

Minutes of a meeting held in the Claud Castleton Room, Riverside, Lowestoft  
on **Wednesday, 6 February 2019** at **6.15pm**

Members Present:

N Brooks (Chairman), P Ashdown, M Cherry, Y Cherry, L Coulam, J Craig, L Gooch and T Mortimer.

Officers Present:

C Bing (Legal and Licensing Services Manager), P Holland (Licensing Officer) and S Carter (Democratic Services Officer).

In attendance:

Councillor M Rudd, Cabinet Member for Community Health and Safety  
T Bailey (Senior Licensing Officer)

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**1 APOLOGIES / SUBSTITUTES**

Apologies for absence were received from Councillors Ardley, Back, Catchpole, Goldson, Grant, Green, Springall and S Webb.

**2 DECLARATIONS OF INTEREST**

No declarations of interest were made.

**3 DECLARATIONS OF LOBBYING**

No declarations of lobbying were made.

**4 MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 5 December 2018 be approved as a correct record and signed by the Chairman.

**5 STREET TRADING**

The Licensing Officer presented the report, the purpose of which was for Members to consider an application for the available street trading licence in London Road North, Lowestoft.

Members were reminded that, in accordance with its scheme of street trading, the Council had designated streets within the District as either 'Prohibited' or 'Licensed' or 'Consent' streets. Those provisions made it clear to traders which streets they could and could not use. London Road North had been designated a 'Licensed' area and a previous Committee decision had resulted in only two street trading licences being granted in the street as it was a prime retail area.

The Licensing Officer explained that one licence was held by a fast food vendor and the second licence, held by a vendor in ladies fashions, had been surrendered in December 2018. The application now before the Committee was for local produce in the form of fruit and vegetables, full details of which were contained in Appendix B to the report.

The Applicant was a locally established business who had been selling fruit and vegetables on and off since 2004, both in London Road North and in the Britten Centre market. If Members were minded to grant the application, Mr Marshall had requested flexibility on days of trading as he relied on local suppliers. The Committee was advised that Mr Marshall had intended to attend the meeting but had sent his apologies due to being away on holiday.

The Licensing Officer explained that charging would be by way of a pro-forma for the Applicant to complete and return to the Licensing Team advising the exact days he had traded. That would be backed up by CCTV to ensure that there was no overcharging or under pricing.

Members asked questions relating to:

- Disposal of refuse.
- The proposed stall and current shop.
- The use of the Britten Centre.
- The location of the stall.
- Organised trade markets.

The Licensing Officer confirmed that there would be a condition on the licence with regard to the collection and disposal of rubbish; that would be the responsibility of the Applicant. The Applicant intended to keep his shop in addition to selling produce from the stall. The Britten Centre was privately owned land and Licensing had no responsibility with regards to its use. The stall was likely to be located in the vicinity of Clintons Cards; the stall would fit in with the existing street furniture and not cause any obstruction to ambulances or nearby shop doorways. The Licensing Officer further explained that as the Applicant paid a license fee, he would take precedence over any street trading as part of an event. She pointed out that Lowestoft Vision could not organise just a market, it would have to be an event because Lowestoft Town Council had expressed the view that it would not support any market in the town centre because of the established market at The Triangle.

The Licensing Officer reported that there had been only positive responses to the consultation; no negative views had been received.

Members welcomed the proposal. It was considered that the high street trade had suffered recently, the Applicant had been around for a number of years and had proved to be popular and there was no reason why the application should be turned down. The Committee welcomed the fact that the items to be sold were local produce and the items for sale should encourage people to eat healthily. The application was unanimously supported and it was

**RESOLVED**

That the application by Mr C Marshall for the available Street Trading Licence in London Road North, Lowestoft, be approved.

The meeting was concluded at 6.28pm.

Chairman