

A meeting of the **LICENSING AND PROTECTION SUB-COMMITTEE** will be held in **CONINGSBY & BOURNE, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **TUESDAY, 24 MARCH 2026** at **11:00 AM** and you are requested to attend for the transaction of the following business:-

## **AGENDA**

### **1. ELECTION OF CHAIR**

**Contact Officer:**

### **2. MINUTES (Pages 3 - 4)**

To approve as a correct the Minutes of the meeting held on 16th February 2026.

**Contact Officer: Democratic Services - (01480) 388169**

### **3. MEMBERS INTERESTS**

To receive from Members, declarations as to disclosable pecuniary other registerable and non-registerable interests in relation to any Agenda Item. See Notes below.

**Contact Officer: Democratic Services - (01480) 388169**

### **4. LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE (Pages 5 - 6)**

**Contact Officer:**

### **5. APPEAL FOLLOWING REFUSAL TO GRANT STREET TRADING CONSENT (Pages 7 - 34)**

To consider a report by the Licensing Team.

**Contact Officer: Licensing - (01480) 387075**

9 day of March 2026

***Michelle Sacks***

Chief Executive and Head of Paid Service

## **Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests.**

Further information on [Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests is available in the Council's Constitution](#)

## **Filming, Photography and Recording (including Live Streaming) at Council Meetings**

This meeting will be filmed for live and/or subsequent broadcast on the Council's YouTube site. The whole of the meeting will be filmed, except where there are confidential or exempt items. If you make a representation to the meeting you will be deemed to have consented to being filmed. By entering the meeting you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding the streaming of Council meetings, please contact Democratic Services on 01480 388169.

The District Council also permits filming, recording and the taking of photographs at its meetings that are open to the public. Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

**Please contact Democratic Services, Tel: 01480 388169 / email: [Democratic.Services@huntingdonshire.gov.uk](mailto:Democratic.Services@huntingdonshire.gov.uk) if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.**

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the [District Council's website](#).

### **Emergency Procedure**

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in CONINGSBY AND BOURN, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN on Monday, 16 February 2026.

PRESENT: Councillor N Wells – Chair.

Councillors B S Banks, J Clarke and S J Criswell.

### **18. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 3rd November 2025 were approved as a correct record and signed by the Chair.

### **19. MEMBERS INTERESTS**

No declarations were received.

### **20. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED

that the press and public be excluded from the meeting because the business to be transacted contains exempt information relating to individuals and is subject to an obligation of confidentiality.

### **21. LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE**

The Licensing and Protection Sub-Committee's Procedure was received and noted.

### **22. NEW APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE**

With the assistance of a report by the Licensing Officer (a copy of which is appended in the Annex to the Minute Book) the Sub-Committee considered an application for a Private Hire Driver's Licence from Mr RH whose application had been referred to the Licensing and Protection Sub-Committee for consideration.

Copies of the applicant's checks undertaken by the Driver and Vehicle Licensing Agency (DVLA) were provided to the Sub-Committee and Members were advised of the options available to them in respect of this application.

Mr RH was then permitted to address the Sub-Committee and in doing so took the opportunity to explain the incidents detailed within the report. Following questions from Members he then left the meeting to enable Members to make their determination.

The Sub-Committee gave careful consideration to the application, the information within the committee report, the contents of the DVLA checks together with the submission made by the applicant. The Sub-Committee also took into account the District Council's guidelines relating to the relevance and treatment of convictions, the District Council's Schedule of Conditions of licence, the legislative and policy provisions, statutory guidance and advice from their legal representative.

Whereupon, it was

RESOLVED

that the application not be granted.

Chair



## HUNTINGDONSHIRE DISTRICT COUNCIL

### LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE

#### 1. INTRODUCTION

- 1.1 The following proceedings apply to the Licensing and Protection Sub-Committees established by the Licensing and Protection Committee of Huntingdonshire District Council.

