

BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting, Thursday 11th October, 2012
at 2.00 p.m.

A G E N D A

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. **Declarations of Interest**

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

5. Apologies for Absence/Attendance of Substitute Members.
6. To confirm the Minutes of the meeting held on 6th September, 2012 copy attached).

FOR DECISION

Environmental Health Manager's Reports

- (D) 7. Review of Quantity Control Policy – Hackney Carriage Licences.

PART TWO

- (D) 8. Application for Private Hire Vehicle Drivers Licence.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 9. Application for Private Hire Vehicle Drivers Licence.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 10. Hackney Carriage/Private Hire Vehicle Driver

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

Membership of Committee

Callister (Chairman)
Irwin (Vice Chairman)
Biggins
Graham
W. McClure
Maddox
Opie
Pemberton
Roberts
Seward
C. Thomson
Wall

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Published: 3rd October, 2012

BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting: 6th September, 2012
at 2.00 p.m.

PRESENT:- Councillors Callister (Chairman), Irwin (Vice-Chairman), Biggins, Cassidy, Graham, W. McClure, Opie, Pemberton, Pointer, Roberts, A. Thomson and Wall.

19 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 7 (Minute No. 25) of Part One of Schedule 12A of the said Act.

20 – Declarations of Interest

Councillor Biggins declared a disclosable pecuniary interest in Agenda Item No. 7 – Christmas Market – Street Trading (Minute No. 23) as his wife worked at the British Heart Foundation on Dalton Road. He took no part in the meeting during discussion of this item.

Councillor Pointer declared a disclosable pecuniary interest in Agenda Item No. 7 – Christmas Market – Street Trading (Minute No. 23) as his wife worked in Barrow Market. He took no part in the meeting during discussion of this item.

21 – Apologies for Absence/Attendance of Substitute Members

Councillors Cassidy, Pointer and A. Thomson had replaced Councillors Seward, Maddox and C. Thomson respectively for this meeting only.

22 – Minutes

The Minutes of the meeting held on 26th July, 2012 were taken as read and confirmed.

23 – Christmas Market – Street Trading

The Environmental Health Manager reported that the Council had given permission for CN Events and the North West Evening Mail to hold a Christmas Market in the Town Centre in December 2011. This had proved very popular with shoppers and a

questionnaire was circulated to Town Centre Traders after the event. There was strong support (81%) for future Christmas markets with 63% stating that they believed it had attracted increased footfall to the Town Centre.

CN Group Events and the North West Evening Mail reviewed the 2011 event, and proposed to bring a Christmas Market to Barrow Town Centre for two weekends; 1st and 2nd December and 8th and 9th December, subject to demand for stalls.

Following comments about a multi-sited event in 2011, the Market and entertainment would be sited along the length of Dalton Road, with gazebos, wooden chalets, funfair rides and attractions. A stage would feature live entertainment, and a food court with Christmas ale and mulled wine would be established. To facilitate this, the Council would close Dalton Road from Cavendish Street to High Street and Cavendish Street from Dalton Road to Dalkeith Street from 6:00pm on the Friday evening to 8:00pm on the Sunday evening, for both weekends.

Organisers aimed to attract traders who would add to the festive ambience and traditions normally associated with Christmas markets across Europe.

The Environmental Health Manager asked Members to consider waiving the fees for Street Trading Consents on this occasion as there would be significant set up costs associated with the proposal which needed to be met by CN Group Events. In addition she requested that she be given delegated authority to issue Street Trading Consents in the Town Centre for the relevant period, subject to details being negotiated by the Town Centre Manager and precise stall locations being agreed in consultation with the Highway Authority and Emergency Services.

The Town Centre Manager attended the meeting to discuss the application with Members of the Committee.

RESOLVED:- That the Environmental Health Manager be given delegated authority to issue Street Trading Consents in the relevant part of Barrow Town Centre for the duration of the Christmas Markets, subject to the organisation of the market being to the satisfaction of the Town Centre Manager, the Highways Authority and the Emergency Services and **that the relevant fees be waived,**

24 – Street Trading Application – Taylors (Cumbria) Amusements

The Environmental Health Manager reported that she had received an application for a street trading consent from Mr O. Taylor of Taylors (Cumbria) Amusements to site the following amusements on Dalton Road near to Portland Walk or another site within the Town Centre area:-

1. Kiosk 14' by 6' "fun sweets" selling only novelty sweets, candy floss and hot and cold drinks;
2. Side stall 8' by 4' fairground prize game; and

3. 2 x kiddie carousels 14' diameter.

