJV

Page: Declaration

Open a read only view of the answers you have given (this will open in a new window)

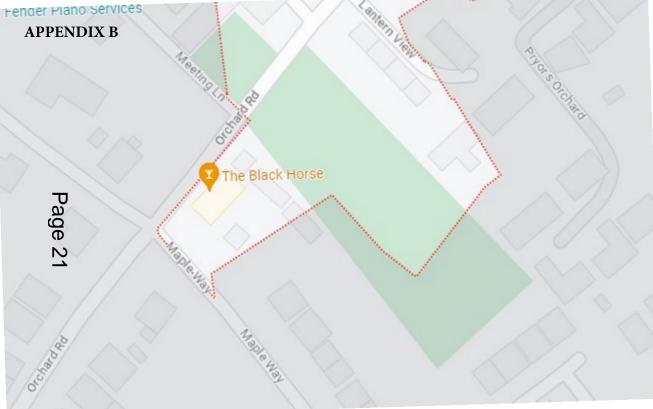
Please note: If you are using Internet Explorer as your browser, you will not be able to view your answers via the link above as this is not supported in Internet Explorer.

Declaration

By submitting this claim you are agreeing to the following declaration.

 $\overline{\mathbf{r}}$ I declare that the information I have provided on this form is accurate







The Black Hors_{Page 22}
4.5 ★★★★ (130) ①

APPENDIX C

From: Marc Smeets
To: Natasha Wade-Guest

Subject: FW: Street Trading application - 269251

Date: 08 August 2023 15:41:34

Attachments: <u>image001.png</u>

From: parishclerk <parishclerk@melbournparishcouncil.gov.uk>

Sent: 01 June 2023 13:48

To: Marc Smeets < Marc.Smeets@scambs.gov.uk> **Subject:** RE: Street Trading application - 269251

Good afternoon Marc,

Thank you for your reply.

Although the Parish Council understands that these conditions are in place for all street traders, it is felt that they are currently not being enforced by licensing. Current traders at the location are causing parking and traffic issues, litter, cooking smells, noise, and a nuisance to residents, and these issues have been reported to licensing but it has not resulted in improvement of the situation. Moreover, it is understood that there are unlicensed traders operating at this site who have been reported by residents to licensing, but there have been no consequences for the unlicensed traders. Therefore, the Parish Council is not reassured that the situation would be any different with this street trading vendor. Furthermore, regardless of the conditions in place, the Parish Council does not feel that the location is suitable because, as noted in my previous email, the use of the street trading vendors is not limited to patrons of the pub; the traders are advertising themselves widely on social media and attracting many customers from outside the village for general takeaway, so there are a lot of vehicles visiting the site to collect takeaway food, which has resulted in a high amount of traffic and parking issues.

Many thanks Sophie

Sophie Marriage Parish Clerk

Melbourn Parish Council Melbourn Community Hub 30 High Street Melbourn Cambridgeshire SG8 6DZ

Tel (01763) 263303 option 3 http://melbournparishcouncil.co.uk

Please note my usual working days are Monday afternoon, Tuesday to Thursday.

The Parish Office opening hours are 10am - 1pm / 2pm - 3pm Monday to Friday

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By Contacting Melbourn Parish Council you agree that your contact details may be held and processed for the purpose of corresponding.

You may request access to the information we hold on you: parishclerk@melbournparishcouncil.gov.uk
You may request to be removed as a contact at any time: parishclerk@melbournparishcouncil.gov.uk

To view Melbourn Parish Council's Privacy Notice please <u>click here</u>

From: Marc Smeets < <u>Marc.Smeets@scambs.gov.uk</u>>

Sent: 31 May 2023 12:21

To: parishclerk < parishclerk@melbournparishcouncil.gov.uk >

Subject: RE: Street Trading application - 269251

Good afternoon Sophie,

Thank you for submitting this representation.

I have attached below the conditions given to all street traders, please let me know if after reviewing these, if you would be in a position to support this application.

- 1. A Street Trading Consent is valid only for the period, commodities and location(s) specified on the Consent.
- 2. The Consent holder must pay the fee in full prior to trading, unless agreed by the Council
- 3. The Consent holder must ensure that the stall/vehicle is positioned only in the allocated space in the location(s) for which the Street Trading Consent is issued.
- 4. The Council must approve any changes to or replacement of the stall or vehicle prior to use.
- 5. The Consent holder must not carry on their trade in such a way as to cause obstruction of any street or endanger persons using the street or cause any nuisance or annovance
- 6. The Consent holder's vehicle/stall must be kept in a clean, safe, and well-maintained condition
- 7. Every street trading vehicle/ stall must be removed from the site at the end of the trading day unless agreed by the Council.
- 8. Holders of a Mobile Street Trading Consent must not trade in one place for more than $4 \frac{1}{2}$ hours at a time, and not to return to the same site on the same day.
- 9. The Consent holder must ensure refuse originating from their trade is disposed of by a licensed waste carrier and must leave the site and its immediate vicinity clear of refuse at the completion of trading.
- 10. No water or waste material must be discharged on to the highway or any adjacent property.
- 11. When trading from a layby leave a maximum usable space permitting safe ingress and exit for vehicles.
- 12. No free-standing advertising, seating, tables, chairs, sunshades may be displayed without approval from the Council.
- 13. No device used in the reproduction or amplification of sound whilst trading must be audible beyond a distance of 5 metres from the trading unit.
- 14. The granting of this Consent does not imply the right to violate any order or prohibition or restriction made under the various Road Traffic Acts and Highway Acts.
- 15. The sub-letting of a Street Trading Consent location is prohibited unless agreed by the Council.
- 16. The Consent holder must be the principal operator and have day-to-day control of

the stall/vehicle. The Consent holder may employ any other person to assist in operating the stall/vehicle.