#### 2. MEMBERSHIP

- 2.1 The Licensing and Protection Sub-Committee shall consist of four Members appointed from the Licensing and Protection Committee. In the event of the Chair of the Licensing and Protection Committee not being present, the Sub-Committee shall elect a Chair from amongst its members for the purpose of that meeting.
- 2.2 The quorum for meetings of a Sub-Committee shall be three members but a Sub-Committee shall always try to ensure that four members are present.
- 2.3 Members should endeavour to be present throughout the entire meeting. If a member is required to leave temporarily, the Chair shall adjourn the meeting whilst that member is unavailable. If a member is absent whilst that meeting is taking place, for any reason, they will not be able to take part in the matter under discussion on their arrival / return and can not vote on that matter.
- 2.4 A member will not take part in a meeting at which a matter is being discussed which relates to an application / case where either the applicant / licence holder is resident in or the premises is situated in the ward which s/he represents.

#### 3 NOTICE OF MEETINGS

- 3.1 When the date of a Sub-Committee is arranged, notice shall be given to all parties.
- 3.2 The notice of the meeting shall be followed with a copy of the meeting agenda, 5 working days prior to the meeting.

#### 4 THE MEETING

- 4.1 The Sub-Committee may exclude the public from all or part of a meeting where it considers the public interest in so doing outweighs the public interest in the meeting or that part of the meeting taking place in public. The Sub-Committee will normally resolve to exclude the public from that part of the meeting during which it determines the matter.

- 4.2 Subject to the above, a party may attend the meeting and may be assisted or represented by any person whether or not that person is legally qualified.
- 4.3 At the start of the meeting, the Chair will introduce the members of the Sub-Committee and any officers in attendance and shall ask the parties and any persons accompanying them to state their names and addresses or who they represent.
- 4.4 The Chair will explain to those present that the meeting is subject to this procedure, copies of which will have been distributed to the parties with the agenda for the meeting and shall ask if there are any questions of clarification or explanation about its contents.
- 4.5 The Licensing Officer will then present the application / case for consideration.
- 4.6 The Chair will then invite the applicant / licence Holder, or his representative to address the Sub-Committee on his application / case and to respond to any points upon which clarification is required. S/he may also call any person(s) to whom permission has been granted to appear in support of his/her application or case.
- 4.7 The applicant / licence holder, his representative or any person called on their behalf may be asked any questions upon their presentation by any Member of the Sub-Committee or by an officer of the Council.
- 4.8 The party or his representative or any of his witnesses may be asked any questions upon their presentation by any member of the Sub-Committee or by the applicant or his representative or any of the other parties present at the hearing or their representatives.
- 4.9 After the applicant / licence holder or his representative has addressed the Sub-Committee and after comments and questions have been invited, they will be invited to leave the meeting and await the decision of the Sub-Committee. An Officer from Legal Services will remain with the Sub-Committee to provide legal advice only.

## **5 Determination of Applications / Cases**

- 5.1 At the conclusion of the meeting, the Sub-Committee will determine the application / case as soon as practicable after the meeting has concluded.
- 5.2 The Licensing Authority will notify the applicant / licence Holder and parties of its decision as soon as possible.

## LICENSING AND PROTECTION SUB-COMMITTEE

24<sup>th</sup> MARCH 2026

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

APPEAL FOLLOWING REFUSAL TO GRANT STREET TRADING CONSENT

Higgy's Ltd - Layby, London Road, Yaxley PE7 3TB

### 1. INTRODUCTION

1.1 Huntingdonshire District Council as the Licensing Authority has received an application for the grant of street trading consent:

from **Higgy's Ltd**

to trade at the location **Layby, London Road, Yaxley PE7 3TB**

The application was received on **15 January 2026**.

1.2 A copy of the application is attached as **Appendix A** (application) & **Appendix B** (photo)

### 2. REPORT

2.1 The application for consent is to permit street trading from the location above for the following dates and time:

a. **Street Trading - Static**

i. Tuesday to Saturday – 0900hrs to 2100hrs

2.2 Upon receipt of the application, an officer assessment was conducted to determine the suitability of the application before sending it for consultation with Responsible Authorities. During this assessment, additional information was obtained from Higgy's Ltd in support of the application.

2.3 This information, including the pre-consultation and post-consultation officer assessment is attached as **Appendix C**, which also includes responses from Responsible Authorities.

