

Leicester
City Council

LICENSING ENFORCEMENT SUB-COMMITTEE

DATE: TUESDAY, 3 MAY 2022

TIME: 10:00 am

PLACE: Meeting Room G.02, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Sub-Committee

Councillors Cank, Fonseca, Gee and Pickering.

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact: Angie Smith
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 6354
email: angie.smith@leicester.gov.uk

Information for Members of the Public

Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings, and Scrutiny Commissions and see copies of agendas and minutes.

However, on occasion, meetings may, for reasons set out in law, need to consider some items in private.

Due to ongoing mitigations to prevent the transmission of COVID, public access in person is limited to ensure social distancing. If you wish to attend a meeting in person, you are required to contact the Democratic Support Officer in advance of the meeting regarding arrangements for public attendance. A guide to attending public meetings can be found here on the [Decisions, meetings and minutes page](#) of the Council website.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk, or by contacting us using the details below.

To hold this meeting in as Covid-safe a way as possible, all attendees are asked to follow current Government guidance and:

- maintain distancing while entering and leaving the room/building;
- remain seated and maintain distancing between seats during the meeting;
- wear face coverings throughout the meeting unless speaking or exempt;
- make use of the hand sanitiser available;
- when moving about the building to follow signs about traffic flows, lift capacities etc;
- comply with Test and Trace requirements by scanning the QR code at the entrance to the building and/or giving their name and contact details at reception prior to the meeting;
- if you are displaying Coronavirus symptoms: a high temperature; a new, continuous cough; or a loss or change to your sense of smell or taste, you should NOT attend the meeting, please stay at home, and get a PCR test.

NOTE:

Due to ongoing mitigations to prevent transmission of COVID, public access in person is limited to ensure social distancing. If you wish to attend the meeting in person, you are required to contact the Democratic Support Officer in advance of the meeting regarding arrangements for public attendance.

Separate guidance on attending the meeting is available for officers. Officers attending the meeting are asked to contact the Democratic Support Officer in advance to confirm their arrangements for attendance.

Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Democratic Support Officer using the details below.

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at www.leicester.gov.uk or from Democratic Support.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc..

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact Angie Smith, Democratic Support on **(0116) 454 6354** or email angie.smith@leicester.gov.uk

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

LEICESTER CITY COUNCIL LICENSING SUB-COMMITTEE PROCEDURAL GUIDE

INTRODUCTORY PHASE

The meeting will be held in public unless stated otherwise in the report.

Present at the hearing will be Members of the Licensing Sub-Committee (minimum 3 Members), Officers from the Licensing Authority, a Legal Adviser to the Sub-Committee, an Officer from Democratic Services.

1. Participants at the meeting will introduce themselves as follows:
 - a. Members and Officers
 - b. Statutory Consultees (if any)
 - c. The Applicant and any representatives
 - d. Persons who have made representations
2. The Chair will check that the Applicant has received a copy of the Officer report.

INFORMATION GATHERING

3. The Licensing Officer presents the report (previously circulated)

Questions (for clarification purposes only):
Members
Statutory Consultees (if any)
Persons who have made representations
Applicant and Representative (s)
4. Depending on the nature of the report, Statutory Consultees present their comments.

Questions (for clarification purposes only):
Members
Officers
Persons who have made representations
Applicant and Representative(s)
5. Persons who have made representations

Questions (for clarification purposes only):
Members
Officers
Statutory Consultees (is any)
Applicant and Representative(s)
6. Applicant's Case

Questions (for clarification purposes only):
Members
Officers
Statutory Consultees
Persons who have made representations

7. Summing up in the following order

Officers
Statutory Consultees
Persons who have made representations
Applicant and Representative(s)

8. The Legal Adviser to the Sub-Committee to advise the Sub-Committee in the presence of the Applicant, Representatives, Officers, Statutory Consultees, and persons who have made representations on relevant issues the Members need to be aware of when they come to make their decision.

DECISION MAKING

9. Apart from the Sub-Committee Members and the Democratic Support Officer everyone will be asked to withdraw from the meeting The Legal Adviser to the Sub-Committee may be called back to the meeting to advise on the wording of the decision the Sub-Committee Members will have made during private deliberation.