- 17. The Consent holder must have and maintain a proper insurance policy against public liability and third-party risks. The minimum insurance cover must be £5,000,000 and must cover the operator's vehicle, or stall and any additional equipment under their control.
- 18. The Consent holder may terminate a Street Trading Consent by written notice to the Council.
- 19. Where gas cylinders are used a valid gas safety certificate is required to ensure the safety of all gas appliances.
- 20. Where the vehicle or stall has a 240-volt electrical system a valid electrical installation certificate is required.
- 21.In the case of hot food preparation, a serviceable fire blanket and suitable fire extinguisher/s must be provided at all times.
- 22. All staff involved in the preparation of food must hold a minimum accredited Level 2 food hygiene certificate.

Kind regards,

Marc Smeets | Business Support Officer | Licensing Team

Shared Waste & Environment



South Cambridgeshire Hall | Cambourne Business Park | Cambourne | Cambridge | CB23 6EA t: 01954 713000

www.scambs.gov.uk | facebook.com/south-cambridgeshire | twitter.com/SouthCambs

Please note that the Council is currently trialling a four-day week to improve recruitment, retention and wellbeing. My working days are therefore Monday, Tuesday, Wednesday and Friday. On my non-working day (Thursday), you can contact licensing@scambs.gov.uk. Find out about our latest job opportunities on our website.

From: parishclerk <parishclerk@melbournparishcouncil.gov.uk>

Sent: 30 May 2023 16:09

To: Marc Smeets < <u>Marc.Smeets@scambs.gov.uk</u>> **Subject:** RE: Street Trading application - 269251

Hi Marc,

This application was considered by the Parish Council who have decided to object the application from Slice of Price at the Black Horse on the grounds that it is not a suitable location for a street trading due to the parking and traffic issues, smell from cooking, and litter with the comment that if permission is granted by SCDC that the site should be free of litter.

It was noted at the meeting that the street trading vendor in place there currently is not limited to patrons of the pub and is used for takeaways, so there are a lot of vehicles visiting the site to collect takeaway food. Also, it was noted that it is in a residential area and the council have

received complaints about the noise from residents.

Many thanks Sophie

Sophie Marriage Parish Clerk

Melbourn Parish Council Melbourn Community Hub 30 High Street Melbourn Cambridgeshire SG8 6DZ

Tel (01763) 263303 option 3 http://melbournparishcouncil.co.uk

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From: Marc Smeets < <u>Marc.Smeets@scambs.gov.uk</u>>

Sent: 16 May 2023 10:02

To: parish clerk parishclerk@melbournparishcouncil.gov.uk>

Subject: RE: Street Trading application - 269251

Hi Sophie,

We unfortunately cannot change the consultation length as this is set out in our policy.

Kind regards,

Marc Smeets | Business Support Officer | Licensing Team

Shared Waste & Environment



South Cambridgeshire Hall | Cambourne Business Park | Cambourne | Cambridge | CB23 6EA t: 01954 713000

www.scambs.gov.uk | facebook.com/south-cambridgeshire | twitter.com/SouthCambs

Please note that the Council is currently trialling a four-day week to improve recruitment, retention and wellbeing. My working days are therefore Monday, Tuesday, Wednesday and Friday. On my non-working day (Thursday), you can contact licensing@scambs.gov.uk. Find out about our latest job opportunities on our website.

From: parishclerk parishclerk@melbournparishcouncil.gov.uk

Sent: 15 May 2023 10:33

To: Licensing (SCDC) < <u>Licensing@scambs.gov.uk</u>> **Subject:** RE: Street Trading application - 269251

Good morning Marc,

Is there any chance on having an extension for the deadline to comment? Our next planning meeting where this can be discussed is the 12 June, and some councillors would like to discuss this

If this is too late, I understand.

Many thanks Sophie

Sophie Marriage Parish Clerk

Melbourn Parish Council Melbourn Community Hub 30 High Street Melbourn Cambridgeshire SG8 6DZ

Tel (01763) 263303 option 3 http://melbournparishcouncil.co.uk

Please note my usual working days are Monday afternoon, Tuesday to Thursday.

The Parish Office opening hours are 10am - 1pm / 2pm - 3pm Monday to Friday

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From: Licensing (SCDC) < Licensing@scambs.gov.uk>

Sent: 10 May 2023 09:36



Subject: Street Trading application - 269251

Good morning,

We have received an application for a Mobile Street Trading Consent in various locations in South Cambridgeshire (one of which is in your area) and require any comments by 31/05/2023.