### 3. MATTERS TO BE TAKEN INTO ACCOUNT

3.1 The application was refused on 25/02/2026. A copy of the refusal letter is attached as **Appendix D**.

3.2 The sub-committee must consider all of the information contained in **Appendices A, B, C and D**, as well as the written submissions from Higgy's Ltd found in **Appendix E** and **Appendix E1**.

3.3 **Appendix F** (site photos for report) contains photos taken on 09/03/2026 which are for the benefit of this report.

3.4 Higgy's Ltd have previously held a street trading licence which expired on 12/11/2025. This licence was granted prior to the implementation of the current

street trading policy (23/10/2025). The application attached in **Appendix A** is the first application submitted by Higgsy's Ltd under the new policy and is separate to any prior licence applied for or issued by HDC.

#### **4. POLICY & LEGISLATIVE CONSIDERATIONS**

4.1 The licensing authority must carry out its functions under the Act and the sub-committee must also have regard to:

- a. its street trading policy - [Street Trading Policy](#)
- b. the Local Government (Miscellaneous Provisions) Act 1982

#### **5. DETERMINATION**

5.1 In making a decision, this appeal must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.

5.2 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Uphold the decision to refuse street trading consent
- Overturn the decision to refuse and grant street trading consent with consideration to the optional extra measures below:
  - Add additional conditions to the street trading consent
  - Amend dates and times applied for.

5.3 Any decision made by the sub-committee must be reasonable and proportionate.

#### **BACKGROUND INFORMATION**

Local Government (Miscellaneous Provisions) Act 1982

The Council's Street Trading Policy

#### **LIST OF APPENDICES**

Appendix A – Application

Appendix B – Site Photo Submitted with Application

Appendix C – Officer Assessments including additional application information and representations from Responsible Authorities

Appendix D – Refusal Letter

Appendix E – Application for Appeal

Appendix E1 – Supporting Photo

Appendix F – Site Photos for Report

Online Application Details

General Details				
Licence Type	Street Trading Consent			
Application Type	Street Trading Consent - 1 month			
Fees	Type	Detail	Fee Multiplier	Total
	Initial admin fee	Application where previous licence granted	x1	£0.00
Total Fee(s)	£0.00			
Person to be Licenced	Mr Adam Miller Higgy's Ltd [REDACTED] [REDACTED] [REDACTED]			
Trading Name	Higgy's			
I am the	Proposed Licence Holder			
Agent Details				
Proposed Licence Holder Details	Higgy's Ltd [REDACTED] [REDACTED] [REDACTED] [REDACTED]			
Additional Proposed Licence Holder(s)				
Additional Contacts				
Licence Type Additional Data Setting				
Have you Previously Held a Street Trading Consent with HDC?	Yes			
Details of previous licence	Street Trading			
Are you applying for Static Consent?	Yes			
What 3 Words Reference				
Mobile Traders - Please provide a list of the town and/or villages you intend to trade in.				
Unit description	Shipping Container			
Unit colour	brown			
Description of any signage	Higgy's logo to front and two menu boards			

Description of stock layout	no stock visible
Description of trading area, canopies and/or lighting	container on mud verge. small covered seating area to side
Waste facilities	no waste drainage or toilet waste. daily waste removed .
Description of any power source including make and model i.e. generators	Champion petrol generator
Staff Member 1 - Name	Adam Miller
Staff Member 1 - Age	██████
Staff Member 1 - Address	Amber Higgs
Staff Member 2 - Name	██████
Staff Member 2 - Age	
Staff Member 2 - Address	
Staff Member 3 - Name	
Staff Member 3 - Age	
Staff Member 3 - Address	
Staff Member 4 - Name	
Staff Member 4 - Age	
Staff Member 4 - Address	
Staff Member 5 - Name	
Staff Member 5 - Age	
Staff Member 5 - Address	
Street Trading Licence	
Static Traders - Location	
Unit Dimension (Height x Width x Length)	8ft x 10ft x 8ft
Articles To Be Sold	burgers. fries. cold drinks
Street Trading Time	
Day	Tuesday Wednesday Thursday Friday Saturday
Start Time	09:00 09:00 09:00 09:00 09:00
End Time	21:00 21:00 21:00 21:00 21:00
Further Details, including date for one day consents/start date for periods exceeding one day	. . . . . . .

