



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

(Please see guidance notes on page 2)

Applicant Details	
Name	
Business Name	
Address	
Contact Telephone	
Contact Email	
Date	

Grounds for Appeal
<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 7th 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. Higgys'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. Higgys'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
- 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.