The application is for the following:

Name of applicant: Dale Price Trading name: Slice of Price Trading hours: 18:00 – 21:30

Goods traded: Pizza

Locations:

The Black Horse, Melbourn – Friday (Monthly) Whaddon Gold Centre – Friday (Monthly)

Please note that holders of a Mobile Street Trading Consent must not trade in one place for more than 4.5 hours at a time, and not return to the same site on the same day.

Should you require any more information, please contact us before the end of consultation.

Kind regards,

Marc Smeets | Business Support Officer | Licensing Team

Shared Waste & Environment



South Cambridgeshire Hall | Cambourne Business Park | Cambourne | Cambridge | CB23 6EA t: 01954 713000

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Please note that the Council is currently trialling a four-day week to improve recruitment, retention and wellbeing. My working days are therefore Monday, Tuesday, Wednesday and Friday. On my non-working day (Thursday), you can contact licensing@scambs.gov.uk. Find out about our latest job opportunities on our website.

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APPENDIX D

PETITION

Please consider signing this petition

in support of small business food vendors who come to this Public House,

Black Horse, Melbourn.

The Vendors provide a service to the community by introducing a variety of food products that are unavailable in Melbourn.

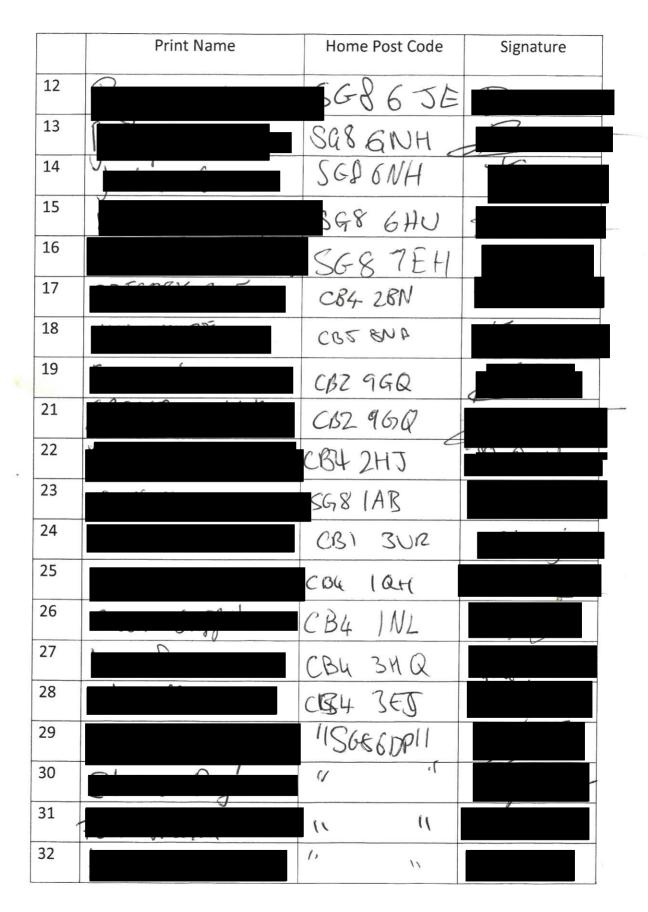
Your support is welcome.

Thank You

This petition will be submitted to South Cambs District Council Licensing Dept by the 12th July 2023

		*	
	Print Name	Home Post Code	Signature
1	-	S68 9BW	
2		SG 8 9BW	
3		SG8 6HU	
4		5486JC	
5		598 6HG	
6		SG8 6HF	
7		SG+ GAF	
8		SG86FE	<
9	/	SC-86 DG	/
10		868 644	
11		S98 6HH	4

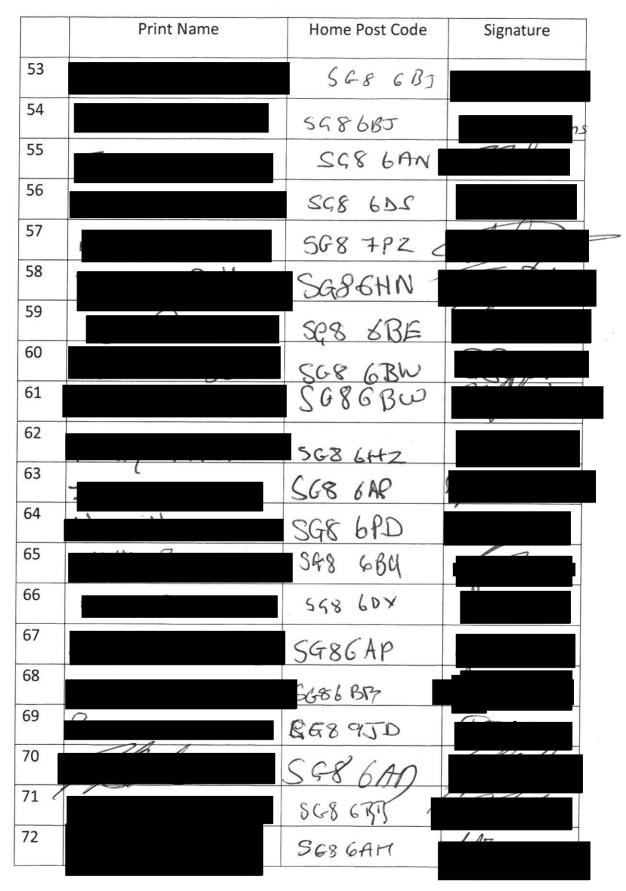
Petition in support of food vendors at the Black Horse, Melbourn



