

MINUTES OF LICENSING AND SAFETY COMMITTEE

11 JULY 2023

PRESENT:

Councillors Mrs A'Barrow (Chair), Barnett, Miss Dumbleton, D Keeling, J Keeling, Mrs Roberts, Mrs Robinson, Russell, Mrs Sayani and Srivastava

4. MINUTES

The minutes of the following meetings were approved and signed by the Chair:

Licensing and Safety Committee held on 28 February 2023 and 18 May 2023;
and Licensing Sub Committee (General) held on 8 March 2023.

5. APOLOGIES

Apologies for absence from the meeting were received from Councillor Mrs Garcia.

6. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Approval of Street Trading Policy and Fees for Consultation - Councillors Mrs A'Barrow and Mrs Roodhouse (non-pecuniary interest by virtue of having street traders within their wards).

7. APPROVAL OF STREET TRADING POLICY AND FEES FOR CONSULTATION

The Committee considered the report of the Chief Officer – Regulation and Safety (Part 1 - agenda item 4) concerning the approval of the draft Street Trading Policy and fees for public consultation.

The council adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 which contains provisions in relation to the regulation of street trading. This provided the council with the power to designate streets as prohibited, licence or consent streets in relation to Street Trading.

It is recommended that the council adopts a Street Trading Policy to implement a fair, robust, clear and well-regulated approach to the licensing of street traders across the Borough.

The Policy would apply to the public street trading of physical goods and not individuals selling goods privately.

A meaningful public consultation would be carried out calling for comments on the draft policy. This would extend to the trade, the public and stakeholders. Care would be taken over the language used and how this was presented.

Wording had been incorporated into the draft policy making it clear that the policy would align with all other council policies, for example local crime prevention, planning, tourism, culture and protection of children and vulnerable persons; and further that the Licensing Authority will ensure continuing co-ordination and integration with these policies.

There would be no difference in the application process for a street trading licence or consent. The type of permission granted related to whether the trading location was on a Consent Street or a Licenced Street. The only Licenced Streets in the Borough were Market Place, High Street and Sheep Street.

The Policy would be subject to review as necessary. It was suggested that a maximum review period of three years be applied. The proposed fees had been calculated on a cost neutral basis and would be subject to change if this was found not to be the case.

At the end of the consultation period, the responses received would be reported back to the Committee along with officer comments. An additional meeting of the Committee will be held to consider these, the draft policy and the fees on Wednesday 15 November 2023.

RESOLVED THAT – IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the Street Trading Policy and Fees as set out in Appendix A and Appendix B be approved for consultation; and
- (2) any relevant consultation responses may then be considered by the Licensing and Safety Sub-Committee and the policy implemented once such consideration has taken place. Following the consultation if no public objections are received within the consultation period, or are later withdrawn, then the Licensing and Safety Sub-Committee agrees to implement the policy set out in Appendix A and the fees as set out in Appendix B on a date decided by the Licensing and Parking Manager in consultation with the Chair of the Licensing and Safety Committee.

CHAIR