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Customer Comments:

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## Officer Assessment

<b>Site Assessment</b>	
<b>Criteria</b>	<b>Officer Comments</b>
<b>Potential risks to public safety, including obstructions or unhygienic conditions, potential for public disorder</b>	The lay-by is large enough that vehicles attending the site should not cause issue with safe access to the lay-by, and the applicant has stated that customers usually come for 'take-away', although there is a seating area present so it is not possible to ascertain the true volume of traffic that attends site. The site has been the subject of three arson attacks due to the permanent nature of the structures so this needs to be factored in.
<b>Risk of public nuisance, such as noise, odour, litter or similar issues</b>	Noise and odour should not cause issue. Commercial waste contract may be needed – See additional information
<b>Impact on the safe movement of pedestrians, including wheelchair users</b>	Site is located on part of a lay-by so should not impact safe movement of pedestrians
<b>Whether planning permission is required for the proposed location</b>	There are fixed structures located at the site but Planning is a consultee.
<b>Proximity to places of worship, educational institutions, healthcare facilities or places of cultural or historical significance</b>	Not applicable
<b>Proximity to residential properties</b>	New build estate is in progress opposite, but no concerns from the proximity as it is far enough away from the estate that the site should not cause issue
<b>Proximity to other businesses, particularly where there may be obstruction, reduced visibility, or concerns around competition.</b>	No other businesses present that could be impacted by site location

<b>Unit Assessment</b>	
<b>Criteria</b>	<b>Officer Comments</b>
<b>The overall appearance and design, including height, width, colour, signage, stock</b>	No concerns with the overall appearance or design, subject to any comments to be made by Planning or Highways as a permanent structure has been built and cannot be taken away.

<b>layout, trading area, canopies and lighting</b>	
<b>The visual and physical impact on the character of the surrounding area</b>	No negative visual or physical impact
<b>The type and prominence of advertisements, including any illuminated signage and environmental impact, such as noise, emissions or disruption caused by generators or other equipment.</b>	Advertisements are unlikely to cause impact. Petrol generator unlikely to cause noise to the extent that the housing estate would be impacted.

**Additional Information Received**

Further information received from applicant on 16/01/2026

Site Plan

Seating Area. 3m x 2.5m	Container. 3m x 2.5m
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There multiple refuse bins in the layby which have been in place since we started trading in 2022. All our food is takeaway so some customers utilise these. Some leave the area to eat. All our packaging is and always has been fully compostable so if any customer discarded it irresponsibly it would breakdown.

Our own waste is either cooking oil, or recyclable packaging such as cardboard boxes. Our oil is collected periodically by our supplier to be used as biofuel I believe. I have a friend whose company has a large recycling waste contract so I can put ours in with him. There is also a local farmer and customers who take and shred a lot of our boxes for bedding for their chickens.

We have zero food waste. Due to the cost of ingredients, we have strict controls over how much is purchased and prepared.

We have 2x 4-seater wooden picnic benches with integrated seating. These are fixed in place and cannot move from the verge location into the highway. These sit well within the curtilage of the Seating Area. This set up has not changed since it was inspected by the council and also, I believe the Highways department approx. 18 months ago. FYI It was also exactly the same last year when it was included in the annual license.

**Officer Comments**

The site is within a lay-by, so consent from County Council Highways will be required as the land/area is managed by their department. The permanent structure covering the seating will also require consideration from Planning.

The site has been subject to recent arson attacks as the trading unit is not removed from site. Subject to the outcome of the consultation, consideration will need to be given to the trading unit and picnic benches being left in situ when trading is not occurring.