The Applicant will be advised that the decision made by the Sub-Committee will be made public within 5 working days of the meeting.

PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Democratic Services staff. Further instructions will then be given.

- 1. APPOINTMENT OF CHAIR**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

- 4. MINUTES OF PREVIOUS MEETING** **Appendix A**

The minutes of the meeting of the Licensing Enforcement Sub-Committee held on 1st March 2022 and 5th April 2022 are attached, and Members will be asked to confirm them as a correct record.

- 5. APPLICATION FOR STREET TRADING CONSENT FOR MR MARIUS VELICU, M&M FISH AND CHIPS CATERING, RAW DYEKES ROAD (NEAR CORNER OF FILBERT STREET), LEICESTER** **Appendix B**

The Director of Neighbourhood and Environmental Services submits an application for a Street Trading Consent for M&M Fish and Chips Catering, Raw Dykes Road, Leicester.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk or by telephoning Democratic Support on (0116) 454 6354.

(Ward affected: Saffron)

- 6. PRIVATE SESSION**

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

Under the law, the Sub-Committee is entitled to consider certain items in private where in the circumstances the public interest in maintaining the matter exempt from publication outweighs the public interest in disclosing the information. Members of the public will be asked to leave the meeting when such items are discussed.

The Sub-Committee is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, as amended, and consequently that the Sub-Committee makes the following resolution:-

“that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.”

Paragraph 1

Information relating to an individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority).

Paragraph 7

Information relating any action taken or to be taken in connection with prevention, investigation or prosecution of crime.

C1) Personal License Review Application.

C2) Personal License Review Application.

7. PERSONAL LICENSE REVIEW APPLICATION

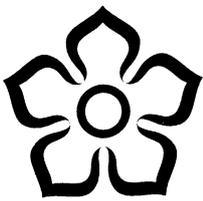
Appendix C1

The Director of Neighbourhood and Environmental Services submits a report.

8. PERSONAL LICENSE REVIEW APPLICATION [Appendix C2](#)

The Director of Neighborhood and Environmental Services submits a report.

9. ANY OTHER URGENT BUSINESS [Appendix B](#)



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 1 MARCH 2022 at 10:00 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Gee

Councillor Fonseca

* * * * *

1. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Singh Johal declared that in the second application being considered he knew the applicant. He announced that he would leave the meeting when that application was being considered.

4. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Licensing Enforcement Sub-Committee held 2 November 2021 be confirmed as a correct record.

5. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local

Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt 1 Appendix A outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to any individual

Paragraph 2

Information which is likely to reveal the identity of an individual

Paragraph 7

Information relating to the any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime

B1) Determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence

B2) Determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence

6. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE

The Director of Neighbourhood and Environmental Services submitted a report requiring Member's to make a determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The driver was present with a legal representative. Toni Tidmarsh (Licensing Enforcement Officer), the Licensing Team Manager and the Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager outlined details of the application, including the relevant City Council Guidelines.

The driver and his legal representative were invited to set out reasons why the driver ought to be allowed to retain his Hackney Carriage and Private Hire Vehicle Driver's Licence and answered questions from Members and Officers.

All parties were then given the opportunity to sum up and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present. In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private

deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. the Sub-Committee then deliberated in private.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the Hackney Carriage and Private Hire Vehicle Driver's Licence be REVOKED.

The driver would be informed that he would have 21 days to appeal the decision to the Magistrates Court.

At this point Councillor Singh Johal left the meeting, Councillor Gee assumed the Chair.

7. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE

The Director of Neighbourhood and Environmental Services submitted a report requiring Member's to make a determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The driver was not present. Rachael Derry (Licensing Enforcement Officer), the Licensing Team Manager, and the Legal Adviser to the Sub-Committee were present.

The Licensing Team Manager outlined details of the application, including the relevant City Council Guidelines.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present. In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. the Sub-Committee then deliberated in private.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

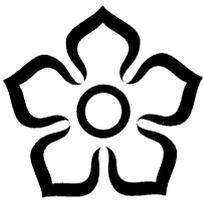
RESOLVED:

That the Hackney Carriage and Private Hire Vehicle Driver's Licence be REVOKED.

