



Maidstone Borough Council

Local Government (Miscellaneous Provisions) Act 1982

Schedule 3

Notice of determination of an appeal to the sub-committee for refusal of a street trading consent

Applicant: Mr Adrian Ghinea

Date of Determination: 3rd December 2020

I hereby give you notice that Maidstone Borough Council has decided to REFUSE your application for a street trading consent to trade at the corner of London Road and Hildenborough Crescent, Allington.

The sub-committee noted that the applicant did not attend the hearing but agreed that there was sufficient evidence to proceed in their absence.

The sub-committee had regard to all the evidence presented prior to the hearing and in the absence of the applicant had particular regard to the responses they had provided to the objections in advance of the hearing. The Sub-committee also had regard to the representations made during the hearing.

Having considered all of the available evidence the sub-committee was not satisfied that the proposed location was capable of meeting the requirements of the Council's street trading policy with regard to obstruction and nuisance.

The sub-committee considered that the specific nuisance was that caused to motorists seeking to exit Hildenborough Crescent, who would have their view of the London Road impeded by the vehicle on the pavement and the customers queueing, particularly whilst practising social distancing. This would cause safety issues for other road users and was therefore not acceptable.

The sub-committee were clear that they were, in principle, in favour of applications of this nature, but the proposed location was not acceptable, due to the impact on other road users.

Signed:

Date of Notice: 08th December 2020

Councillor David Naghi
Chairman of the Licensing Sub-Committee