<b>Site Visit / Remote</b>	Remote Assessment
<b>Officer Name</b>	William Dell'Orefice
<b>Officer Title</b>	Licensing Officer
<b>Date of Assessment</b>	20/01/2026

**Post Consultation Assessment**

<b>Comments received from Consultees</b>	
<b>Consultee</b>	<b>Comments Received</b>
<b>Planning Enforcement</b>	I have an active enforcement case for this site (25/00003/ENUCO). The business activity is potentially being carried out on County land. At present no action has been taken until ownership has been confirmed.
<b>Highways – Policy &amp; Regulation</b>	<p>As far as the street trading aspect is concerned I have no objections to make, however, I must say this is a confusing situation and I'm unsure how this arrangement has been legitimised?</p> <p>Historically the verge within the layby had a kerbed edge, but for some reason this was removed or has been covered over with dirt. Then at some point someone must have permitted (or this was just done without permission) the construction of a small, tarmacked section along with the building of the Higgys's shack (all of which appears to be on land that is considered public highway).</p> <p>Presumably HDC planning can shed some light on this?</p>

	<p>Only other comments I can really make are that the log and posts that have been installed in front of the shack (shown on the latest Streetview images <a href="#">London Rd - Google Maps</a>), to protect the area for customers, should be removed as such structures are not permitted on the public highway.</p>
<p><b>Highways – Cambs County Council</b></p>	<p>The Council objects to the renewal of this street trading licence on the following grounds:</p> <ol style="list-style-type: none"> <li>1. Unauthorised expansion of the trading operation – The burger van has increased significantly in size beyond what was originally permitted in 2022. In addition, a lean-to/gazebo with seating has been erected for customers without permission from the Council increasing the footprint again. The layby site is not suitable or appropriate for a venture that has significantly grown since it first started trading. This is a material change.</li> <li>2. Highway safety concerns – The level of custom now consistently results in queues of vehicles extending from the layby onto the live carriageway, creating a clear risk to road users. This is contrary to the Council’s duty to ensure the safe operation of the highway.</li> <li>3. Repeated breach of licence conditions – <ul style="list-style-type: none"> <li>o The original licence from 2022 requires that, “The container must be removed within 24 hours from the location if required by an authorised officer”. The container is never removed and has become a permanent fixture in breach of this condition.</li> <li>o Condition 15 of the 2022 licence states that, “The Council reserves the right to require the site to be vacated by the holder of the consent at any time.” The Council is therefore fully entitled to require removal of the trading unit</li> </ul> </li> </ol>

	<p>particularly in light of the safety issues and unauthorised structures noted Above.</p> <p>4. Damage to the highway – The increased volume of vehicles attending the site generated by the popularity of the business has caused serious deterioration of the layby surface and drainage gully. Continued trading at this level exacerbates this problem causing further safety issues.</p> <p>For these reasons, including unauthorised expansion, persistent non-compliance with licence conditions, proven highway safety risks, and detrimental impact on the public highway the Council considers the site unsuitable for continued trading and therefore opposes the renewal of the licence.</p> <p>The Council would be willing to assist the applicant in identifying a more suitable and safer alternative location from which to trade</p>
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<b>Decision to Grant or Refuse</b>	<b>Refuse</b>
<b>Date</b>	<b>25/02/2026</b>
<b>Completing Officer</b>	<b>William Dell'Orefice</b>

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**PRIVATE & CONFIDENTIAL**

Higgy's Ltd  
22 Westbury Drive  
Hampton Gardens  
Peterborough  
PE7 8NQ

Our ref: 297968

Date: 25 February 2026

**REFUSAL OF AN APPLICATION FOR STREET TRADING CONSENT  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Dear Mr Miller,

Thank you for your recent application, the consultation period for your street trading consent application has now ended. During this consultation period we have received responses from Cambridgeshire County Council Highways and HDC Planning Enforcement in relation to both the site you are trading from and the unit itself.

Highways have deemed this site unsuitable for trade due to unauthorised expansion of your trading operation, highway safety concerns, repeated breach of previous licence conditions and damage to the highway. Their full comments can be seen below.

Planning Enforcement have also made comment that the activity you are proposing would require planning permission due to the permanent nature of your unit.

As the landowner, Cambridgeshire County Council, have not given permission for the lay-by to be used in this manner and have raised highway safety concerns, the decision has been made to refuse your application for consent from this location.

Consideration has been given to Section 10.10 of the HDC Street Trading Policy which states:

*Consent will not normally be granted or renewed where the proposed location or trading unit is unsuitable, where there is a risk to public safety, where the activity may cause nuisance or disturbance to neighbouring properties, or where it may contribute to crime and disorder.*

A full copy of the policy can be found with the following link - [Street Trading Policy](#)

Any appeals must be made in writing to the Licensing Manager, within 21 days, who will then arrange for the appeal to be heard by the Licensing Sub Committee.