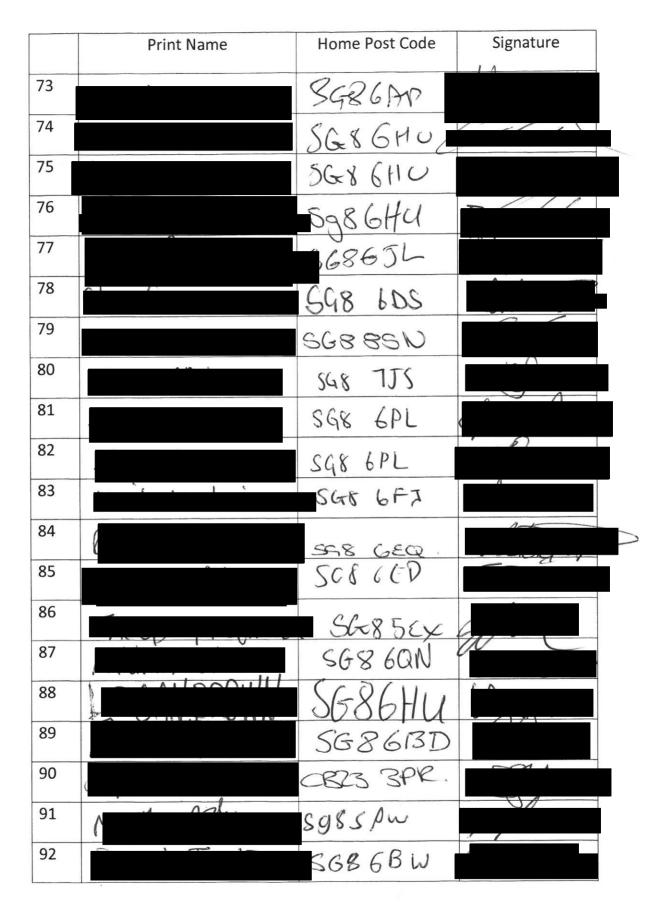
Petition in support of food vendors at the Black Horse, Melbourn

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36		SE8 but	
37		56-86MF	7
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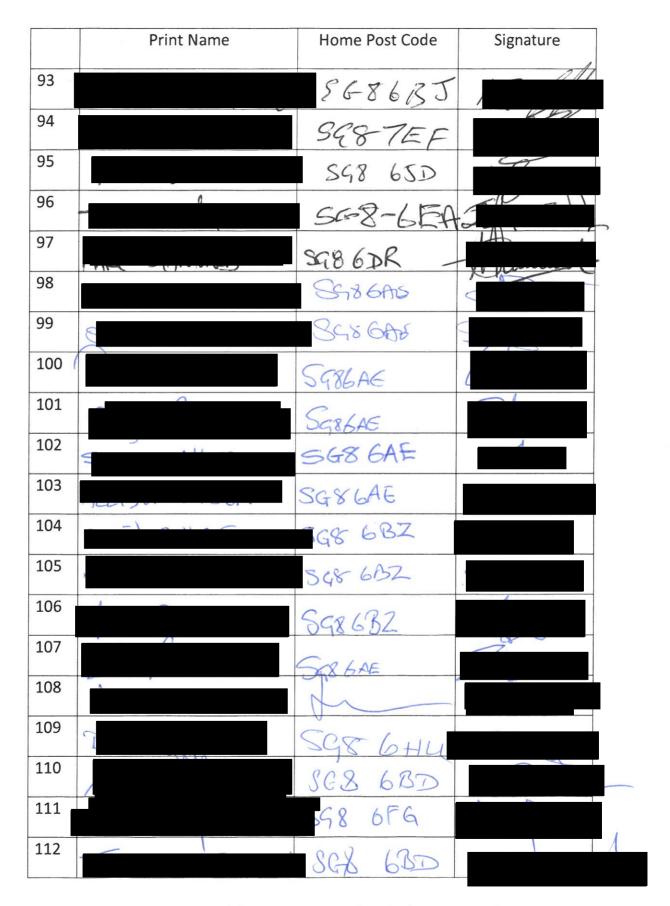
Petition in support of food vendors at the Black Horse, Melbourn



