

Menheniot Parish Clerk

From: Clare James <Clare.James@cornwall.gov.uk>
Sent: 13 July 2022 10:33
To: 'clerk@menheniotparishcouncil.co.uk'; Cllr Phil Seeva; Highways & Environment West; Cornwall Streetworks; Community and Environmental Protection; Waste Management (Cornwall Council); Andrea Carter; Nicola Kewn; Graham Bailey; Business Compliance; Cornwall Planning; Public Health Desk; Fire Service - Community Safety Admin; Environment Service; Cornwall Council Parking; Zoe Hall; Jones, Howard
Cc: Linda Edmunds
Subject: Street Trading grant application - Mrs Luminta Buibas trading as 'B Alive' A38 Layby Clicker Tor Menheniot - LI22_003803

Information Classification: CONTROLLED

Dear consultees

We have received a **Grant** application from **Mrs Luminta Buibas**, trading as '**B Alive**' to trade in **A38 Layby, Clicker Tor, Menheniot** (see location plan/pictures below).

As consultees know, each application has to be considered on its own merits, however you may wish to note the existing presence of 1 other trader in this layby; 'Terrys Tasties' who trades - Jan, Feb, March, April, Oct, Nov, Dec (Monday - Friday) / May, June, July, August, Sept (Monday - Saturday) from 07:00 to 18:00

Further details from the application are:-

*****GENERAL*****

Food trailer L 2.45m x W 2.00m x H 2.35m (see images below)

Proposed Trading months – from Grant to 31 December 2022

Proposed trading days of the week – Mondays to Sundays

Proposed trading times – 07:00 – 19:00

Articles applied for – Burgers, pizza, sandwiches, fish and chips, hot dogs, wraps, soft drinks, coffee, tea, cakes etc.

The following Council Policy comes into force on 1 January 2022:- **“Single use and non-recyclable plastics must not be used by traders.”**

Traders are being asked to provide evidence of collection and recycling of their plastic products, this applicant has responded as follows:-

'I'll be using recycling plastic or boxes provided from cash & carry'

Traders are also being asked to provide details of how they will support Cornwall Council's climate and health commitments, this applicant has confirmed the following:-

'I'll provide Locally sourced food, Vegetarian and vegan as option for clients as I'm a nutrition specialist, Smaller portion and try providing healthy food'.

Applicant has confirmed they have registered as a food business – see below.

Applicant will obtain £10,000,000 Public Liability Insurance cover.

Application dated: **30.06.22**

Additional information **None**

When considering the application, this Council will have regard to any comments that have been received as part of the consultation process and will also take into account the street trading conditions and the Council's policy.

Please be aware that in accordance with the EU Services Directive, any refusal by the Council must be justified by an "overriding reason relating to the public interest". Examples of this are public safety, public health, protection of consumers, combating fraud and protection of the environment. **It should be noted that refusing an application on the grounds that there are already enough shops/traders in an area can no longer be used.** Legal advice obtained in January 2021 confirms that the Provision of Services Regulations, which were introduced in 2009 and implemented the EUSD into UK law, continue to apply in the context of Licensing including street trading.

Should you have any comments, please let me know by 27 July 2022. If I do not hear from you by this date, I shall assume you have no objections.

