

# General Licensing Committee Agenda



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A meeting of the

## General Licensing Committee

will be held on Wednesday, 31 May 2017 at 11.00 am

Meeting Room 5/6, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB

### Members of the Committee:

#### Councillors

St John Dickson (Chairman)  
Julia Reynolds (Vice-Chairman)  
Mike Badcock  
Eric Batts  
Yvonne Constance  
Margaret Crick

Charlotte Dickson  
Robert Hall  
Jenny Hannaby  
Dudley Hoddinott  
Chris McCarthy  
Reg Waite

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A handwritten signature in black ink, appearing to read 'M Reed', written in a cursive style.

Margaret Reed  
Head of Legal and Democratic Services

# Agenda

## Open to the Public including the Press

### Council's vision

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

### 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 17 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).

### Exempt information under Section 100A(4) of the Local Government Act 1972

None

# Minutes

of a meeting of the



## General Licensing Committee

held on the rising of the preceding meeting of the Licensing Acts Committee on 17 May 2017 at The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

Open to the public, including the press

### Present:

Members: Councillors St John Dickson (Chairman), Mike Badcock, Eric Batts, Yvonne Constance, Margaret Crick, Charlotte Dickson, Robert Hall, Jenny Hannaby, Dudley Hoddinott, Chris McCarthy and Reg Waite

Officers: Steven Corrigan and Margaret Reed

### GL.1 Apologies for absence

An apology for absence was submitted on behalf of Julia Reynolds.

### GL.2 Minutes

**RESOLVED:** to approve the minutes of the meeting held on 8 March 2017 as a correct record and agree that the Chairman sign these as such.

### GL.3 Declarations of interest

None.

### GL.4 Urgent business and chairman's announcements

None.

### GL.5 Public participation

None.

## **GL.6 Appointment of taxi 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 7.45pm

# General Licensing Committee Report

Report of Head of Legal and Democratic Services

Author: Robert Draper

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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 8 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