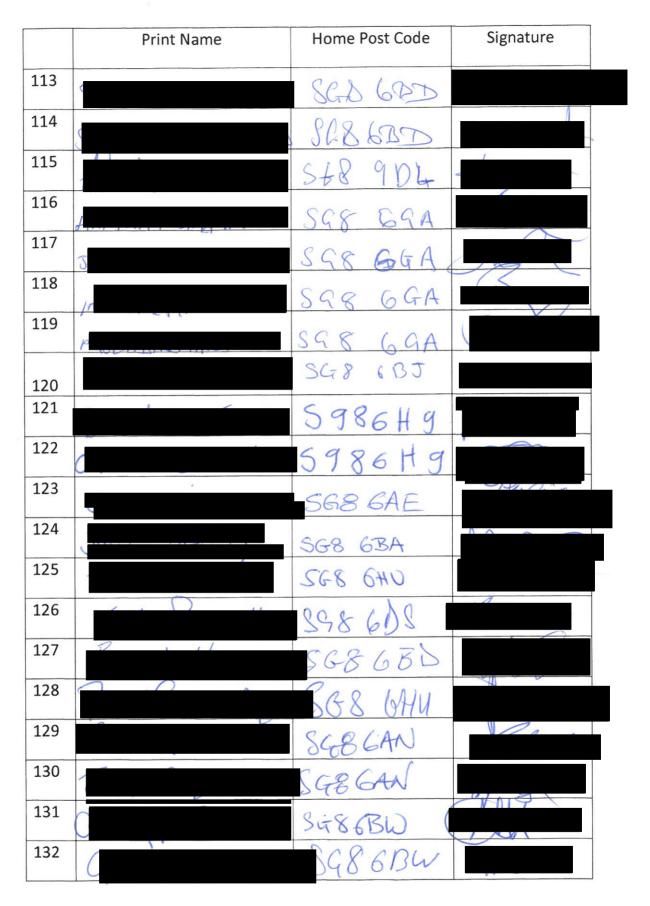
Petition in support of food vendors at the Black Horse, Melbourn



Petition in support of food vendors at the Black Horse, Melbourn



Petition in support of food vendors at the Black Horse, Melbourn



Petition in support of food vendors at the Black Horse, Melbourn

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133		868 61c	a
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146		508 51+	
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148		S48 SBL	
149		598937.	
150		SG8 63D	
151		(Brz GRW)	
152		SG8 6RU	

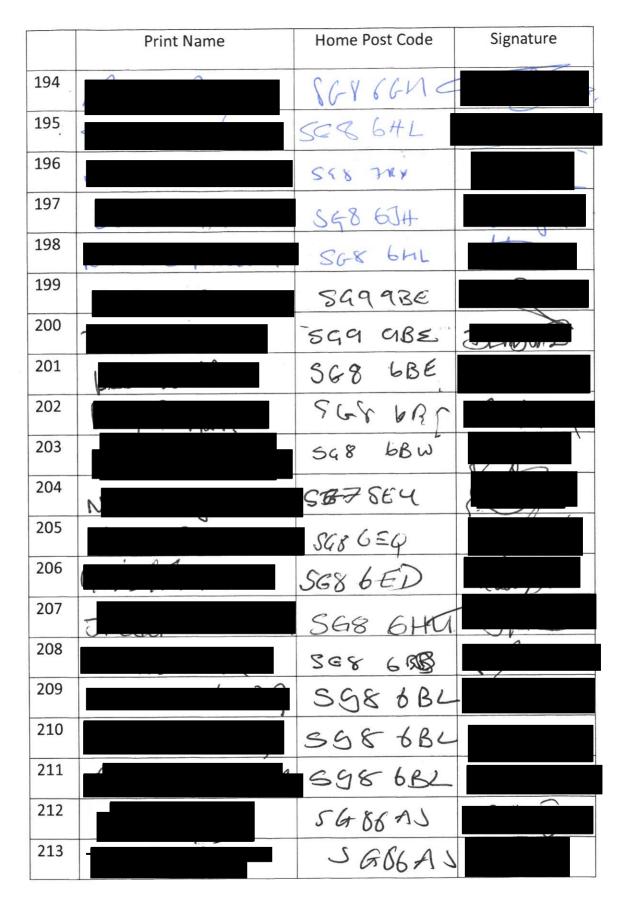
Petition in support of food vendors at the Black Horse, Melbourn

