

Licensing & Regulatory Panel

Minutes of the Licensing & Regulatory Panel held at the Town Hall, Royal Leamington Spa, on Tuesday 27 May 2025 at 10.20am.

Present: Councillors Browne, Gorman, and Roberts.

Also Present: Patricia Tuckwell (Civic & Committee Services Manager); Nisha Lowery (Council's Solicitor); and Jack Henson (Licensing Enforcement Officer).

1. **Appointment of Chair**

Resolved that Councillor Gorman be appointed as Chair for the hearing.

2. **Substitutes**

Councillor Gorman substituted for Councillor Matecki.

3. **Declarations of Interest**

There were no declarations of interest made.

4. **An application for a Street Trading Consent**

The Panel considered a report from Safer Communities, Leisure, and Environment which brought forward a new application for a Street Trading Consent where the applicant wished to trade outside the hours and restrictions set out within Warwick District Council's Street Trading Policy.

Anyone who exposed goods for sale within the District needed a Street Trading Consent issued by the Council.

Mr Jonathan Rea applied for a Street Trading Consent to trade from Abbey Fields on Saturday 14 June 2025 between 12.00pm and 10.00pm. This was for the annual Kenilworth Lions Club Grand Show and was described as a 'charity fun day/community summer fete'. The application, site plan, and list of traders were attached as Appendix 1 to the report.

Upon receiving the application, officers referred to the current Street Trading Consent Policy which permitted trading between the hours of 6.00am and 6.00pm. As the application was to trade beyond these hours, the application had been referred to the Licensing and Regulatory Panel for a decision.

The applicant had received permission from the Landowner (Warwick District Council) to use the site.

The consultation period ended on 21 April 2025. No objections had been received from the consultees.

The current Street Trading Consent Policy, which had been in force since October 2016, was attached at Appendix 2 to the report.

Details of the procedure adopted by the Licensing Committee for Panel Hearings had been supplied to the applicant. The procedure was explained fully by the Council's Solicitor at the commencement of the hearing.

The Chair introduced the Panel and officers present. The applicant introduced themselves as John Rea from Kenilworth Lions.

At the Chair's request, the Licensing Enforcement Officer introduced the report.

In response to questions from the Panel, the Licensing Enforcement Officer explained that:

- a Temporary Event Notice (TEN) had been submitted and approved for the event and there were no objections from the three responsible authorities that were consulted; and
- the TEN approved both entertainment and sale of alcohol at the event.

The applicant was invited to give a statement. Mr Rea explained that:

- the event would follow the same format as the one which took place the previously, in 2024;
- there would be around 50 stalls, the majority of which would close by 5.00pm;
- most stalls were representing charities and local traders;
- music would be played from 6.00pm and was scheduled to finish by 9.00pm;
- in 2024, the music ran over by 15 to 30 minutes at most;
- following the music finishing, the stage would be taken down;
- the bar, which was covered by the TEN, would operate until the music finished;
- there were only two food vendors that would remain open until the end of the event, Mrs Hedges Burger Bar and a pizza van; and
- an ice cream van would operate until 7.00pm or 7.30pm.

In response to questions from the Panel, Mr Rea explained that:

- the application form stated that the end of the event as 10.00pm. This would be the latest possible end time;
- the music was scheduled to finish at 9.00pm, however, in 2024 it ran over time slightly, hence this application was for 10.00pm;
- he would be responsible for locking the gates onsite. Therefore, the sooner the event finished, the better;
- most vendors would finish at 5.00pm except the ice cream van that was scheduled to finish at 7.30pm. The two food vendors and the bar would continue until the end of the event; and
- CJ's Events was providing security in the evening in case of any issues, although no such issues had been experienced in the past.

The Chair asked the applicant if he wished to make a closing statement. The applicant confirmed they had nothing further to add.

At 10.32am, the Chair asked all parties other than the Panel, the Council's Legal Advisor, and the Civic & Committee Services Manager to leave the meeting, in order to enable the Panel to deliberate in private and reach its decision. The decision would be communicated in writing via email to the applicant later the same day, followed by a written notice with a full decision within seven days.

Resolved that the consent be **granted**.

In making their decision the Panel considered all of the information provided in advance of, at the hearing and the Council's Street Trading Consent Policy.

The Panel considered that the potential impact on the relevant licensing objectives of public safety, public order, the avoidance of public nuisance and local area needs.

In furtherance of the licensing objectives the Panel noted as follows:

No representations had been received by the relevant responsible authorities, namely the Police, Highways Department or Environmental health objecting to the application.

The Applicant had been granted a street trading consent last year for the same event and were informed that the event ran without any issues arising.

The Panel took into consideration that most of the vendors will have left by 5.00pm. The only remaining vendors/ activity on site beyond 6.00pm would be an ice cream van, which the panel were informed will have left the event by 7.30pm, two food vendors and a bar which will close at 9.00pm. Live music will start at 6pm and also finish at 9.00pm. Following which, all remaining parties will dismantle their stands. The Panel were informed that the applicant will be present to lock up the site by no later than 10pm.

The Panel were informed that the event has been authorised by a Temporary Event Notice permitting the sale of alcohol and live music.

The Panel also noted that CJ Events are to provide security staff for the evening to prevent any issues arising in relation to public order.

The Panel therefore resolved to grant the application for a Street Trading Consent to trade from Abbey Fields, Kenilworth on Saturday 14th June 2025 between the hours of 12.00pm and 10.00pm for the annual Kenilworth Lions Club Grand Show.

There is no statutory right of appeal against this decision under the Local Government (Miscellaneous Provisions) Act 1982. Any person aggrieved by this decision may apply for Judicial Review of the decision to the High Court.

Judicial Review is a process where the Court reviews the lawfulness of a decision made by a public body. Any

application for Judicial Review must be made promptly, and in any event not later than 3 months after the date of this decision. You should obtain independent legal advice if you seek to challenge this decision.

Councillor Gorman – Chair
27 May 2025

(The meeting ended at 10.32am)

CHAIR
1 October 2025