

## LICENSING AND GENERAL PURPOSES COMMITTEE - GENERAL LICENSING PANEL

29 April 2022

Minutes of the Licensing and General Purposes Committee - General Licensing Panel meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Friday 29 April 2022 at 9:30am.

Members of the General Licensing Panel: Councillors C.A. Madeley, A.S. Mier and R.B. Thomas.

Advisory Officers in attendance: Head of Service Environmental Services, Licensing and Community Safety and Democratic Services Officer.

Also Present: 2 members of the public via the live webcast.

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### LP21/5 **APPOINTMENT OF CHAIRMAN**

Councillor A.S. Mier was duly appointed as Chairman of the Panel for the hearing.

### LP21/6 **MINUTES**

The Chairman was authorised to sign the Minutes of the meeting of the General Licensing Panel held on 9 July 2021 as a correct record of the proceedings.

### LP21/7 **DISCLOSURE OF INTERESTS**

There were no declarations of interest.

### LP21/8 **STREET TRADING APPLICATION FOR CONSENT**

Consideration was given to the report of the Head of Service Environmental Services, Licensing and Community Safety that gave details of an application for a street trading application for consent for the Village Square, Ticehurst, from 'Mr Chippy', for Thursdays 11:30 to 14:00 and Fridays 11:30 to 19:00.

The Council had designated certain streets In Ticehurst as consent streets under the Local Government (Miscellaneous Provisions) Act 1982, which meant trading was prohibited unless a consent had been granted. The following options were available to the Panel:

- a) to grant consent subject to conditions, set out in Appendices B and C to the report;
- b) to grant consent subject to conditions, determined by the Panel;

or

- c) to refuse consent.

Members of the Panel had the opportunity to ask questions and the following points were noted during the discussions:

- a completely silent generator did not exist, therefore the generator should be operated in such a way that it could not be heard;
- officers would respond to and investigate any complaints or issues raised by residents and operate a noise control over the summer period, by visiting when in operation;
- if agreed, the consent to trade would be issued for one year, until the end of March 2023; any issues would be referred back to the General Licensing Panel; and
- if no reported issues after that time, Members were requested to grant delegated authority to the Head of Service Environmental Services, Licensing and Community Safety to issue any further consents.

**RESOLVED:** That:

- 1) a consent to trade, subject to conditions set out in Appendix A attached, be issued to the applicant; and
- 2) the Head of Service Environmental Services, Licensing and Community Safety be granted delegated authority to issue further consents, if no complaints received.

**CHAIRMAN**

The meeting closed at 9:45am

**Standard Conditions**

**ROTHER DISTRICT COUNCIL**

**Local Government (Miscellaneous Provisions) Act 1982**

**Consent to Trade in Village Square, Ticehurst, East Sussex**

**Rother District Council hereby grants consent to:**

**Mr Justin Scales (the Trader)  
Trading As Mr Chippy**

to trade from a location in  
Village Square Ticehurst, East Sussex (area marked in red in Appendix B only)  
for the period 01/04/2022 to 31/03/2023  
Trading: Fish and Chips  
Day and times: Thursday: 11:30 to 14:00 and Friday: 11:30-19:00 only

subject to the following conditions:

1. This Consent relates to the stationing of one vehicle not exceeding 6 metres length x 2.2 metres depth, 2.7 metres in height.
2. The form, position and condition of the stall shall be in the absolute discretion of the Council which may, through its duly authorised officer, reasonably require its alteration or removal at any time.
3. The Trader maintain the vehicle in a proper condition ensuring that it cannot constitute a danger, nuisance or annoyance to any member of the public resorting to the street.
4. The Trader may not place goods beyond the boundaries of the stall either on the ground or hanging.
5. The Trader must exhibit his name and address/telephone number. The Council may at any time reasonably require removal or alteration of any other advertisement which is dangerous, offensive or otherwise out of character with the area.
6. The Trader must dispose properly of all waste generated.
7. The Trader and those employed by him must not shout, sing, play any musical instrument, wireless, or recorded music.
8. The Trader must not do or permit to be done anything which in the opinion of the Council may be a nuisance or annoyance to any resident, member of the public resorting to the street or which may be detrimental to the efficient operation of adjacent public houses and shops.
9. The Consent is personal to the Trader and may be revoked forthwith in the event of any of the above conditions or requirements made thereunder being

broken. Trading in the street without Consent is a criminal offence.

10. The Trader may not sell the following goods:  
live animals, birds and reptiles; fireworks, depictions of nude persons; sex shop goods; unsheathed knives; and any other items the general sale of which is prohibited under English law.
11. The Trader shall comply with all relevant legislation including without prejudice to the generality the Food Safety Act 1990, the Health & Safety at Work etc Act 1974 and the various Orders and Regulations made thereunder.
12. The vehicle shall be removed within 10 minutes of the termination of the trading.
13. The Trader must be at least 17 years old.
14. If a temporary electricity supply is provided, the installation must be certified as safe by a qualified electrician before trading. The certificate to be retained and available for inspection by Council officers at any time.
15. Please note unless a road closure order is made, this area is a highway, this consent does not grant exclusive use of the Village Square. The Council has no power to require any occupiers of the Square to leave and takes no responsibility in this regard.

### **Additional Conditions**

16. A payment of £125 for trading on a Thursday until 31/03/23 and £125 for trading on a Friday until 31/03/23 to be made to Rother District Council, before trading commences.  
[for the administration and enforcement of conditions]
17. The generator must not be audible inside any premises, with windows open for ventilation.  
[to ensure a noise nuisance does not occur]
18. The Trader must be a registered food business operator.  
[to comply with legislation]
19. No trading on Bank Holidays or when public events are organised by Ticehurst Parish Council.  
[to enable public events to occur]
20. Provide a current gas safety certificate. Gas fixtures and systems require appropriate certification from a competent person who is gas safety registered for bottled gas appliances. The certificate to be retained and available for inspection by Council officers at any time.  
[for public safety]
21. Provide fire blanket and suitable fire extinguisher. Fire extinguisher(s) should be suitable for grease, gasoline, fat and oil, and electrical fires.  
[for public safety]

22. Complete and keep a record of a fire risk assessment, see: [https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.nationalfirechiefs.org.uk%2Fwrite%2FMediaUploads%2FNFCC%2520Guidance%2520publications%2FProtection%2FEvents%2520safety%2F210707\\_NFCC\\_Food\\_Consessions\\_FRA\\_\(1\).docx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.nationalfirechiefs.org.uk%2Fwrite%2FMediaUploads%2FNFCC%2520Guidance%2520publications%2FProtection%2FEvents%2520safety%2F210707_NFCC_Food_Consessions_FRA_(1).docx&wdOrigin=BROWSELINK)
- The risk assessment to be retained and available for inspection by Council officers & ESFRS at any time.  
[for public safety]