The driver would be informed that he would have 21 days to appeal the decision to the Magistrates Court.

8. ANY OTHER URGENT BUSINESS

There being no further business, the meeting closed at 12.48pm.



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 5 APRIL 2022 at 9:30 am

P R E S E N T:

Councillor Byrne (Chair)

Councillor Gee

Councillor Shelton

* * * * *

1. APPOINTMENT OF CHAIR

Councillor Byrne was appointed as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Pickering and Westley.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

There were no declarations of interest.

4. APPLICATION FOR A STREET TRADING CONSENT FOR AWESOME KEBAB, SIDE OF MEMON CENTRE, ABBOTSFORD ROAD, LEICESTER

The Director of Neighbourhood and Environmental Services submitted a report on an application for a Street Trading Consent for Awesome Kebab, Side of Memon Centre, Abbotsford Road, Leicester.

The applicant Mr Saif Uddin was present. The Licensing Team Manager and the Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager outlined details of the application, including the relevant City Council Guidelines.

Mr Uddin was invited to set out the reasons why he ought to be granted Street

Trading Consent and answered questions from Members and Officers.

All parties were then given the opportunity to sum up and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. the Sub-Committee then deliberated in private.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for a Street Trading Consent for Awesome Kebab, Side of Memon Centre, Abbotsford Road, Leicester be REFUSED. Members agreed it was appropriate for the promotion of the licensing objective of the prevention of public nuisance to refuse the application.

The applicant would be provided with the reasons for the decision in writing within five working days.

5. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involved the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it was considered that the public interest in maintaining the information as exempt outweighed the public interest in disclosing the information.

Paragraph 1

Information relating to any individual

Paragraph 2

Information which is likely to reveal the identity of an individual

Paragraph 7

Information relating to the any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime

B1) Determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence

B2) Personal Licence Review Application

6. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE

The Director of Neighbourhood and Environmental Services submitted a report requiring Members to make a determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The driver was present. The Licensing Team Manager and the Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager outlined details of the application, including the relevant City Council Guidelines.

The driver was invited to set out the reasons why he ought to be allowed to retain his Hackney Carriage and Private Hire Vehicle Driver's Licence and answered questions from Members and Officers.

All parties were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision,

In reaching their decision, the Sub-Committee felt they should deliberate in private on the basis that this was in the public interest and as such outweighed the public interest of their deliberation taking place with the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that full reasons for the decision would be publicly announced and confirmed in writing within five working days. The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to withdraw from the meeting. Members then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the Hackney Carriage and Private Hire Vehicle Driver's Licence be REVOKED. Members agreed it was appropriate for the promotion of the licensing objectives of public safety and the protection of children from harm to revoke the driver's licence

The driver would be provided with the reasons for the decision in writing within five working days.

All parties would be advised of the right to appeal the decision to the Magistrates Court.

7. PERSONAL LICENCE REVIEW APPLICATION

The Director, Neighbourhoods and Environmental Services, submitted a report that required Members to determine an application for a personal licence review.

The Personal Licence Holder was not present, The Licensing Team Manager and the Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager presented the report and outlined the details of the application, including the relevant City Council Guidelines.

All parties were then given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision,

In reaching their decision, the Sub-Committee felt they should deliberate in private on the basis that this was in the public interest and as such outweighed the public interest of their deliberation taking place with the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that full reasons for the decision would be publicly

announced and confirmed in writing within five working days. The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to withdraw from the meeting. Members then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

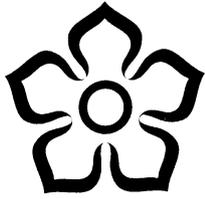
That the Personal Licence be REVOKED. Members agreed it was appropriate for the promotion of the licensing objective of the public safety, revoke Personal Licence.

The Personal Licence Holder would be provided with the reasons for the decision in writing within five working days.

All parties would be advised of the right to appeal the decision to the Magistrates Court.