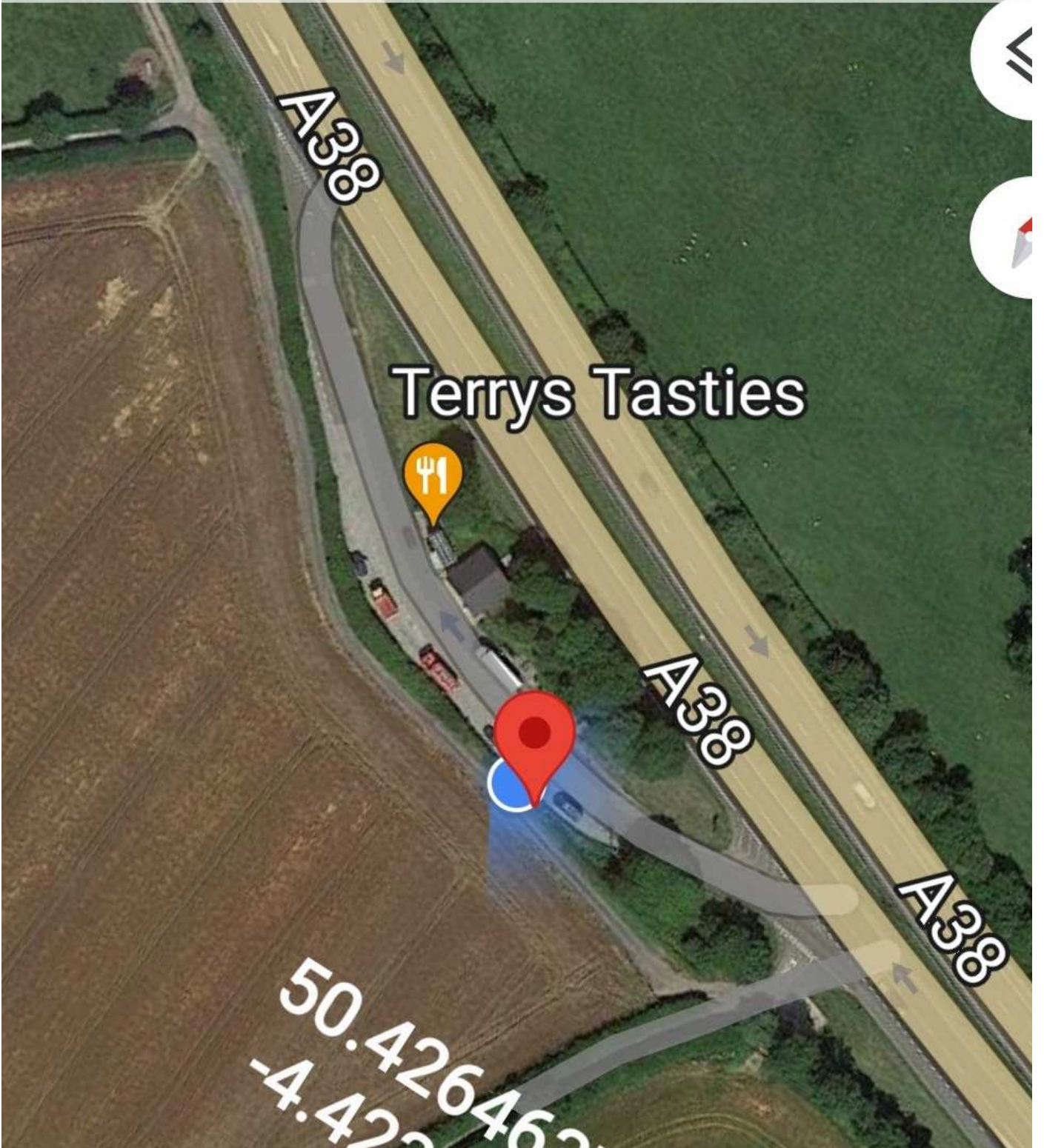
With the current situation we are trying to process street trading applications quicker in order to 'Help Business' but if you need a longer consultation period, please let me know urgently.

Should valid objections be received in relation to the application, these will be notified to the applicant and the application may be referred to the Council's Street Trading Sub-Committee for a decision. The applicant and objectors will be invited to take part in the hearing.

Kind regards

Clare

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Register a Food Business

BETA

This is a new service – [your feedback](#) will help us improve it.

[English](#) | [Cymraeg](#)

Submission complete

Thank you for submitting your food business registration.

Your unique food business registration application reference is

SP9ZFYQ - 29A0Y2 - L1KTNQ







Clare James

Licensing Officer

Public Protection | Cornwall Council

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