As the consent has been refused, I must inform you that you must no longer trade from this location as to do so would be an offence under Schedule 4, Section 10(1) of the Local Government (Miscellaneous Provisions) Act 1982. A person guilty of an offence under this paragraph shall be liable on summary conviction to a fine not exceeding £1,000.

If you wish to trade from another location within Huntingdonshire, please let us know and we can help to establish if the location will be suitable.

Yours Sincerely,



Claudia Deeth  
Public Protection Manager

Comments received from Cambridgeshire County Council:

The Council objects to the renewal of this street trading licence on the following grounds:

1. Unauthorised expansion of the trading operation – The burger van has increased significantly in size beyond what was originally permitted in 2022. In addition, a lean-to/gazebo with seating has been erected for customers without permission from the Council increasing the footprint again. The layby site is not suitable or appropriate for a venture that has significantly grown since it first started trading. This is a material change.
2. Highway safety concerns – The level of custom now consistently results in queues of vehicles extending from the layby onto the live carriageway, creating a clear risk to road users. This is contrary to the Council’s duty to ensure the safe operation of the highway.
3. Repeated breach of licence conditions -
  - The original licence from 2022 requires that, “The container must be removed within 24 hours from the location if required by an authorised officer”. The container is never removed and has become a permanent fixture in breach of this condition.
  - Condition 15 of the 2022 licence states that, “The Council reserves the right to require the site to be vacated by the holder of the consent at any time.” The Council is therefore fully entitled to require removal of the trading unit particularly in light of the safety issues and unauthorised structures noted above.
4. Damage to the highway – The increased volume of vehicles attending the site generated by the popularity of the business has caused serious deterioration of the layby surface and drainage gully. Continued trading at this level exacerbates this problem causing further safety issues.

For these reasons, including unauthorised expansion, persistent non-compliance with licence conditions, proven highway safety risks, and detrimental impact on the public highway the Council considers the site unsuitable for continued trading and therefore opposes the renewal of the licence.

The Council would be willing to assist the applicant in identifying a more suitable and safer alternative location from which to trade.

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**APPLICATION TO APPEAL A REFUSAL OF STREET TRADING CONSENT  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISION) ACT 1982**

(Please see guidance notes on page 2)

<b>Applicant Details</b>	
<b>Name</b>	
<b>Business Name</b>	
<b>Address</b>	
<b>Contact Telephone</b>	
<b>Contact Email</b>	
<b>Date</b>	

<b>Grounds for Appeal</b>
<p>Please ensure that you have provided sufficient information below regarding your grounds for appeal and why you believe the decision is incorrect.</p> <p>My licence was not renewed, with the only reasons being the four stated in the communication to me. These points are objectively not true and demonstratively so.</p> <p>Point 1. The container has not increased in size since 2022. It is the same container so to have increased in size is simply impossible. The lean-to was added in 2024. It has been inspected on site in person – by a representative of the Highways Dept I believe - with us present and was deemed fine to remain as there is no permanent element and no intrusion into the highway. Our licence has already been renewed once - following consultation - since the lean-to was added.</p> <p>Point 2. At no point have our customer vehicles extended onto the highway. It's completely impossible there is any evidence whatsoever to support this. It simply has never happened. I ask for this this to be proven to be true please or to be removed.</p> <p>Point 3. I have never once breached the licence condition, let alone breaching it repeatedly. Please provide all evidence of the requests made to me by an authorised officer. As without these requests I surely can not have breached the licence condition.</p> <p>Point 4. On 7<sup>th</sup> December 2022 (after commencing trading 15th Nov 2022) I reported the awful condition of the layby road surface (please see attached doc). I now request to see the records of inspection as well as records of maintenance completed on this section of highway. The damage to the layby existed long before we commenced trading and is caused by heavy goods vehicles manoeuvring to park (compounded by the failure to maintain the highway to the required standards) This is a very common cause of road surface damage where this kind of HGV use exists as I'm sure everyone will accept. The damage to the road surface is not caused by private cars/motorcycles simply driving through the</p>

layby in a straight line and to suggest such is simply not true. Areas that are designed for HGV manoeuvring have a different construction to general road surfaces; they are far more robust.

