

LICENSING PANEL
10/07/2018 at 9.30 am



Present: Councillor Moores (Chair)
Councillors Cosgrove and Price

Also in Attendance:

Jerome O'Malley	National Car Boot Sales
Dylan Leech	National Car Boot Sales
David Smith	Principal Licensing Officer
Shamim Iqbal	Licensing Hearing and Projects Officer
Sara Hewitt	Markets and Town Centre Manager
Sian Walter-Browne	Constitutional Services
A Member of the Public	

1 **ELECTION OF CHAIR**

RESOLVED that Councillor Moores be elected Chair for the duration of the meeting.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Byrne. Councillor Cosgrove attended as a substitute Member.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **ORDER OF PROCEEDINGS**

RESOLVED that the order of proceedings be noted.

7 **APPLICATION FOR PERMISSION TO HOLD A CAR BOOT SALE**

Consideration was given to a report of the Trading Standards and Licensing Manager which outlined an application received that sought permission to hold a temporary market for a car boot sale on land at Oldham Athletic Football Club, Oldham. Oldham Council held the market rights within 6 2/3 miles from its market on Tommyfield and therefore had the right to withhold its consent. There had also been objections received to the application and a petition had been submitted objecting to the holding of car boot sales on the car park.

Members were asked to consider the application and the objections, and determine whether or not permission should be granted.



Members heard from the applicants that they had extensive experience in running successful car boot sales in different areas of the country. They were informed that this site had licences in the 1980's and 1990's and a licence had been granted earlier this year. The applicants explained that they wished to run a trial on the Oldham site for six weeks, to show that car boot sales could be held there successfully without affecting the residents. They explained to Members the steps they had taken elsewhere to ensure the car boot sale was professionally run and to manage any anti-social behaviour. Clarification was provided to Members that this application was for one date only and other dates may be applied for.

Members asked for and received clarification on the relationship with the football club and landowner. The applicants also explained how they had tried to engage with local residents by leaflet drops and a meeting with local people. They indicated to members where on the site the car boot sale would take place and that there would be a buffer zone between the trading area and the nearest houses. It was intended that the entrance and exit would be via Sheepfoot Lane.

Members heard from the Markets and Town Centre Manager who informed them that the Council had a car boot sale every Sunday on the Tommyfield market site. There was a good mix of stalls and it was very successful, making a contribution to the town centre trade. Members heard that the car boot sale applied for could take away traders and customers from the existing one and it was uncertain whether Oldham could sustain two such sales geographically close together and on the same day of the week. Members noted that the existing car boot sale operated between 6.00am and 1.00pm. The application was for a sale trading between 12.00 noon and 4.00pm.

Members heard from a member of the public who referred them to the petition and detailed the problems local residents were having with anti-social and illegal behaviour on the site. She explained that residents wanted one day of peace of quiet. The sales held on the site earlier in the year had been very poorly attended so the effect on residents could not be assessed.

All parties summarised their case.

Having had regard to all of the evidence presented to them the Panel **RESOLVED** that:-

1. The application to hold a car boot sale on 29th July be granted, subject to:-
 - a) The conditions set out in the Council's Code of Practice
 - b) The trading and parking areas being clearly identified and agreed with the Licensing Service

c) The entrance and exit being from Sheepfoot Lane and this be included on all advertising material and media

2. The Council would not object to a further five car boot sale dates, to be agreed with the Licensing Service
3. The applicants be encouraged to maintain ongoing contact with local residents to quickly identify and address any issues.



Oldham
Council

The meeting started at 9.30 am and ended at 11.12 am