8. ANY OTHER URGENT BUSINESS

There being no other urgent business, the meeting closed at 10:47am.



Leicester
City Council

WARD: Saffron

LICENSING COMMITTEE

3rd May 2022

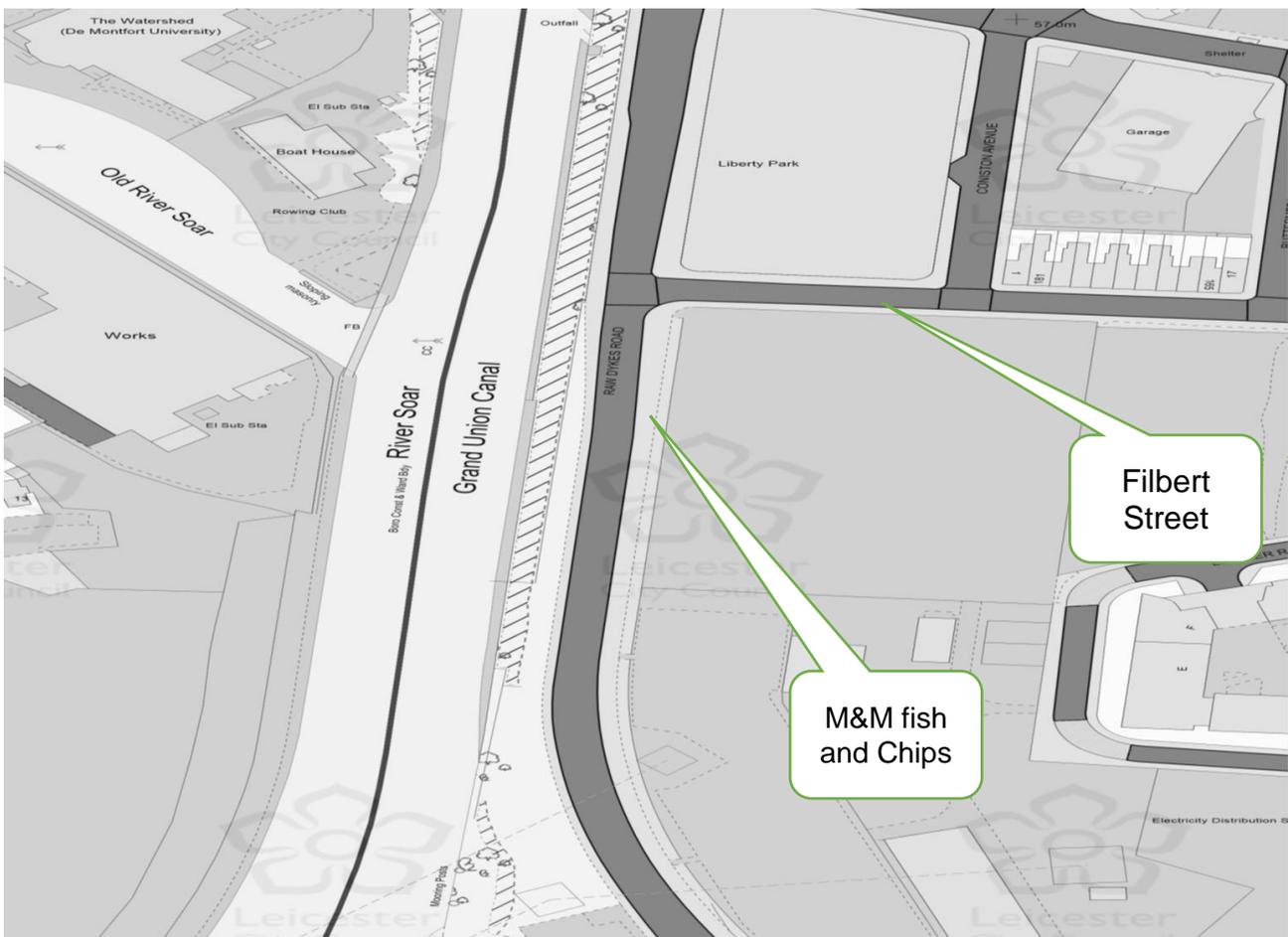
APPLICATION FOR STREET TRADING CONSENT

MR MARIUS VELICU

M&M FISH AND CHIPS CATERING, RAW DYEKES ROAD (NEAR CORNER OF
FILBERT STREET), LEICESTER

Report of the Director of Neighbourhood and Environmental Services

1. Location



2. Purpose of the Report

To determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for M&M Fish and Chips Catering. The applicant is Mr Marius Velicu.

