

MINUTES OF LICENSING COMMITTEE HELD ON

7 December 2009

7.30pm-8.56pm

PRESENT

COUNCILLORS

Nick Churchill (Chairman)

Jean Clark
Bob Davis
Tony Hall
Russell Perrin

Lee Dangerfield
Manny Doku
Chris Millington

Sarah Dangerfield
Mark Gough
Muriel Jolles
John Strachan

APOLOGIES

Maggie Hulcoop

Lesley Rideout

ALSO PRESENT

Linda Pailing

54. DECLARATIONS OF INTEREST

Councillor John Strachan declared a personal interest in agenda item 7 (Review of Frequency of MOT and Compliance Test) as a member of his extended family was a hackney carriage driver.

55. MINUTES

RESOLVED that the minutes of the meeting held on 9 November 2009 be agreed as a correct record and signed by the Chairman.

56. MATTERS ARISING

None.

57. WRITTEN QUESTIONS AND PETITIONS

None.

58. **LICENSING COMMITTEE FORWARD WORK PLAN**

Members noted that there were now only two cases to be heard at the Licensing Sub-Committee on 15 December and that the next Sub-Committee meeting would be held on 22 not 23 December.

Further Licensing Sub-Committees had been convened for 5, 14 and 26 January 2010.

Councillors Nick Churchill, Lee Dangerfield and Sarah Dangerfield volunteered to attend as members of an additional Licensing Sub-Committee convened for 11 December 2009.

RESOLVED that the Committee Forward Work Plan, as amended above, be noted.

59. **REVIEW OF FREQUENCY OF MOT AND COMPLIANCE TEST AND INSPECTIONS FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES**

The Committee received a report asking Members to review the frequency of the current arrangements for the test and inspection of hackney carriage and private hire vehicles.

In order to assist Members in their deliberations, the report included information on the random vehicle testing regime and cost of a MOT/Compliance test,

Members were satisfied with the current arrangements and could see no justification to change the frequency of the tests.

RESOLVED that the existing MOT and Compliance test and inspection arrangements be continued for hackney carriage and private hire vehicles, as detailed in paragraphs 9 and 10 of the report.

60. **STREET TRADING LICENSING**

Following its deferment at the last meeting (*Minute 49*), the Committee received the report proposing various revisions to the Street Trading Licence. This report was taken in conjunction with the following item.

RESOLVED that

- (a) the wording for contentious applications (at Appendix 2 of the report) be amended to read "Determination of

contentious applications will be undertaken by Harlow Council's Licensing Committee (who may delegate the matter to a Licensing Sub-Committee) or Safety & Licensing Manager under delegated authority.”;

- (b) the changes to the application forms, application procedure and subsidiary terms be referred to the Environment & Community Committee on 19 January 2010 for adoption.

61. **STREET TRADING LICENSING – PROHIBITED STREETS – TOWN CENTRE – SUITABILITY CRITERIA – ENFORCEMENT POLICY**

The Committee received a report on street trading arrangements principally regarding prohibited streets; town centre licensing; suitability criteria and enforcement policy. This item was taken in conjunction with the previous item.

Members noted the proposed prohibited streets and asked if these could be extended to cover areas close to school premises.

Members also requested further information, with a mind to extending the powers of the Licensing Sub-Committee to recommend final warnings by way of a formal caution.

RESOLVED that

- (a) the list of Prohibited Streets, at appendix A of the report, be agreed and referred to the Environment & Community Committee for adoption;
- (b) the revised arrangements for the town centre be agreed for a six month pilot and referred to the Environment & Community Committee for adoption;
- (c) the Suitability Criteria (at paragraphs 8-12 of the report) be agreed and referred to the Environment & Community Committee for adoption;
- (d) the Street Trading Enforcement Policy, at Appendix B of the report be agreed and referred to the Environment & Community Committee for adoption.
- (e) officers investigate the feasibility of including areas near school premises in the list of prohibited street and submit a report to a future meeting of this Committee;

- (f) officers investigate the possibility of amending the Street Trading Licensing section of the General Enforcement Policy to make it more specific and allow the Licensing Sub-Committee to recommend the issue of formal cautions.

62. **REFERENCES FROM OTHER COMMITTEES**

None.

63. **MATTERS OF URGENT BUSINESS**

None.

CHAIRMAN OF THE COMMITTEE