



LICENSING SUB-COMMITTEE

MEETING : Wednesday, 1st July 2020

PRESENT : Cllrs. Finnegan, Hansdot and Walford

Officers

City Centre Improvement Officer

City Centre Improvement Officer

City Centre Improvement Officer

Solicitor, One Legal

Democratic and Electoral Services Officer

Also in Attendance

Mr Taran Catley, Appellant

APOLOGIES : None.

1. ELECTION OF CHAIR

Councillor Walford was elected Chair for the meeting.

2. WELCOME AND INTRODUCTIONS

Those present introduced themselves and the Chair outlined the procedure to be followed for the meeting.

3. DECLARATIONS OF INTEREST

No declarations were made on this occasion.

4. APPLICATION FOR DETERMINATION

Licensing Officer's Report

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The City Centre Improvement Officer presented a report inviting members to consider the appeal by Mr Catley against the decision to refuse a street trading consent against agreed criteria.

Appellants Statement

Mr Catley agreed that all information outlined in the City Centre Improvements Officers report was correct.

Mr Catley said that he and his company had been trading in Kings Square for 15 years. He stated that this application was made after the closure of Kings Square Market negatively impacted his business, as there had been less custom since the move into Eastgate Market.

Mr Catley said that he had been offered to move into Eastgate Market in October 2019 and added that the indoor market had not been viable.

Mr Catley said that the Conservation Officer had raised issues about the possible damaging of York Stone. He stated that there would be no damage of the curbs, pavements or York Stones.

Mr Catley concluded by stating that he was desperately seeking to continue trading in Gloucester and that Eastgate Market was not a viable option. He added that, if he could not find an alternative location to trade, then he feared that he may lose his business. He said that he felt that there could be some mediation to allow his business to continue operating within the city centre of Gloucester.

Councillor Hansdot asked Mr Catley if he had been trading in the City Centre.

Mr Catley responded that he had been trading for approximately 15 years in Kings Square every Friday and Saturday.

The Chair asked Mr Catley to confirm whether he intended to use a Gazebo on the site.

Mr Catley responded that he would either be using a unit or a Gazebo on the site but not both.

The Chair asked whether Mr Catley was willing to mediate with officers about locating to somewhere other than the Oxbode in Gloucester, so long as it was within the City Centre.

Mr Catley stated that he was prepared to mediate.

The Solicitor noted that Mr Catley would have to complete a new application if he wanted to locate somewhere other than the Oxbode, should his appeal be dismissed.

The Chair asked Mr Catley to explain what he meant about the ambience of the area.

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Mr Catley replied that concerns had been raised about the impact a street trading unit may have on the ambience of the area. He noted that there was a reduction of footfall in high streets throughout the Country. He said that if there was no reason to bring people into the area, then concerns raised about the ambience of the area would be irrelevant as there would not be people there.

Summing Up by the Licensing Officer

The City Centre Improvement Officer outlined the options available to the Sub-Committee detailed in paragraph 2.1 of the report.

Summing up by the Appellant

Mr Catley stated that he did not want to move his business outside of Gloucester as he had spent 15 years trading successfully in the city.

The Decision

The Sub-Committee having considered the appeal by Mr Catley against the decision to refuse a street trading consent against agreed criteria has **resolved:-**

- a) To **dismiss** the appeal against the refusal because the siting of a trading unit is not considered to be compatible with the character of the area in which it is proposed to be situated. The design of the unit is considered likely to have a significant adverse impact on the visual amenity of the area;

and

- b) The appearance and use of the Street Trading Unit including associated equipment or structures is not considered to be complimentary to the ambience and vitality of the locality.

and

- c) The siting and operation of any trader is considered likely to cause problems of highway safety, obstruction to users of the highway and create unacceptable parking issues.

The reason for the decision is based on the above and considering the City Council's policy on street trading.

The re-generation of Kings Quarter and Kings Square is not to have trading units like Mr Catley proposed in that area.

The paving area is not compatible to have any kind of unit trading on it. However, the sub-committee would like to see Mr Catley trade in Gloucester but unfortunately not in the Oxbode. The sub-Committee urges Mr Catley to contact the licensing team prior to any new application to discuss suitable locations as the sub-

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Committees believes it would a shame to lose Mr Catley's business from Gloucester.

There is no right of appeal to this decision

Time of commencement: 3.00 pm hours

Time of conclusion: 3.38 pm hours

Chair