

Licensing Sub-Committee – Meeting held on Monday, 5th December, 2016.

Present:- Councillors Davis (Chair), A Sandhu and Wright

Officers Present:- Teresa Clark, Senior Democratic Services Officer, Tola Idowu, Licensing Officer, Alison Peters, Legal Representative.

PART 1

12. Declarations of Interest

None.

13. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

14. Minutes of the Last Meeting held on 7th November, 2016

Resolved- That the minutes of the last meeting held on 7th November, 2016 be approved as a correct record.

15. Application for a Street Trading Consent: 'Mean Burger', The Service Road between 220, Farnham Road (Farnham Road Post Office) and 216-218, Farnham Road, ('Way to Save'). Slough

The Chair welcomed all parties to the meeting and asked those present to introduce themselves and explained the procedure for the hearing. The Applicant attended the hearing.

Introduction by the Licensing Officer

The Licensing Officer introduced the report stating that an application for a Street Trading Consent in the location of the Service Road between 220, Farnham Road and 216-218, Farnham Road, Slough, had been received. The premises would trade as 'Mean Burger'.

The Sub Committee was reminded that the Council had designated all streets in the Borough as consent streets but Street Trading was only allowed with the consent of the Council. The Council could limit the number of Consents issued and attach appropriate conditions.

It was highlighted that a Street Trading Consent for the site was previously granted to "Aleks Kebabs" who operated from 2009 to November 2015 until the operator ceased trading. No complaints were received in respect of Aleks Kebabs and the Applicant for 'Mean Burger' proposed a similar use.

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The Officer discussed the consultation which had taken place with relevant authorities and owners/ occupiers of properties within 100 metres of the proposed site. Objections were received from owners/ occupiers which included the following grounds:

- The granting of the application would result in noise and anti-social activities.
- There would be an increase in litter in the form of food waste and drinks cans and bottles.
- There would be a loss of view to current shop holders if the Consent was granted.
- Access to the service road would be obstructed.

The Sub Committee was reminded that conditions could be attached to the Consent where deemed necessary and these could be varied when required. The Consent was valid for a year and could be reviewed annually. Further, the Council could revoke a Consent at any time.

Should it grant the Consent, the Sub Committee was recommended to impose a number of conditions as set out in the report. The Licensing Team would review any complaints received during the Applicant's first year of trade.

Questions to Licensing Officer

A Member asked whether the Consent would be subject to the payment of Business Rates. The Officer believed this was not the case but would confirm this.

Representations by the Applicant

The Applicant responded to the objections received and advised that he was not aware of any anti-social behaviour in the locality of the Consent and he did not accept that a trailer van would attract such behaviour. He anticipated that customers would buy their food and leave the location immediately as there was no seating. He was personally averse to litter and would ensure that a frequent check was carried out and any litter removed. He highlighted that no alcohol would be available for sale. He disagreed that any of the shop fronts on Farnham Road would be obstructed and his business would target the higher end of the market with quality food. He also confirmed that the business would only trade for 4 hours from 7 pm to 11 pm.

The applicant observed that the wording of the individual letters of objection were repetitive in nature.

Questions to the Applicant

Members asked a number of questions including whether the Applicant had experience in the food trade, and whether he intended to operate the business on his own. The Applicant confirmed that he had family experience

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in the trade and should he need an assistant then he would apply for a nominated assistant permission.

The Licensing Officer and the Applicant summed up. All parties were asked to leave the meeting at 10.40 am whilst the Sub-Committee deliberated. The Sub Committee re-convened at 11.00 am.

Decision

The Sub-Committee carefully considered all of the evidence at its disposal, and it was:

Resolved- That a Street Trading Consent for 'Mean Burger', the Service Road between 220, Farnham Road, and 216-218, Farnham Road, Slough, be granted for one year, subject to the following conditions:-

1. A limit on the hours of trade which can be undertaken (hours of operation Monday to Saturday from 19:00 hrs to 23:00 hrs and on Sunday from 17:00 hrs, to 23:00 hrs.
2. A bin must be placed on the site and a litter pick of a 25 metre radius of the site and a litter pick undertaken on a daily basis.
3. Removal of all rubbish daily.
4. A prohibition on leaving vehicles at the site overnight.

Chair

(Note: The Meeting opened at 10.00 am and closed at 10.50 am)