



TAXI AND GENERAL SUB COMMITTEE

MINUTES OF THE DIGITAL MEETING HELD VIA MICROSOFT TEAMS ON
THURSDAY, 15TH JULY 2021 AT 11.00 A.M.

PRESENT

Councillor J. Simmonds – Chair

Councillors:

M. Davies, J.E. Roberts

Together with:

L. Morgan (Licensing Manager), S. Lewis-Williams (Senior Licensing Officer), P. Smith (Licensing Officer), M. Wallbank (Senior Solicitor), R. Barrett (Committee Services Officer)

Representing the Applicant

Mrs R. Warry (by telephone)

INTRODUCTION AND RECORDING ARRANGEMENTS

As the meeting immediately followed an earlier session, the start time was delayed to 11.20am.

The Chair welcomed all those in attendance and introductions were made. The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View](#)

1 APOLOGIES FOR ABSENCE

It was noted that apologies had been received from one of the local residents who had made representations but was unable to attend the meeting.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the course of the meeting.

3 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - APPLICATION FOR STREET TRADING CONSENT

The Legal Advisor to the Sub Committee outlined the procedure for the meeting, including the order of representations and the opportunities for all parties to ask questions.

Mrs Sandra Lewis-Williams (Senior Licensing Officer) presented the report and outlined the application submitted by Mrs Rachel Warry (trading as Supreme Snacks) for the grant of a street trading consent for a catering trailer located at the rear carpark of The Station Inn, Nantgarw Road, Caerphilly, CF83 1AQ. The applicant sought consent to operate between the hours of 08:00 to 22:00 Monday to Sunday.

It was noted that during the 14-day consultation period, no representations or adverse comments in respect of the application were received from any of the appropriate bodies, (including Environmental Health).

Representations were received from two local residents in objection to the application and full details were appended to the Officer's report. It was noted that the two residents were not in attendance but their concerns would be taken into account by the Sub Committee. In relation to these representations, the Sub Committee were asked to note that the Station Inn pub can trade beyond the hours of application for the street trading consent, and were also advised of parking difficulties highlighted by residents, where following a change of ownership, residents have indicated that they are no longer permitted to park in the car park owned by the pub.

Attention was drawn to the determination process as set out in the Street Trading Policy and to the way in which the Sub Committee would deal with the application. Members were referred to the recommendation set out in the Licensing Manager's report, which recommended that the application for the Street Trading consent be granted as applied for.

It was also noted that that determination of the matter rests with the Taxi and General Sub Committee and that there are no further rights of appeal.

All parties present were afforded the opportunity to ask questions, and the Senior Licensing Officer and Licensing Manager responded to queries from the Sub Committee on the contents of the report. Clarification was provided on the siting of the catering trailer and its proximity to the public house and neighbouring properties. Discussion took place around a biomass burner at a neighbouring site which had generated smoke pollution complaints. Officers outlined Environmental Health provisions and the requirements placed on a licence holder to ensure they do not create a statutory nuisance under the Environmental Protection Act 1990.

Representations were then invited from the applicant, Mrs Rachel Warry, who explained that her catering trailer would be located at the back of the Station Inn carpark as far away from neighbouring properties as possible, that there were arrangements in place to dispose of any waste and recycling, and that the level of noise from the trailer would be minimal. Mrs Warry also referred to the complaints around the biomass burner at a neighbouring site and stated that she understood the residents' frustrations, but that these were not relevant to the running of her business.

All parties present were afforded the opportunity to ask questions, and Mrs Warry responded to questions from the Sub Committee and the Legal Advisor in relation to the waste disposal arrangements for her business. She also confirmed that cooking equipment in the trailer will be kept clean to minimise the risk of adverse smells.

All parties were afforded the opportunity to sum up before the Taxi and General Sub Committee retired to make its decision.

The Senior Licensing Officer referred Members to the application and asked them to note the concerns of the two local residents as set out in the agenda pack, together with the

appropriate protections offered through Environmental Health legislation if the licence were granted.

Mrs Warry expressed a wish to maintain a good relationship with local residents and confirmed that she would take their concerns into consideration.

The Sub Committee retired at 11.52 a.m. to make its decision and reconvened at 12.08 p.m.

Following consideration of the application for the grant of a Street Trading consent for a catering trailer located at the rear carpark of The Station Inn, Nantgarw Road, Caerphilly, CF83 1AQ, and having regard to the Licensing Manager's report and all the representations made, the Taxi and General Sub Committee unanimously

RESOLVED that for the reasons set out at the meeting, the application for the Street Trading consent be GRANTED as applied for (Monday to Sunday between the hours of 8.00 a.m. to 10.00 p.m.)

In making their decision, the Sub Committee noted the comments of the Licensing Officer that there had been no objections to this application from Responsible Authorities.

The Sub Committee took into consideration the comments received from local residents with regard to the potential for noise nuisance, smells and litter. However, with regard to noise nuisance, this is an urban location in a town which is adjacent to a public house with a licence to sell alcohol until 11.00 p.m. and furthermore, the proposed site is not immediately adjacent to any residential premises. The applicant confirmed that the equipment in the trailer will be kept clean to minimise the risk of adverse smells. With regard to litter, the Licensing Officer confirmed that the applicant has in place an appropriate contract with a waste disposal contractor.

The Sub Committee also had regard to the fact that the public will be protected by legislation such as the Environmental Protection Act 1990 with regard to nuisance and also food safety legislation with regard to the cleanliness of the site. The trailer is to be situated on private property and the deprivation of any previously held parking entitlement is not a relevant consideration. Overall, the Sub Committee were satisfied that the applicant's intended operation is appropriate for the location proposed.

The applicant was reminded that there is no right of appeal of the Sub Committee's decision.

The Chair thanked all parties for their attendance and the meeting closed at 12.15 p.m.