

Licensing & Regulatory Panel

Minutes of the Licensing & Regulatory Panel held remotely, on Tuesday 16 February 2021, at 10.00am.

Present: Councillors Boad, A Dearing and Murphy.

Also Present: Mrs Tuckwell (Civic & Committee Services Manager), Mr Edwards (Committee Services Officer – observing only), Mrs Amphlett (Council’s Solicitor), and Mrs Russell (Licensing Enforcement Officer).

1. **Appointment of Chairman**

Resolved that Councillor Boad be appointed as Chairman for the hearing.

(At 10.02am, the Chairman paused the meeting for five minutes to allow him to access the running order for the meeting.)

2. **Declarations of Interest**

There were no declarations of interest made.

3. **Street Trading application to trade outside of the restrictions set out within Warwick District Council’s Policy**

The Panel considered a report from Health and Community Protection which asked Members to consider an application for a Street Trading Consent for the sale of fish and chips from a mobile food unit by C&R Mobile Catering Limited trading as ‘The Village Chippy’. The applicant wished to trade until 20:00 and remove condition 5 from any consent issued.

The Chairman asked the Members of the Panel and officers present to introduce themselves. The applicants introduced themselves as Mr Alan Robinson, Mrs Lauren Robinson and Mr Martin Cowling.

The Chairman asked the Licensing Enforcement officer to introduce the report. The Licensing Enforcement officer informed Members that the applicants had amended their application, and they now wished to trade Monday – Sunday until 8pm, and remove condition 5 from any consent issued.

Anyone who exposed goods for sale within the District needed a Street Trading Consent issued by the Council. Upon receiving the application, officers referred to the current Street Trading Policy.

The current Policy permitted trading between the hours of 08:00 and 18:00, and any touring consent may only trade in one location for up to 15 minutes.

C&R Mobile Catering Ltd had applied for a Street Trading Consent in order that they might sell fish and chips from the mobile unit. The Consent, if granted, would permit them to trade in all streets within the District. However, C&R Mobile Catering Ltd had requested on their application form to trade Monday to Friday between 11:30 to 20:00, now amended to Monday to Sunday between 11:30 to 20:00.

C&R Mobile Catering Ltd had also stated in conversations with the Licensing team that they would need longer than the 15 minutes permitted for a touring consent holder to trade from the same location.

A copy of C&R Mobile Catering Ltd's application form and photographs of the unit were attached as Appendix 1 to the report. A copy of the Council's Street Trading Policy was attached as Appendix 2 to the report.

In his statement, Mr Robinson advised that:

- the three directors of C&R Mobile Catering Ltd were born and bred in Warwickshire; Mr Robinson was a finance manager, Mrs Robinson was a registered childminder and Mr Cowling had ample work experience in the catering sector;
- the intention was to serve traditional fish and chips to Warwickshire residents;
- the application for later trading hours was made following feedback from residents, who would either not finish work by 6pm, or not be ready to have their dinner until past this time;
- the applicants had conducted market research via Facebook and were hoping to start trading the following week;
- the intention was to provide a lunch time service around the hours of 11:30-13:30, followed by an evening round between 16:30-20:00;
- in terms of the areas where they intended to trade from, this was a moving plan at the minute, but as a starting point, the intention was to trade from Bishops Tachbrook, Radford Semele, Weston under Weatherly and Hatton Park; and
- the applicants wished to offer their product to those people who were isolated or did not have a fish and chips offer in their area.

In answer to questions from Members, Mr Robinson advised that:

- the intention was to go to two locations per day, one for lunch time, one for dinner time;
- in terms of managing waste, a bin would be provided, and the applicant was renting a storage unit at Harbury Lane, which had a waste management on site. As a result, any rubbish collected during the day would be disposed of once going back to the unit;
- whilst the applicants were happy to put a sign up advising customers not to litter, Mr Robinson felt it was ultimately his responsibility to ensure the site was left as they found it, and would pick any litter before departing from the site;

- it was hard to predict how long lunch and dinner service would take, especially during the Covid-19 pandemic, and the applicants would have a better idea once they started to trade the following week;
- ideally, the applicants would like to get to a stage of going to two different sites in the evening; and
- Mr Cowling, who was Mr Robinson's Father-in-law, used to own a fish and chips shop and he therefore had a lot of experience. The intention was for Mr Cowling to be on site and take the lead, but all three applicants had completed the necessary food safety and hygiene requirements.

At 10.20am, the Chair reminded those present of the procedure: the remote meeting would be ended by the Committee Services Officer; a separate meeting would be arranged with the Members of the Panel, the Legal Advisor, the Committee Services Officer and the Civic & Committee Services Manager; the decision would be communicated in writing via email to the applicant later on the same day, followed by a written notice with a full decision within seven days.

Resolved that the application be granted.

The Panel listened carefully to the report and comments made by the Licensing Officer and your submissions and decided that your consent should be granted as applied for.

For the avoidance of doubt, your consent will enable to you sell fish and chips from your mobile unit between the hours of 11:30 and 20:00 hours Monday to Sunday. The Panel were satisfied that in this instance it would be appropriate to grant you a consent, which permits you to trade from the same location for more than 15 minutes, given the nature of the food offering you will provide, and the submissions that you made.

(The meeting ended at 10.20am)

CHAIRMAN
13 April 2021