



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>LICENSING SUB-COMMITTEE – 26<sup>th</sup> September 2024</b>
Subject	<b>Application for a Street Trading Consent</b>
Wards affected	South Cerney
Accountable member	Planning and Licensing Committee
Accountable officer	Kevin Dunford, Licensing Officer Email: ers@cotswold.gov.uk
Report author	Kevin Dunford, Licensing Officer Email: ers@cotswold.gov.uk
Summary/Purpose	To consider an application for a Street trading consent made by Mehmet Isitmen for Lakeside Business Park, South Cerney.
Annexes	<b>Annex A</b> – Copy of the Application. <b>Annex B</b> – Plan of the site, location, and proposed unit. <b>Annex C</b> – Copy of representation & Applicant response <b>Annex D</b> – Copy of Street Trading Conditions <b>Annex E</b> – Copy of Street Trading Policy
Recommendation(s)	That the Licensing Sub-Committee is asked, in light of the representations received, to consider the application and determine whether to:- <ul style="list-style-type: none"> <li>• Grant a Street Trading Consent in the terms of the application</li> <li>• Grant a Street Trading Consent for a temporary period</li> <li>• Grant a Street Trading Consent with additional conditions</li> <li>• Refuse the application for a Street Trading Consent</li> </ul>
Corporate priorities	<ul style="list-style-type: none"> <li>• Deliver the highest standard of service</li> </ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Highways - Gloucestershire County Council, Food Safety and Health and Safety – Cotswold District Council,



	Gloucestershire Police, Ward Member and Parish Council, Public Notice for 28 days at the site
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## 1. BACKGROUND

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 allows applicants to apply for a Street Trading Consent (STC)
- 1.2 The Applicant, Mehmet Isitmen, has applied for a STC for Lakeside Business Park, South Cerny, GL7 5XL. The Licensing Authority is satisfied that the Application was duly made, the correct notification process was followed, and the Application was appropriately advertised. If granted, the Applicant is seeking a 12-month Consent.
- 1.3 The Application seeks to provide hot food and soft drinks.  
Monday - Sunday: 17:00 – 23:00  
A copy of the Application is attached in **Annex A**.

## 2. SITE DESCRIPTION

- 2.1 A copy of the site plan and location are attached in **Annex B**.

## 3. REPRESENTATIONS

### RESPONSIBLE AUTHORITIES

- 3.1 No representations have been received from any of the Responsible Authorities.

### Parish Council and Residents

- 3.2 The Parish council have submitted a representation which is attached in **Annex C**. There have been no resident representations received concerning this application.
- 3.3 The applicant submitted a response to the Parish Council which is attached in **Annex C**. This was forwarded to the Parish Council on the 13th August 2024. At the time of writing this report, there has been no reply from the Parish Council.
- 3.4 Under Cotswold District Council's Street Trading Policy, there are 3 Licensing Objectives:
  - (a) Public safety
  - (b) Public Order
  - (c) Preventing nuisance or annoyance



**COTSWOLD**  
DISTRICT COUNCIL

**3.5** Any Consent issued is subject to the Standard Conditions. A copy of Cotswold District Council's Standard Conditions is attached in **Annex D**.

#### **4. FINANCIAL IMPLICATIONS**

**4.1** There are no financial implications arising directly from this report.

#### **5. LEGAL IMPLICATIONS**

**5.1** The powers to control street trading within the Council's area are contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, 'the Act', which has been adopted by the Council. Under Schedule 4 of the Act the Council can manage street trading by designating streets as 'consent streets', 'licence streets' or 'prohibited streets'.

**5.2** The Council has adopted powers in the Local Government (Miscellaneous Provisions) Act 1982 to regulate street trading through a Street Trading Consent scheme.

**5.3** There is no right of appeal against the refusal to grant a Street Trading Consent. However, an aggrieved Applicant may seek a Judicial Review of the Council's decision.

**5.4** In light of the implications of the Human Rights Act 1998, the Sub-Committee must give the Applicant and other interested parties a fair hearing and consider this application paying special attention to the principle of proportionality between the protection of individual rights and the interests of the community at large.

#### **6. BACKGROUND DOCUMENTS**

**6.1** Cotswold District Council Street Trading Policy 2014 is attached in **Annex E**.