3. Options for the Sub-Committee

The Sub-Committee may determine the application in one of the following ways:-

- (a) Grant the application, or
- (b) Refuse the application.

A licensing authority may attach such conditions as they consider reasonably necessary when granting or renewing a street trading consent. This may include conditions to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance (whether to persons using the street or otherwise). The authority may at any time vary the conditions of a street trading consent.

The authority may include in a street trading consent permission for its holder to trade in a consent street

- a) from a stationary van, cart, barrow or other vehicle; or
- b) from a portable stall.

If the authority includes such a permission, it may make the consent subject to conditions

- a) as to where the holder of the street trading consent may trade by virtue of the permission, and
- b) as to the times between which or periods for which he may so trade.

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

There is no right of appeal against a determination of the Licensing Authority in this instance, but as a matter of good practice Members should give reasons for their decision at the time it is announced.

4. Recommendation

It is recommended that the application be refused in accordance with the City Council's street trading policy.

5. Report

Mr Velicu has applied for the grant of a street trading consent for M&M Fish and Chips Catering, Raw Dykes Road (near the corner of Filbert Street), Leicester, under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. A copy of the application is attached at Appendix A.

Mr Velicu would like to sell fish & chips, fishcakes, breaded whitebait, chicken/beef burgers, sausages, kebabs and hot/cold drinks in conjunction with match days for Leicester City Football Club and Leicester Tigers.

Street trading policy

The policy says that there will be a general presumption in favour of granting consents for street trading by ice cream vans and by mobile operators who remain stationary at a particular location only long enough to serve customers at that location, provided that they conform to any code of practice issued by the City Council.

The policy provides for certain exceptions, including:

- a) The immediate vicinity of Leicester City Football Club and Leicester Tigers, for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs.
- b) Operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.
- c) Limited period consents in respect of particular types of operations in conjunction with specific events in the City.

None of these exceptions are relevant to this application.

Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:

- Public nuisance
- Crime and disorder
- Road safety
- Health and safety at schools and for their pupils
- Likely demand for goods being sold
- Availability of goods being sold in other fixed premises in the vicinity
- Objections received from nearby residents, businesses and statutory agencies

Representations

Details of the application have been passed to the Police, Highways, Noise Control, and the Food Team. A notice has been placed at the location concerned for two weeks inviting anyone affected by the proposal to submit representations to the Licensing section.

No representations have been received from the Police, Highways, Noise Control and the Food Team in relation to this application. However, a representation has been received from a member of the public.

The representee is concerned that if this application is granted, it will cause more issues to the flow of pedestrians and traffic on an already very congested road and impact the existing traders in the area. A copy of the representation is attached at Appendix B.

6. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a street trading consent.

Schedule 4 paragraph 7 of the Local Government (Miscellaneous Provisions) Act 1982 details the procedure to be followed for the grant and renewal of street trading consents. The council and the holder of a street trading consent must comply with the requirements of this paragraph.

Schedule 4 paragraph 8 of the Local Government (Miscellaneous Provisions) Act 1982 enables the holder of a street trading consent to employ any other person to assist in their trading without a further consent being required.

Where a consent is surrendered or revoked, the council shall remit or refund as they consider appropriate the whole or a part of any fee paid for grant or renewal of the consent as per Schedule 4 paragraph 9(5) of the Local Government (Miscellaneous Provisions) Act 1982.

A person who engages in street trading without a street trading consent, or who makes a false statement in connection with an application for a consent may be subject to prosecution, and upon conviction may be liable for a fine of up to £1,000, pursuant to Schedule 4 paragraph 10 of the Local Government (Miscellaneous Provisions) Act 1982

John Moss, Solicitor

7. Crime and Disorder

One matter for consideration as part of the application process is the impact a successful application may have on crime and disorder.