	Print Name	Home Post Code	Signature
153		5486FW	4
154		568636	
156		5686BE	
157		5 68 6BE	
158		568636	
158	P.	508 6BE	
160	1	SG8 GRX	, h #/
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162		SG8 GBX	
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168		S98 bAP	
169		5919357	4
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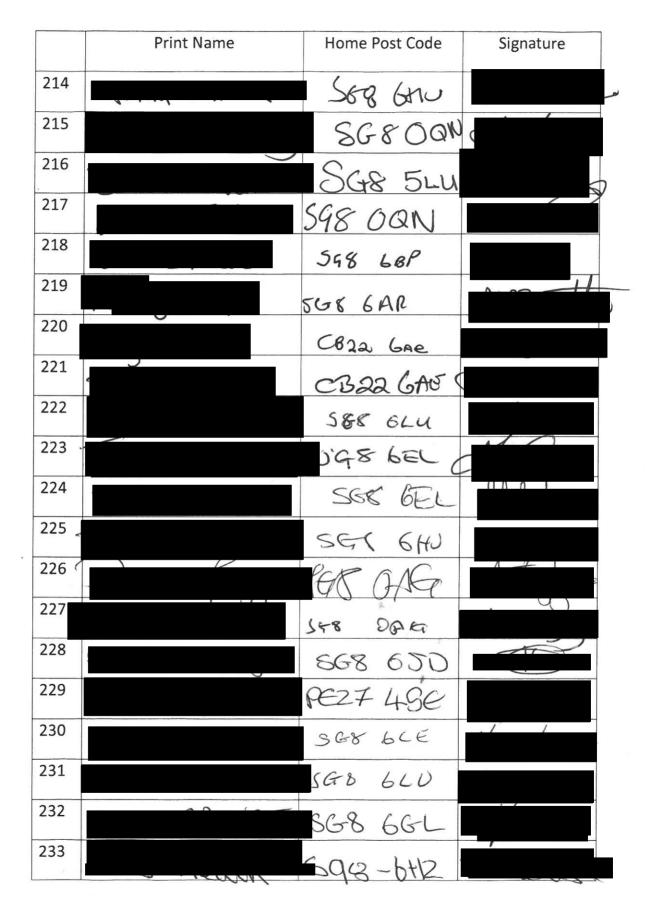
Petition in support of food vendors at the Black Horse, Melbourn

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174		5986FB	
175	1	SG86JP-	
176		598 6RF	
177		868 6R5	^
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179	<	PE15 95H	
180		598 6BD	
181		SUE 68P	
182		CB22 6AB	A. JAA
183		CB22 GAB	
184		568 6BX	
185)	S98 6BX	
1186		SG8 6BX	
187		SG8 SBP	
188		2986AD	
189		5986AL	
190		5986HE	
191		SG8 6BP	
192		SG86BP	
193		SG8 6GH	

Petition in support of food vendors at the Black Horse, Melbourn



Petition in support of food vendors at the Black Horse, Melbourn



Petition in support of food vendors at the Black Horse, Melbourn

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234	Λ	SG875Q.	
235		S68 51x	
236		SG8 6AS	
237		8686AS	
238		S889UJ	
238	Ì	SGF 90J	
240	/	SGICEQ	
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242		CB23 7-D7	
243		SG 3E5	
244		568 751	
245		CB 22 ARR	
246		PES 8PE	d
247		SG8 9BX	
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250		SG8 6FJ	
251		68 6BE	
252		SE8 BALLO	
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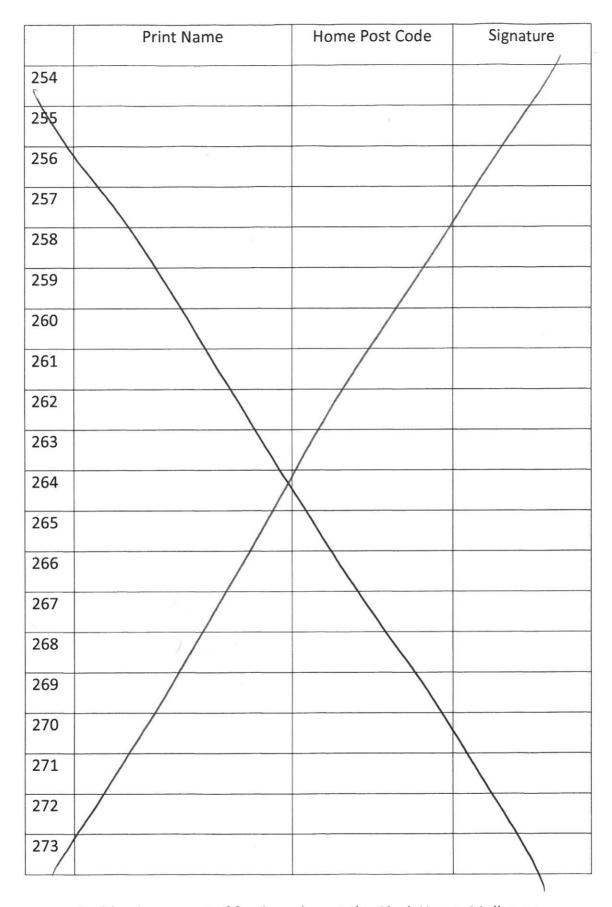
Petition in support of food vendors at the Black Horse, Melbourn

	Print Name	Home Post Code	Signature
254		SG8 GAE	
255		SG3 6GF	
256		SG86BF	
257		568752	
258		548 6ED	
259		598662	
260		S586MM.	
261		SG8 6BL	
262		S98 6FE	
263		S68 GUT	
264		SGRODY	
265		SG866H -	
266		SG8 LOR	
267		SGR 60R	
268		SG8 6BB	
269		568 QUA	
270		368 9VA	
271		SEB STE	
272		SG8 6LS	
273		SGR 6LS	

