COTSWOLD DISTRICT COUNCIL

Council name	**COTSWOLD DISTRICT COUNCIL**
Name and date of Committee	**LICENSING SUB-COMMITTEE – 15 NOVEMBER 2021**
Report Number	**AGENDA ITEM 04**
Subject	**Application for a Street Trading Consent**
Wards affected	Siddington & Cerney Rural
Accountable member	Planning and Licensing Committee
Accountable officer	Kevin Dunford, Licensing Officer Email: kevin.dunford@publicagroup.uk
Summary/Purpose	To consider an application for a Street Trading Consent
Annexes	**Annex A** – Location map **Annex B** – Applicant response to concerns raised **Annex C** – Copy of Street Trading Conditions **Annex D** – Procedure sheet
Recommendation/s	That the Sub-Committee considers the application and decides whether to; a) *Grant a Street Trading Consent in the terms of the application* b) *Grant a Street Trading Consent for a temporary period* c) *Grant a Street Trading Consent with additional conditions* d) *Refuse the application for a Street Trading Consent*
Corporate priorities	Ensure that all services delivered by the Council are delivered to the highest standard.
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, Cotswold Property Destinations Limited, have applied for a STC for the Gateway Visitor Centre, Spine Road East, South Cerney, Cirencester, Gloucestershire, GL7 5TL. They have applied in order to be able to accommodate pop up stalls selling hot food and drink along with additional goods, Monday to Sunday 10.00 - 23.00 hours. If granted, the Applicants are seeking a 12 month Consent.

1.3. A map of the proposed locations within the site, marked by blue outline, can be found at **Annex A**.

2. MAIN POINTS

2.1. Consultations

Consultee	Objection	No Objection
Highways		X
Police		X
Environmental Health		X
Fire and Rescue		X
Planning		X
Trading Standards		X
Ward Member		X
Parish Council	X	

2.2. There has been an objection made by the Parish Council. Their concerns are as follows:

- The out-of-town rural location is inappropriate for late-night entertainment and bars and the consequent noise generated.
- The site is already under pressure with the car park full at busy times. Intensification of use could lead to parking off-site on the Spine road itself.

2.3. The Applicants have submitted further information in response to the concerns raised and they can be found at **Annex B**.

2.4. Under Cotswold District Council's Street Trading Policy, there are 3 Licensing Objectives:

(a) Public safety

(b) Public Order
(c) Preventing nuisance or annoyance

2.5. Any Consent issued is subject to the Standard Conditions. A copy of Cotswold District Council's Standard Conditions are attached at **Annex C**.

2.6. A suggested procedure for the Meeting is attached at **Annex D**.

3. FINANCIAL IMPLICATIONS

3.1. There are no financial implications arising directly from this report.

4. LEGAL IMPLICATIONS

4.1. 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.

4.2. 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.

5. BACKGROUND PAPERS

5.1. Cotswold District Council Street Trading Policy 2014.