8. Consultation

Leicestershire Police
Highways department
Pollution Control
Food Team
Members of the public

9. Reason for Treating the Report as “Not for Publication”

None

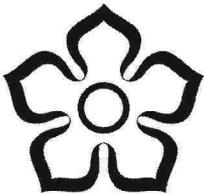
10. Officer to Contact

Amy Day
Licensing Officer
0116 454 3054

Amy Day

From: Licensing
Sent: 14 February 2022 10:23
To: Licensing
Subject: FW: Street trade licence. Case reference: ST400904983
Attachments: Payment Authentication Receipt - DO NOT REPLY TO THIS E-MAIL

From: Crm-feedback <crm.feedback@leicester.gov.uk>
Sent: 14 February 2022 10:05
To: Licensing <Licensing@leicester.gov.uk>
Subject: Street trade licence. Case reference: ST400904983



Leicester
City Council

Street trade licence

Case raised by: [REDACTED] 2022-02-14 10:04:45 Product: Self



What type of trading consent are you applying for: Fixed site

I have read the policy and code of practice and wish to continue my application for street trading consent : I have read the policy and code of practice and wish to continue my application for street trading consent

Your details:

Title	First name	Surname	Phone number	Mobile number	Email address
Mr.	Marius Ionut	Velicu			

Your address:

Flat	House number	Street	Town	County	Postcode

Please give the details of any food business that you have operated in the last 12 months: M & M Fish and Chips Cattering

Business name: M & M Fish and Chips Cattering

Business type: M & M Fish and Chips Cattering

What goods do you intend to sell?: Fish and Chips, Fishcake, Breaded whitebait, cold drinks, hot drinks; Chicken Burgers; Donner kebab; (Beef burger and sausages only if its possible)

Is the business address the same as your contact address? : No

Business address:

Enter the postcode or street name	Please select the address	The address is not listed	Flat	House number	Street	Town	County	Postcode

Please explain how your business may impact on public nuisance:: Improving the street food in the area

Please explain how your business may impact on crime and disorder:: Serving new street food to the community

Please explain how your business may impact on road safety: : No impact

Please explain how your business may impact on the health and safety at schools and for their pupils:: no impact

Please explain the likely demand for the goods that you intend to sell:: High demand, nothing similar in the area

Are the goods that you intend to sell already available in other fixed premises nearby? If so, please give details: :
No

