

BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting, Thursday 14th November, 2013
at 2.00 p.m. (Committee Room No. 4)

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 17th October, 2013 (copy attached).

FOR DECISION

Environmental Health Manager's Reports

- (D) 7. European Market, Street Trading.

PART TWO

- (D) 9. Application for Private Hire Vehicle Driver's 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NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006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. Application for Private Hire/Hackney Carriage Vehicle Driver's 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NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

Membership of Committee

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

For queries regarding this agenda, please contact:

Paula Westwood
Democratic Services Officer (Member Support)
Tel: 01229 876322
Email: pwestwood@barrowbc.gov.uk

Published: 6th November, 2013

BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting: Thursday 17th October, 2013
at 2.00 p.m.

PRESENT:- Councillors Callister (Chairman), Irwin (Vice-Chairman), Derbyshire, Graham, Maddox, Opie, Pemberton, Roberts, Seward and Wall.

27 – 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 2 and 7 (Minute Nos. 33, 34 and 35) of Part One of Schedule 12A of the said Act.

28 – Declaration of Interest

Councillor Irwin declared an interest in Agenda Item 11 – Renewal of Private Hire Vehicle Driver's Licence (Minute No. 35) as the driver was known to her. She left the meeting during consideration of the item.

29 – Apologies for Absence/Attendance of Substitutes

Apologies for absence were received from Councillors Biggins and W. McClure.

30 – Minutes

The Minutes of the meeting held on 5th September, 2013 were taken as read and confirmed.

31 – European Market, Street Trading

The Environmental Health Manager reported that the Council had been approached by European Gift Events with a proposal to organise a European Market in Barrow Town Centre between 30th October and 2nd November 2013 as a promotional and commercial venture to encourage shopping in Barrow.

The market would comprise of Traders who would sell a variety of goods such as glass and china, jewellery, Italian biscuits and olives, Egyptian textiles, chocolate factory, pet

beds, South American goods, crepes and waffles, handmade soap, Polish barbecue and stew and carved garden ornaments and furniture.

She requested that she be 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.

She informed the Committee that the application was consistent with the Council's policy on Street Trading in that it would attract more people to the Town and would complement existing business. She had suggested that a fee of £1,200 be charged for the consent.

RESOLVED:- (i) To agree in principle to the holding of the European Market on Dalton Road from 30th October 2013 to 2nd November 2013;

(ii) To agree that delegated authority be given to Officers to issue Street Trading Consents subject to consultees being in agreement and that their requirements were satisfied; and

(iii) To agree that a fee of £1,200 be charged for the consent.

32 – 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 on the date of the Christmas lights switch on:-

- 1) Kiosk 14'x 6' selling only novelty sweets, candy floss and hot and cold drinks;
- 2) Side stall 8' x 4' fairground prize game; and
- 3) 2 x kiddie's carousels 14' diameter.

She reported that 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.

A copy of the letter of application had been appended to the Environmental Health's report and she advised that to date she had not received any comments from consultees.

RESOLVED:- To approve the application for Street Trading Consent subject to no adverse comments being received from consultees.

33 – Application for Private Hire Vehicle Driver’s Licence

The Environmental Health Manager reported on an application she had received for a Private Hire Vehicle Driver’s Licence from Mr A. R. She submitted information which had been drawn to her attention concerning the applicant and set out details of the Licensing Authority’s medical guidelines regarding such matters.

The applicant had not been able to attend today’s meeting due to having a pre-booked holiday which coincided with the meeting. He had submitted a letter to the Committee which was circulated at the meeting and a representative had attended the Committee on his behalf. A Police representative was also present.

It was moved by Councillor Roberts and seconded by Councillor Wall to defer making a decision on the application to allow further information to be obtained and to allow the applicant to address the Committee in person.

RESOLVED:- To agree to defer consideration of the application to allow further information to be obtained and to allow the applicant to address the Committee in person.

