

Agenda



Listening Learning Leading

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Date: 22 May 2017

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A MEETING OF THE

General Licensing Committee

WILL BE HELD ON WEDNESDAY 31 MAY 2017 AT 10.00 AM

MEETING ROOMS 5/6, 135 EASTERN AVENUE, MILTON PARK, MILTON,
ABINGDON OX14 4SB

Members of the Committee:

David Dodds (Chairman)

Joan Bland

Nigel Champken-Woods

Pat Dawe

Stefan Gawrysiak

Stephen Harrod

Lorraine Hillier

Imran Lokhon

Anthony Nash

Bill Service (Vice-
Chairman)

Alan Thompson

Ian White

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1 Apologies for absence

To record apologies for absence.

2 Minutes (Pages 3 - 4)

To adopt and sign as a correct record the General Licensing Committee minutes of the meeting held on 18 May 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 Street Trading Policy (Pages 5 - 7)

To consider the report of the head of legal and democratic services (attached).

MARGARET REED

Head of Legal and Democratic Services

Minutes



OF A MEETING OF THE

Listening Learning Leading

General Licensing Committee

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

THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK,
CROWMARSH GIFFORD

Present

David Dodds (Chairman)

Joan Bland, Nigel Champken-Woods, Pat Dawe, Stefan Gawrysiak, Stephen Harrod,
Lorraine Hillier, Alan Thompson and Ian White

Apologies:

Imran Lokhon and Bill Service tendered apologies.

Officers

Steven Corrigan and Margaret Reed

1 Minutes

RESOLVED: to approve the minutes of the meeting held on 9 March 2017 as a correct record and agree that the chairman sign these as such.

2 Declarations of interest

None.

3 Urgent business and chairman's announcements

None.

4 Public participation

None.

5 Appointment of taxi licensing panels

The committee considered a proposal to appoint sub-committees to consider matters under the Taxi Licensing Policy.

RESOLVED: 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 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 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.

The meeting closed at 6.40pm

Chairman

Date

General Licensing Committee Report

Report of Head of Legal and Democratic Services

Author: Robert Draper

Telephone: 01235 422561

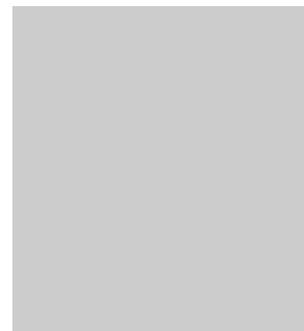
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Wards affected: All

To: General Licensing Committee

DATE: 31 May 2017



Street Trading Policy

Recommendations

That the committee:

- 1) adopts the resolution 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.
- 2) authorises the Head of Legal and Democratic Services to do all things necessary to give effect to the said resolution.

Purpose of Report

1. To present the General Licensing Committee with a resolution to make all streets within the district consent streets for the purposes of street trading under Paragraph 2(1) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.
2. To present to the General Licensing Committee the results of the consultation on the draft resolution published on 27 March 2017.

Strategic Objectives

3. To promote economic development through a consistent street trading policy. In addition, it will improve the efficiency of the council licensing team by ensuring consistent and effective enforcement of the council's policy.

Background

4. The committee agreed on 9 March to publish a draft resolution regarding the designation of all streets within the district as consent streets for the purposes of street trading under Paragraph 2(1) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.

5. The draft resolution was published in local papers on 27 March 2017 and letters were sent out to the Police, Highways Authority and Railtrack. The consultation period lasted 28 days.

Consultation responses

6. There have been no responses to the consultation.

Next steps and process

7. The committee is recommended to adopt the resolution and authorise the Head of Legal and Democratic Services to advertise the resolution confirming the designation of streets within the district.
8. The final resolution must be advertised in local papers for 14 days.
9. The designation of the streets shall take effect on the day specified in the resolution which must not be before the expiration of the period of 28 days beginning with the day on which the resolution is passed.

Proposed Resolution

10. The following resolution is proposed and is unchanged from the original consultation:

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.

Financial Implications

12. Failure to designate all streets as consent streets will significantly undermine the council's ability to enforce the current Street Trading policy. A lack of enforcement could lead to traders refusing to pay for street trading consents and a subsequent loss of income.

Legal Implications

13. Failure to designate all streets as consent streets would significantly undermine the council's ability to enforce the current Street Trading policy and legislation within the district.

Risks

14. Failure to meet the requirements of the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, in the policy for street trading could result in the council not complying with the legislation. Having a clear policy helps to ensure that decisions comply with the legislation and are made fairly and consistently.

Conclusion

15. That the committee:

- 1) adopts the resolution 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.
- 2) authorises the Head of Legal and Democratic Services to do all things necessary to give effect to the said resolution.

Background Papers

None