Petition in support of food vendors at the Black Horse, Melbourn

274	SG8 TBE	
275	548 683	
276	S68 6BB	
277	SG8 6BB	
278	SER 603.	
279	568 6BH	
280	SG86BX	
281	S68 6JL S	
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291	SG8 GFX	
292	SAF GDZ	
293	SUB 6DZ	
294	SUR 6DZ 3986DZ	

Petition in support of food vendors at the Black Horse, Melbourn



Petition in support of food vendors at the Black Horse, Melbourn

295 296 297 SG8 60H SGG 6AB 298 299 SG8 6DG SG8 6DG 300 SGA 6BD 302 SG8 6BD 303 304 SG8 6BD 305 SG8 9BB SG8 6BD C623 6LB SG86BD
297 298 298 368 568 568 569 300 301 302 303 304 305 306 306 307
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306 C623 6LB S686BO
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200
308 USG8 6AL
309 SGB 6DS
598 5DV -
311 Cm3 6By
312 348534
313 CM203PL
314 CM20 3PL
315 SG9 GBE

Petition in support of food vendors at the Black Horse, Melbourn

316		SGG GBE	
317		CM170GR	
318		568 906	
319		98631)	
320		SG64TL	
321		SGGGTL -	
322	·	SG8 610H	
323		568 SPG	
324		59189QT	
325		968 55R	
326		SG8 LBB	
327		BA UPD	
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329		SGL 8CT	
330		AL4 8NO	_
331		SGZ8RT	\
332		358 6UM	
333		SGB 6DT	
334		SG8 60F	
335		S48 6BP /	
336		SG86BP :	
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Petition in support of food vendors at the Black Horse, Melbourn

APPENDIX E

How is The Parish Council able to make a decision with no consultation with all parties. We have never been notified or knew of any complaints.

Listening to the minutes of the meeting (available on line) even one of the councillors asks if The landlord of The Black Horse has been advised.

Why is a parish councillor knocking on the doors of our neighbours trying to rally support.

Exactly, how many complaints have you received, and how many of those were before the councillor started asking for support.

The pub is an integral part of the village and is 100% supported by locals as can be clearly seen by the post codes on the petition that has been signed by over three hundred local residents.

How many councillors have visited the premises to see for themselves, the accusations made against the street vendors. Again, listening to the minutes it is abundantly clear that all but one are even aware of the days and hours food is available. It is assumed by them that people are turning up at all times of night to purchase food when this is absolutely not the case.

The council have been led to believe that the bulk of the food served is for customers to take away. This is absolutely wrong. The whole idea of having them on site was to offer the pub customers a food service on site at our busiest time.

To say that people can't open their doors because of the smell is absurd. We have walked the surrounding roads and if anything can be smelt it is the faint aroma of a food, no more or less than anyone cooking or having a BBQ in their own home.

The pub has the ability and right to be open and serve food all day sending the smell of food into the local area for 12 hours. Fortunately for our neighbours we don't do this, however, If we decide to offer a BBQ from our Pub garden every Friday for four hours what would the difference be?

We offer a choice of food that is not available anywhere else in the village and would just like to make it clear that Between Buns isn't just a burger van. It sells top quality Gourmet Burgers normally only available in restaurants. Slice of Price offer completely fresh homemade Pizzas.

The pub allows one trader on a Friday evening on our private property between approximately 5.00pm and 9.00pm so it's not late, and a sea food stall on a Sunday 12.00-5.00.

All three outlets have complied with the regulations regarding street vendors and have all the necessary permits and food hygiene certification.

Customers have the ability to order their meal online and book a time slot that they wish to eat. This is turn does away with lots of people milling around outside waiting for their meal. It has been said that the vendors are creating more traffic in Orchard Road. The vast majority of their sales are to locals who are frequenting the pub. People in the village do actually drive to the pub. It has never been a concern as to traffic volumes when all the new housing in the village has taken place.

There has been an accusation of litter left behind. This statement is absolutely untrue. The opposite applies and every effort is made to clean up. If the Parish Council were to visit the pub they would see the amount of time and expense we spend on floral displays and decoration in order to make the pub as welcoming as possible. Why would we allow rubbish to be left outside to the detriment of the business. We often actually empty the bin on the common land for this very reason. Something that is not done by the local council often enough. This bin outside the pub is often over filled with everything including dog excrement.

Parking and traffic gets mentioned a lot. Parking has always been at a premium. Not just in Maple way but all around the surrounding area. Friday early evening is our busiest trading time of the week and there would be a problem if we were offering food or not.

The pub employs local people and needs to optimise every income stream available to keep it going in these very difficult times for the leisure industry.

We are helping young and new businesses develop locally creating both employment and financial opportunities for people in these extremely tough times.