Similar applications had been approved in the past subject to no adverse comments being received from consultees and subject to the attractions being sited in a position which was to their satisfaction.

RESOLVED:- That the application be approved subject to no adverse comments being received from consultees.

25 – Pet Animals Act 1951 (as amended) - Application to add Additional Animal Species to Pet Shop Licence – Pixie Pets, 191 Rawlinson St, Barrow-in-Furness

The Environmental Health Manager reported that at the last Licensing Committee, Members considered an application from the owner of Pixie Pets, 191 Rawlinson Street, Barrow-in-Furness to add additional animals to her pet shop licence to enable her to sell racoons, skunks, arboreal squirrels, ground squirrels, meerkats, prairie dogs, hedgehogs and jirds.

The applicant had addressed the Committee at the last meeting as did a representative of the RSPCA. Members had discussed a number of issues relating to the application in detail and decided to defer a decision to allow a site visit to take place. This was to allow an assessment of the size of the shop premises for comparison with the recommended minimum enclosure sizes provided by the RSPCA.

Site visits were carried out over a number of days in early August 2012.

The applicant again attended the meeting and made representations to the Committee. The Wildlife Scientific Officer from the RSPCA who had written the original letter outlining the species and areas of concern together with information on recommended enclosure size and design was also available for a telephone conference if Members so wished. Members did not call upon the expertise of the RSPCA Officer at this meeting.

It was moved by Councillor Roberts and seconded by Councillor Irwin that the application to allow the addition of racoons, skunks, meerkats, prairie dogs and squirrels to the pet shop licence be refused as a result of concerns expressed by the RSPCA regarding animal welfare and the shop being too small to accommodate the recommended minimum enclosure sizes. He also moved that the Committee suggest that the applicant re-submit her application in nine months time when she has been trading for twelve months to enable a more informed decision by the Committee. This was voted upon, and

RESOLVED:- (i) That the application to allow the addition of racoons, skunks, meerkats, prairie dogs and squirrels to the pet shop licence be refused as a result of concerns expressed by the RSPCA regarding animal welfare and the shop being too small to accommodate the recommended minimum enclosure sizes.

(ii) That the Committee also suggest that the applicant re-submit her application in nine months time when she had been trading for twelve months to enable a more informed decision by the Committee; and

It was further moved by Councillor Roberts and seconded by Councillor McClure that the addition of two hedgehogs and two jirds be added to the pet shop licence. This was voted upon, and

RESOLVED:- (iii) That the addition of two hedgehogs and two jirds be added to the pet shop licence and that the Environmental Health Department work with the owner to set minimum standards of enclosure sizes.

The meeting closed at 3.08 p.m.

LICENSING COMMITTEE		Part One
Date of Meeting: 11th October, 2012		(D)
Reporting Officer: Environmental Health Manager		Agenda Item 7
<p>Title: Review of Quantity Control Policy – Hackney Carriage Licences</p> <p>Summary and Conclusions:</p> <p>This report updates Members on the Quantity Control Policy Review and presents, as a necessary pre-requisite to the review, a copy of the Barrow-in-Furness Borough Council Hackney Carriage Demand Survey for Members consideration.</p> <p>Recommendation:</p> <p>That Members consider the recommendations in the report and determine a course of action.</p>		

Report

Members will be aware that the Department of Transport require that all local authorities operating a quantity control policy for hackney carriage licences must review this policy and publish the outcome.

A necessary preliminary to reviewing the quantity control policy is to undertake a survey to identify any unmet demand for taxi services in the Borough. Members will be aware that such a survey has been undertaken over the last few months in Barrow.

I can now confirm that I have received the Barrow-in-Furness Borough Council Hackney Carriage Demand Survey Report and I have appended a copy for Members consideration at **Appendix A**. A representative from CTS Traffic and Transportation, who produced the report, has been invited to attend the licensing committee to present the findings.

You will note from the conclusions in the Report that the survey has not identified any significant unmet demand for hackney carriages and the options open to the Borough Council are outlined in recommendations contained in section 10.

For information, when Members last considered this matter in 2008 it was resolved to continue to impose a limit on the number of Hackney Carriage vehicles. The current number of hackney carriage vehicles is 148.

I would ask Members to consider the recommendations contained in section 10 of the report and determine a course of action.

Background Papers

Nil