



Record of Decision

Licensing Sub Committee

Date of Hearing: Monday, 16 March 2026

Members: Councillors D Oliver (Chairman), A Hay, N Meekins and P Murphy (substitute)

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

Application considered:

The Licensing Sub-Committee considered an application for a new Street Trading Consent from Ms. Olga Malolepza (t/a Hampton Fruits) to trade from a static location in Broad Street (opposite Sharman Quinney).

The application requested the ability to sell fruits and vegetables between 09:00 and 18:00 Monday to Saturday.

The application was consulted on correctly with responses requested from the usual consultees.

The application received one objection from Fenland Council's Street Scene and Markets Team Leader who did not attend.

The application has been referred to the Licensing Sub-Committee for determination.

The Licensing Sub-Committee heard from the Applicant who explained their business model and how they would trade subject to being granted permission.

Law and Guidance considered:

In reaching its determination, the Licensing Sub-Committee considered:

- The provisions of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (Control of Street Trading).
- Fenland District Council's Policy in respect of Street Trading.
- The Licensing Officer's Report in respect of the application to be determined; and
- Any legal advice provided (as set out below) to it in respect of these types of application.

Legal advice provided:

The Licensing Sub-Committee were reminded of their options in respect of these types of application, namely that the Sub-Committee could:

- Grant the Street Trading Consent; or
- Grant the Street Trading Consent modified to the extent that the Sub-Committee feel necessary to grant it; or
- Refuse the Street Trading Consent.

The Licensing Sub-Committee were reminded of the Policy that applies to applications of this type and that the overriding legislation in respect of Street Trading Consents may be found in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.

Decision:

To GRANT the application for a Street Trading Consent subject to the following additional conditions (in addition to the Council's Standard Conditions for Street Trading Consents):

The Consent Holder shall not engage in Street Trading at any time when the March Market is operating or when a specific event is taking place in March town centre (save with the express permission of the Licensing Manager of Fenland District Council).

The Consent Holder shall not bring any motorised vehicle onto the pedestrianised footway of Broad Street and any loading or unloading of goods and/or stalls shall take place manually from a recognised loading bay.

Reasons for reaching the decision:

The Sub-Committee heard from the Applicant that they were willing to reduce the scope of their application so that their trading would not directly conflict with the existing March Market. The Sub-Committee found this helpful as this was a concern. The Sub-Committee determined to add an additional condition to the Street Trading Consent to the effect that the Consent Holder must not engage in Street Trading at such times as the March Market is operational and/or specific events are taking place in March town centre unless express permission is given by the Council's Licensing Manager. The Sub-Committee felt that this additional condition was necessary to strike a proportionate balance between the applicant and existing traders and/or events that may take place in March, for example Christmas Markets, parades, or remembrance services.

Additional concerns raised by the Sub-Committee included how the applicant would get their stock and stall to and from the location given the paucity of parking and loading/unloading options. The Applicant advised that they will load and unload from the correct location and would invest in a trolley to move/remove goods and the stall itself, which would at no time be left on site overnight.

The Applicant also dealt with concerns regarding waste by offering that they will have appropriate measures in place to deal with the removal of waste, which the Sub-Committee noted is a standard condition in any event.

Having heard from the Applicant and considered the evidence presented to it, the Sub-Committee determined that it would be appropriate and proportionate to grant the Street Trading Consent with two additional conditions dealing with trading times and loading and unloading arrangements.

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.