I have seen two complaints that have been made and are available on line, one of which states: Our neighbours direct representations and polite protests were rebuffed. I can categorically state that at no time have we ever entered into any dialogue with anybody over this matter and that no one

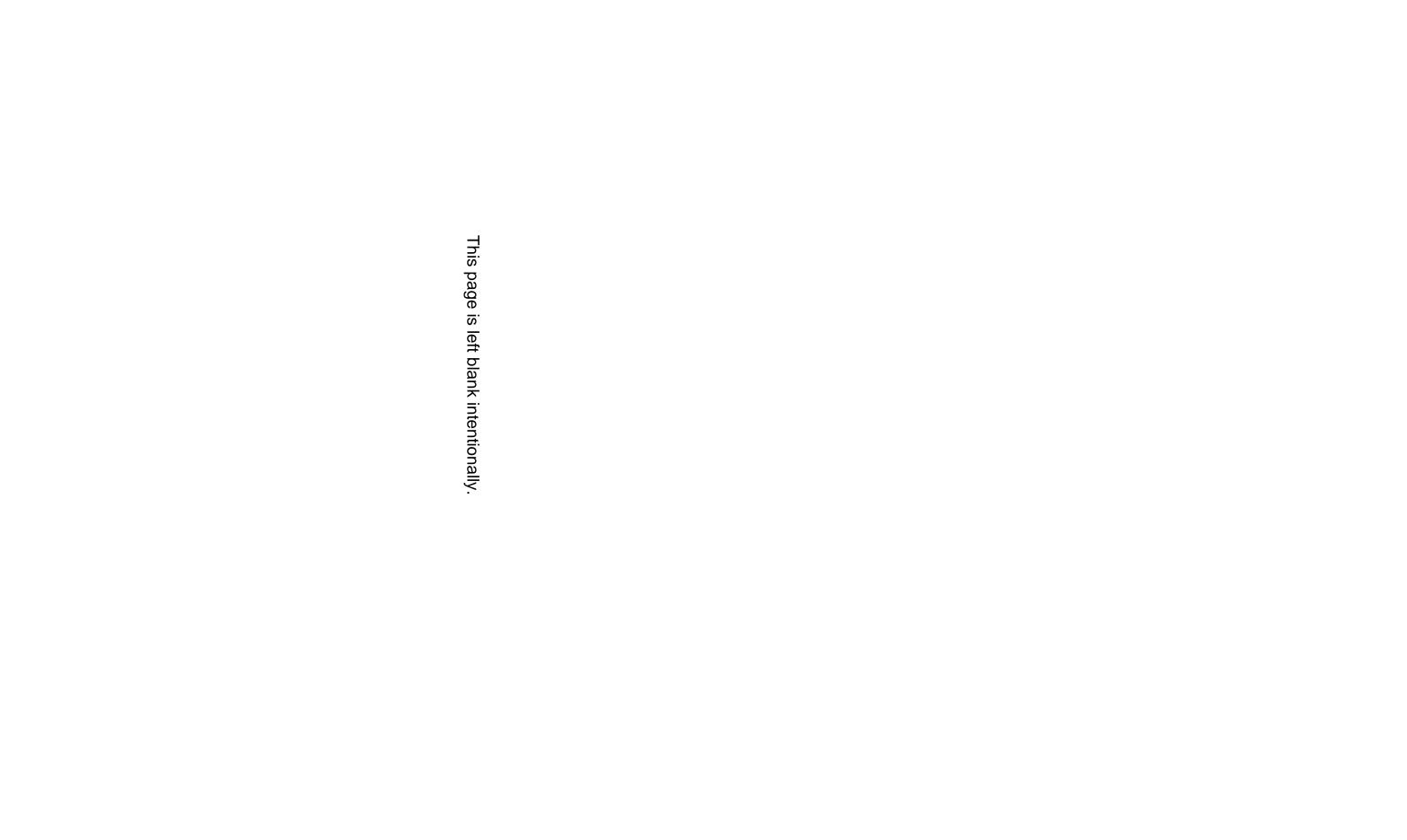
has ever come to see us and raise any concerns. In fact we were completely unaware that there were any concerns at all. It has become clear through all of this that there is most definitely a personal conflict of interest in these accusations as my nearest neighbour just happens to be on the Parish Council and can be clearly heard on the audio of the minutes commenting on various aspects of this objection. She should in fact have been asked to leave the meeting during this discussion as it absolutely creates a conflict of interest and she clearly, was not.

Please come and visit the pub on a Friday before, during and after trading to see for yourselves. You would be more than welcome.









Notes to help those attending meetings in person at South Cambridgeshire Hall

Notes to help those people visiting the South Cambridgeshire District Council offices – please also refer to the Covid-security measures relating to meetings in the Council Chamber which are on the website page for each relevant meeting.

Members of the public wishing to view the meeting will be able to watch the livestream via the link which will be publicised before this meeting.

Members of the public wishing to attend the meeting in person, please contact Democratic Services at democratic.services@scambs.gov.uk

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Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic

Services on 03450 450 500 or e-mail <u>democratic.services@scambs.gov.uk</u>

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this is via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

• **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give

- protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the Fire and Rescue Service.
- Do not re-enter the building until the officer in charge or the Fire and Rescue Service confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. The Council Chamber is accessible to wheelchair users. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts. These include facilities for disabled people.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. Public meetings are webcast and are also recorded, but we allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. If you do so, the Chair will suspend the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one can smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Until the lifting of Covid restrictions, no vending machines are available. Bottled water is available for attendees at meetings.

