



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing (Non-Statutory) Sub Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 12:00pm
on Wednesday 10 September 2025

Present:

Cllr Lorna Dupré
Cllr Martin Goodearl (Chair)
Cllr Keith Horgan
Cllr Julia Huffer
Cllr John Trapp
Cllr Gareth Wilson

Officers:

Patrick Adams – Senior Democratic Services Officer
Lin Bagwell – Licensing Officer (Enforcement)
Stewart Broome – Licencing Manager
Maggie Camp – Director (Legal Services)

In attendance:

Mr and Mrs Francombe

1. Declarations of interest

None.

2. Application for Consent to Trade from a Location Defined as a Consent Street in Accordance with the Local Government (Miscellaneous Provisions) Act 1982

The Sub-Committee considered a report, AA44 previously circulated, to consider an application from Leah Francombe to trade from a boundary location defined as a Consent Street within the East Cambridgeshire district boundary. It was noted that this was a retrospective application as the business had been trading for some time but had only recently come to the attention of the Council. The Sub-Committee needed to take into consideration the views of the applicant and the objectors.

Members of the Sub Committee were invited to ask questions of the officer.

In response to questioning, the Licensing Officer (Enforcement) explained that the Sub Committee needed to consider road safety when making their decision.

Cllr Lorna Dupré stated that according to the County Council's records, the track by the property in question was a bridleway, which cars were prohibited from driving on. This meant that all cars that drove and parked on the bridleway, including those who lived on the bridleway, were technically breaching the Road Traffic Act 1988. It was understood that this was not a licensing matter and Cllr Dupré volunteered to contact the local County Councillor regarding this issue.

The Licensing Manager explained that the applicant required a licence, even though the flower stall was on her own private property. The Licensing Officer (Enforcement) reported that planning permission was not required for this business.

The Licensing Officer (Enforcement) confirmed that there were no parking restrictions on the A1123 road, in front of the property.

The Licensing Manager reported that the display board outside the property was not a licensing matter.

Mr Francombe spoke on behalf of the applicant and made the following points:

- He acknowledged that there were concerns from residents regarding parking.
- He had offered to make a parking space, by removing bushes from the side of his property.
- Very few vehicles used the bridleway by the side of the property.
- Parking could also be encouraged by the black gates.
- Darling Buds of Wilburton was a small business, where flowers leftover from weddings and other events were sold, with money being placed in an honesty box.

In reply to questions from Cllr John Trapp, Mr Francombe estimated that approximately 2-4 customers stopped a day, with more leading up to Mothers' Day. He explained that the sign, which could be seen from the road, was taken down when all flowers had been sold and that other motorists stopped in the area for reasons unrelated to the flower stall. He added that clearing vegetation by the side of his property to create a parking area would assist all visitors, not just customers for the flower stall.

In reply to Cllr Gareth Wilson, Mr Francombe confirmed that the bushes that needed to be cleared to create a parking space were on his land. He added that other vegetation along the lane was no longer being maintained. He distributed photographs at the meeting and stated that whilst he and the applicant were prepared to move the current location of the stall, they felt that it was currently in the best position with regards to customers parking unobtrusively.

In reply to Cllr Keith Horgan, Mr Francombe stated that there was a motion sensitive light at the property for late afternoon customers during the winter months. The Licensing Manager confirmed that by being present at the property, the applicant had met the requirement for being present for 75% of

the time, as the business was static. He agreed to consider amending the wording of this condition in the Council's licensing policies, to make it clearer.

The meeting went into closed session. After a full and frank discussion the Committee made the following decision.

Decision (provided to Leah Francombe at the conclusion of the hearing)

The decision of the Licensing (Non-Statutory) Sub-Committee (in exercise of the powers delegated by East Cambridgeshire District Council as Licensing Authority) was to:

Grant the application for Street Trading Consent, as applied for.

Reasons for the Decision (provided to Leah Francombe at the conclusion of the hearing)

Having read the content of the objections, and listened to the submissions by the applicant, Members considered public safety, the avoidance of public nuisance, highway issues and compliance with legal requirements would not be undermined by the application. The Sub-Committee considered that there had been no objections from Cambridgeshire Constabulary, Cambridgeshire County Council highways department or the parish council, and it was further noted that there were no restrictions on parking on the A1123.

The meeting closed at 1:30 pm

Chair.....

Date.....