34 – Application for Hackney Carriage Driver’s Licence

The Environmental Health Manager reported on an application she had received for a Hackney Carriage Driver’s Licence from a Mr R. M. She advised the Committee that the applicant already held a Private Hire Vehicle Driver’s Licence. She submitted information which had been drawn to her attention concerning the applicant and set out details of the Committee’s policy regarding such matters.

The applicant attended the meeting and addressed the Committee. A Police representative was also present and raised a further issue regarding the applicant.

It was moved by Councillor Maddox and seconded by Councillor Derbyshire to refuse the application for a Hackney Carriage Driver’s Licence and to suspend Mr R M’s current Private Hire Vehicle Driver’s Licence for a period of three months.

Resolved:- (i) To refuse the application for a Hackney Carriage Driver’s Licence as the Council’s Licensing Policy and Guidelines relating to the relevance of convictions states that an application would normally be refused if it is made within 3 to 5 years from the date of conviction for an offence relating to the possession of drugs; and

(ii) To suspend Mr R M’s current Private Hire Vehicle Driver’s Licence due to the contravention of the severe written warning which had been issued to him in February, 2013 (Minute No. 57 of the Licensing Committee held of 7th February, 2013 refers) and also due to the fact that Mr R M had not notified the Authority of the caution (classed as a conviction under the above guidelines) that he had received on 9th February, 2013.

The Chairman advised the applicant of his right of appeal to the Magistrates Court within 21 days of the decision being made.

35 – Renewal of Private Hire Vehicle Driver’s Licence

The Environmental Health Manager reported on a renewal application she had received from a Private Hire Vehicle Driver, Mr D. J. McL. She submitted information which had been drawn to her attention concerning the applicant and set out details of the Committee’s policy regarding such matters.

The applicant attended the meeting and addressed the Committee. A Police representative was also present.

RESOLVED:- To agree that the renewal application for a Private Hire Vehicle Driver’s Licence from Mr D. J. McL. be granted and a written warning be issued as to his future conduct.

The meeting closed at 3.19 p.m.

LICENSING COMMITTEE	(D) Agenda Item 7
Date of Meeting: 14th November, 2013	
Reporting Officer: Environmental Health Manager	

Title: European Market, Street Trading

Summary and Conclusions:

This report deals with a proposal by European Gift Events to organise and promote a European Market in Barrow Town Centre on Dalton Road for a period of five days between 10th and 14th December 2013 as a promotional and commercial venture to encourage shopping in Barrow. The report also suggests giving delegated authority to Officers to issue a Street Trading Consent subject to consultees being in agreement and their requirements met. A fee of £1,200 for the consent is suggested.

Recommendation:

That:

1. Members agree in principle to the holding of the European Market on Dalton Road from 10th to 14th December, 2013;
2. Delegated authority be given to Officers to issue Street Trading consents subject to consultees being in agreement and that their requirements are satisfied; and
3. A fee of £1,200 be charged for the consent.

Report

The Council has been approached by European Gift Events with a proposal to organise a European Market in Barrow Town Centre from 10th to 14th December 2013.

The market will comprise of Traders who will sell a variety of goods such as glass and china, jewellery, Italian biscuits and olives, Egyptian textiles, chocolate factory, pet beds, South American goods, crepes and waffles, handmade soap, polish bbq and stew and carved garden ornaments and furniture.

I would ask that I be 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 and Festivals Manager already holds a Premises Licence for Barrow Town Centre so Members are only dealing with the street trading aspects of the event today.

Members will be aware that the areas of the Town Centre, Dalton Road and Portland Walk are consent streets and are subject to the Council's policy on Street Trading. This supports street trading where:-

- 1) It would attract more people to the Town;
- 2) It would enhance the street scene;
- 3) It would provide entertainment; or
- 4) It would complement existing business.

This application is consistent with that policy under criteria 1 and 4.

A representative of European Gift Events has been invited to the meeting today to discuss the application for the European Market with Members of the Committee.

Background Papers

Nil