In addition, I would please ask for evidence as to how our customer's vehicles are contributing to the drain which has been blocked since we commenced trading?

For reference, I'd ask everybody concerned in this appeal to consider we have customers attending our business for an absolute maximum of 4 hours per day, days a week. Our customers almost exclusively arrive in private cars or motorcycles. We do have an number of trades people who use light vans, but they are in the minority. We do not attract HGV drivers for food; we famously have little to no custom that way. Any HGV use is to park for breaks, over night or sometimes for days. But not in any way associated with us.

In addition, we have been told by the teams who empty the 3 site bins that since we have been in place, fly tipping in the layby has reduced massively, so much so that it is now extremely rare. A point we support as when we started it was commonplace. The area now also suffers much less casual littering than before. Something we are very proud of.

I have asked previously to the Highways Officer it is possible to lease the layby and take responsibility for the area. I understand it was not; I'm explaining that to show we take a lot of pride in the area.

Since we started trading (our first business) we've gained huge popularity, raised and donated thousands of pounds to local charities. We promote local businesses and have had great positive effect on their customer footfall. I'm explaining this as I feel we are being painted in a negative light and I don't understand why. Higgsy's is me and my partner. Making our food from a small container. To pay our mortgage and raise our children. The lean-to notwithstanding (which at the time I went on record as apologising for not asking permission prior to construction. For context the area where the lean-to is situated was just an area of overgrown weeds, rubbish and a large mound of unused tarmac presumably illegally dumped at some point, so I honestly believed we were making a positive impact on the area)

I love to work with the people involved to make the area much nicer, as has always been our aim. Higgsy's is a well-known place to come for some much-needed human interaction – to enjoy a good chat while we cook your food. It's a much-loved service and location.

Lastly and with reference to the hearing meeting. We do not open to trade on Mondays, so I respectfully request for the date to be set for a Monday. Any other day is liable to have a considerable negative impact on our finances. Thank you.



## Guidance Notes

This application must be submitted within 21 days of receiving the decision notice to refuse your application for street trading consent.

Please ensure that you have provided sufficient information regarding your grounds for appeal and why you believe the decision is incorrect. If you wish to submit any additional information, such as photographs or videos etc, please indicate this on the application form and send as an attachment along with this form.

The application may be submitted:

- via email to [licensing@huntingdonshire.gov.uk](mailto:licensing@huntingdonshire.gov.uk)
- in writing to **Pathfinder House, St Mary's Street, Huntingdon PE29 3TN**

Please be aware that submitting this application via post may result in delays receiving the application and subsequent hearing arrangements. It is therefore advisable to submit via email.

## Licensing & Protection Sub-Committee Hearing Process

The Licensing Manager will organise a Licensing & Protection Sub-Committee Hearing to be held within 28 days of receipt of the application to appeal.

Once the date and time has been confirmed you will receive written notice of this and will be invited to attend the hearing. You will also receive a copy of the written report that will be completed by a Licensing Officer. This report will include the information contained within the initial application and decision notice along with the information in this form.

Our Democratic Services Team will also provide you with the hearing agenda and full information of the hearing process.

In summary, during the hearing, Members of the Sub-Committee will hear the written officer report, and you will be invited to address members. You may bring a representative with you for support, and you may appoint a legal advisor.

Please note that if you fail to attend the hearing without good cause, Members of the Sub-Committee may hear your case in your absence.

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Fwd: Additional information has been added to your fault report.



Adam Amber <adamandamber22@gmail.com>

To: Adam Amber

Subject: Additional information has been added to your fault report.

To: <[adamandamber22@gmail.com](mailto:adamandamber22@gmail.com)>

**Reference:** 407594

**Date reported:** Wednesday 7th December 2022

**Location:** London Road, Yaxley

**Fault type:** Roads and pavements

**Description of fault:** Road pothole

The team dealing with your fault has updated the record with the following information:

*Good Morning*

*By early next year I meant to clarify after April when the new Financial Year begins.*

*Kind Regards*

*Highways*

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