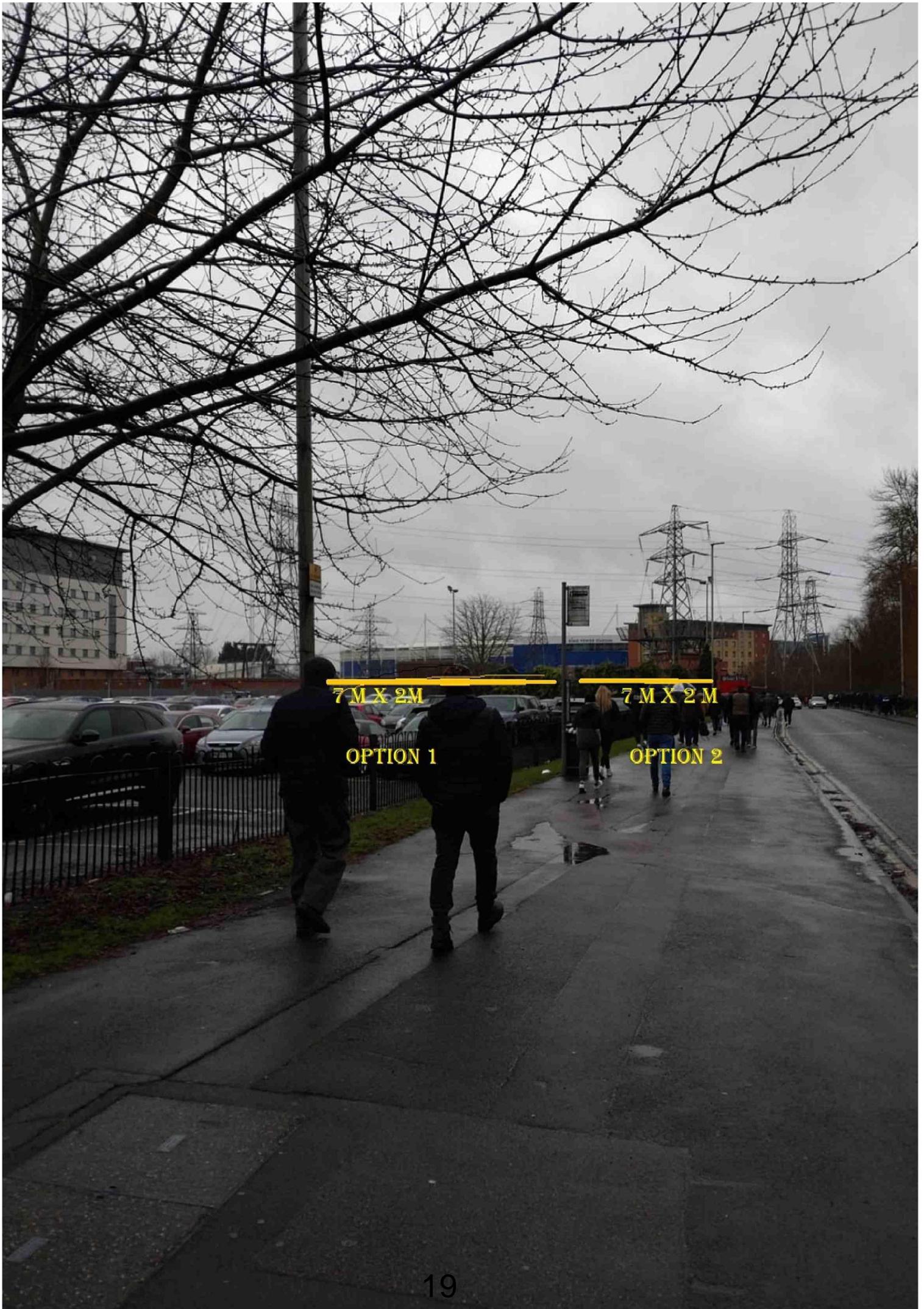
Please give reasons why your application should be granted as an exception to the council's general policy on street trading: :High demand, nothing similar in the area,freshly cooked,

How many months of trading consent do you wish to apply for? : 12 months street trading consent associated with LCFC or Leicester Tigers

What date(s) do you wish to trade?: Every matchday event Leicester City Football Game

I understand and agree to the declaration: I understand and agree to the declaration

