

Agenda



Listening Learning Leading

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Date: 9 May 2017

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A MEETING OF THE

General Licensing Committee

WILL BE HELD ON THURSDAY 18 MAY 2017 ON THE RISING OF THE PRECEDING MEETING OF THE LICENSING ACTS COMMITTEE

THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK,
CROWMARSH GIFFORD

Members of the Committee:

To be confirmed at the annual meeting of Council on 18 May 2017

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1 Apologies for absence

To record apologies for absence.

2 Minutes (Pages 4 - 5)

To adopt and sign as a correct record the General Licensing Committee minutes of the meeting held on 9 March 2017 (attached).

3 Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4 Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

5 Public participation

To receive any questions or statements from members of the public that have registered to speak.

6 Appointment of taxi licensing panels

Purpose: to agree the appointment of sub-committees known as Taxi Licensing Panels to consider matters delegated to these under the council's Taxi Licensing Policy.

Recommendation: to:

- appoint sub-committees comprising any three members of the General Licensing Committee;
- agree that the sub-committees be known as taxi licensing panels;
- appoint each member of the General Licensing Committee to serve on any taxi licensing panel which is convened so as to include her or him in its membership, subject to her or him having attended appropriate training in the last 12 months;
- authorise each taxi licensing panel to discharge all functions relating to matters referred to the committee or to its sub-committees by the council's licensing officer under the Taxi Licensing Policy;

- agree that, wherever possible, applications should be heard by a panel comprising the chairman or vice-chairman of the committee plus two other members of the Committee, but that this should not affect the principle that any three members or their substitutes of the Committee will constitute a properly appointed panel;
- authorise the head of legal and democratic services to invite an appropriate panel to conduct a scheduled hearing having regard to members' availability and eligibility to take part and ensuring that as far as possible all members of the committee have the opportunity to conduct hearings.

MARGARET REED

Head of Legal and Democratic Services

Minutes

OF A MEETING OF THE



Listening Learning Leading

General Licensing Committee

HELD AT 2.30 PM ON THURSDAY 9 MARCH 2017

MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, MILTON,
ABINGDON OX14 4SB

Present:

David Dodds (Chairman)

Joan Bland, Kevin Bulmer, Nigel Champken-Woods, Pat Dawe, Lorraine Hillier,
David Nimmo-Smith, Bill Service and Ian White

Apologies:

Sue Lawson and Anthony Nash tendered apologies.

Officers:

Robert Draper, Ian Price and Ron Schrieber

3 Minutes

RESOLVED: to adopt as a correct record the General Licensing Committee's minutes of the meeting held on 12 May 2016 and agree that the chairman signs them as a correct record.

4 Declarations of interest

None.

5 Urgent business and chairman's announcements

None.

6 Public participation

None.

7 Street trading policy

The committee considered the head of legal and democratic services' report.

In 2014 the council adopted the current street trading policy to designate all streets as 'consent streets' under Paragraph 2(1) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. The new policy had been effective and welcomed by street traders and the public, and there had not been any complaints about street traders since the new policy was introduced. However, following a

search of council records, it had not been possible to evidence the formal designation of all streets as consent streets.

The committee noted that a consent street designation meant that street trading could only take place if the council gave consent. 'Prohibited streets' were streets where no street trading could take place. Although there were no prohibited streets within the district, the A40 was designated as a trunk road and the M40 as a motorway. Oxfordshire County Council's Highways department did not support any street trading applications for lay-bys or slip roads along the A40.

The committee noted that the council had previously adopted Schedule 4 of the Act, which gave it power to designate streets as consent streets. The officer reported that if the committee agreed to this designation, it would cover all streets in the district, including new streets and developments as they were built. In answer to a question, the committee noted that ice cream sellers were required to obtain a street trading licence but were not allowed to park up and trade within 100m of an educational establishment between the hours of 08:00 and 16:00. If members had concerns about breaches of the licence conditions they should report these to the licensing team.

The committee considered that confirming the policy to designate all streets as 'consent streets' would bring consistency across the district and would be more efficient in terms of licensing street trading administration and enforcement.

The committee agreed a draft resolution, that with effect from 17 July 2017 for the purposes of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 all streets within the district shall be designated as consent streets for the purposes of street trading. This resolution would be subject to a 28 day public consultation. Officers would then consider the consultation responses and come back to the committee in due course. The committee might then pass the formal resolution for approval and publication, confirming the designation of streets within the district.

RESOLVED: to

- (a) pass a draft resolution for public consultation under Paragraph 2(1) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, to designate all streets within the district as 'consent streets' for the purposes of street trading; and
- (b) authorise the head of legal and democratic services to make any further minor editorial changes to the resolution in (a) above and advertise the proposed draft resolution for public consultation.

The meeting closed at 2.42 pm

Chairman

Date