



Record of Decision

Licensing Sub Committee

Date of Hearing: Monday, 20 October 2025

Members: Councillors D Oliver (Chairman), A Miscandlon, P Murphy and D Cutler (substitute)

New Application for a Street Trading Consent under the Local Government (Miscellaneous Provisions) Act 1982

Application considered

Representations heard from Frank Cannata and Mrs Cannata.

We have found the following facts:

- Mr Cannata has traded from the location identified in the hearing but has not previously been permitted to trade from a location inside the gate/park unless at a specific event.
- Mr Cannata has previously paid a fee to Fenland District Council's Parks and Open Spaces Team.
- Mr Cannata now applies under the Local Government (Miscellaneous Provisions) Act 1982 for a Street Trading Consent for the location.

Law and guidance considered

- Local Government (Miscellaneous Provisions) Act 1982, Schedule 4.
- Fenland District Council's Street Trading Consent Policy 2025.

Legal advice provided

- Street Trading Consents are issued under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

- A Street Trading Consent cannot be granted for a period longer than 12 months.
- In assessing whether to grant or renew a Street Trading Consent the Council's Street Trading Consent Policy gives assessment criteria.

Matters found to be irrelevant

None.

Decision

To grant the application for a street trading consent for the on-street location identified in the application but not for the location within the park.

Reasons for reaching the decision

This is an application for a Street Trading consent for a location just outside, or in the alternative just within, March Park.

Whilst the Sub-Committee have concerns about the suitability of the location given its intended purpose as a turning point, the Sub-Committee were mindful that permission to use the space appeared to have been granted previously by the Council's parks and open spaces team and that no problems had occurred.

The Sub-Committee were not minded to grant the alternative location sought within the park on the basis that they had granted the initial location and that the Sub-Committee cannot grant permission to use an area within a park.

The Sub-Committee wishes to make it clear to both parties, the Applicant and Cambridgeshire County Council, that the Street Trading Consent does not relieve the Consent Holder of the need to comply with other legislation e.g. the Road Traffic Act and/or the Highways Act and that the Council's consent does not equate to permission to breach other legislation. The Consent Holder is reminded of Condition 28 of the Council's Standard Conditions that addresses specifically this point.

The Sub-Committee notes that consents are renewable annually and may be revoked at any time should matters change.

PLEASE NOTE

Any person aggrieved by this decision can apply to appeal the decision within 21 days by making a complaint to:

Peterborough, Huntingdon and Fenland Magistrates Court
The Court House
Bridge Street
Peterborough
PE1 1ED

There may be a fee to pay.