Date:: 14 02 22

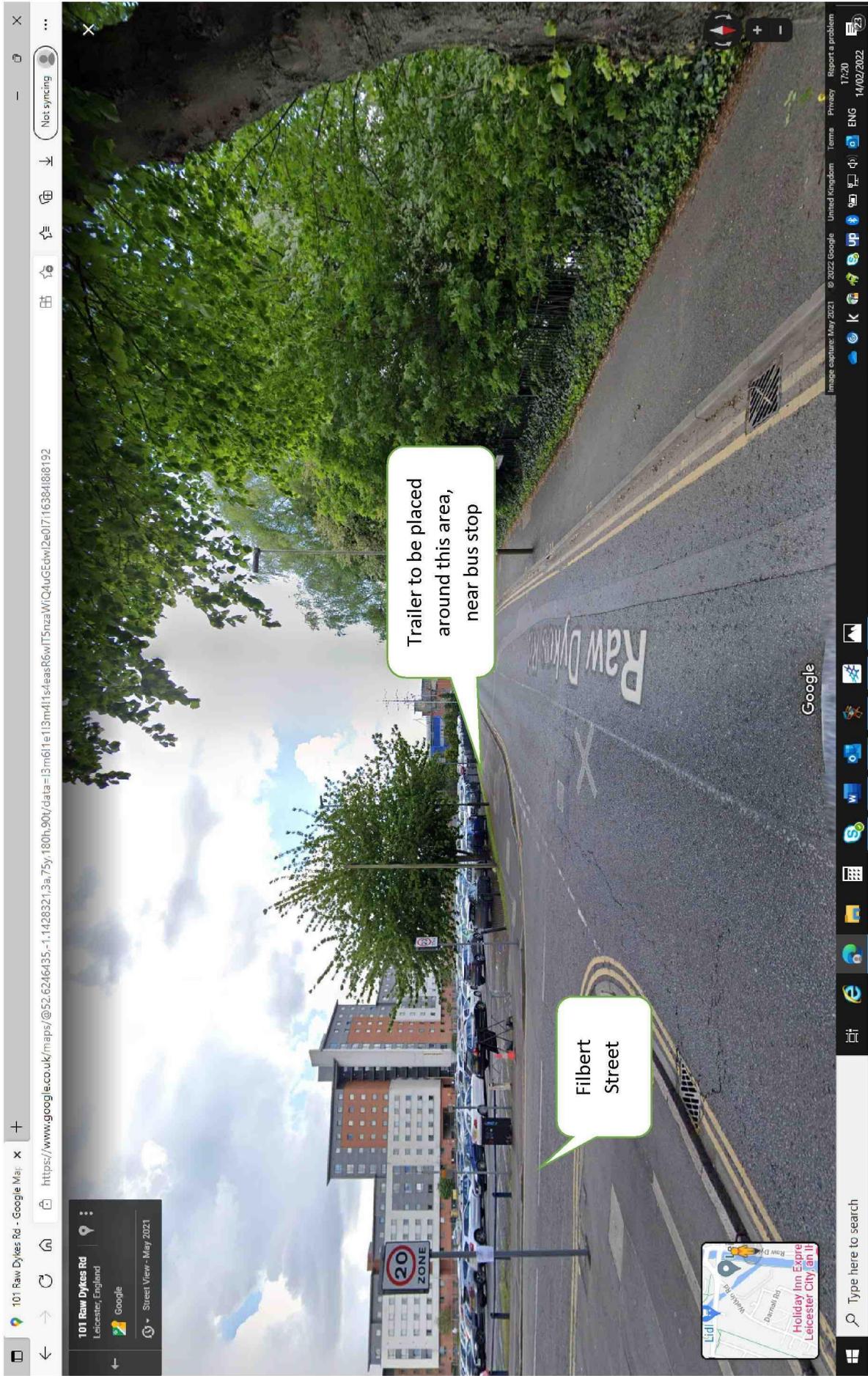


7 M X 2 M

OPTION 1

7 M X 2 M

OPTION 2



Amy Day

From: [REDACTED]
Sent: [REDACTED]
To: Amy Day
Subject: Re: licence objection

Objections to Licence Application.

Mr Marius Velicu
M & M Fish and Chips
Raw Dykes` Rd
Leicester.

1) Road Safety

The Council has recently allowed a Street Licence on Raw Dykes Rd. Chefs Grill October 2019. Another catering unit. I believe that this did fall outside the Council Policy on the presumption granted. I have found it very confusing that even at a committee hearing on several of my renewal applications the Council's stance was to not issue my licence.

The stop and start of the crowd is impacted by having another unit at the end, that was proven when a previous trader had a queue. Since the Chefs Grill has been trading there has been a change in "the flow" of people. (not currently a problem) but to add another trailer to the same row, will start to cause problems.

2) Likely demand for goods being sold.

The current seating capacity at the City Ground remains the same. The council has mentioned previously that direct competition of similar goods is not a factor, so I can only interpret "likely demand" in the way I have. The Council should perhaps make it clear as to what they mean by "likely demand" as it is left to interpretation.

3) Availability of goods..

The corner shop, again, will be affected.

You say that our livelihood is not taken into consideration, and yet that is what the Council took into consideration when helping the Chefs Grill in October 2019, as they were going to be losing their site.

To keep issuing Street Trading licences on Raw Dykes Rd is affecting us financially.

I would like these matters considered.

Thank you,

[REDACTED]

Appendix C1

By virtue of paragraph(s) 1, 2, 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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