

Minutes

Licensing Committee

25th November 2009



Present:

Councillors	Present	Councillors	Present
M J Banthorpe (Chairman)	Yes	M Lynch	Apologies
J C Collar	Yes	T McArdle	Yes
J G J Elliott	Apologies	A M Meyer	Apologies
R Elliston	Yes	Mrs J A Pell	Yes
J H G Finbow	Yes	A F Shelton	Yes
Mrs S A Howell	Yes	Mrs J A Smith	Yes
P J Hughes	Yes	F Swallow	Yes
E R Lynch	Yes (from 7.47pm)		

33 **DECLARATIONS OF INTEREST**

INFORMATION: Councillor Mrs J A Pell declared a personal interest in Agenda Item 5 - Application for a Street Trading Consent – A1017, Ridgewell as the applicant (Mr S Bingham) and his mother were known to her and, in the past, they had employed her daughter.

34 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 7th October 2009 be approved as a correct record and signed by the Chairman.

35 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

36 **STREET TRADING CONSENT – A1017, RIDGEWELL (MR S BINGHAM)**

INFORMATION: Consideration was given to an application by Mr Simon Bingham for the renewal of his street trading consent to sell food and drinks. Mr Bingham wished to trade from the lay-by adjacent to the A1017 at Ridgewell from Monday to Friday between the hours of 7.00am and 3.00pm. It was noted that an application had also been submitted by Mr W Packer to sell hot and cold food and beverages from the same location. Mr and Mrs Bingham attended the meeting in support of their application.

Following consultation on the proposal, an objection had been submitted by Essex County Council Highways on the basis that there would be more than one trader at this location selling the same items. The District Council's Street Trading Policy stated that only one trader should hold a consent in a specific location unless the second trader wished to trade in a different commodity. However, Members were

advised that earlier in the day Mr Packer had withdrawn his application. In the circumstances, the County Council's objection no longer applied and it was agreed that Mr Bingham's application should be granted.

DECISION: That the application submitted by Mr Bingham for a street trading consent to sell food and drinks from the lay-by adjacent to the A1017 at Ridgewell be approved.

37 **STREET TRADING CONSENT – A1017, RIDGEWELL (MR W PACKER)**

INFORMATION: Members were advised that Mr William Packer had withdrawn his application for a street trading consent to trade from the lay-by adjacent to the A1017 at Ridgewell. This item was therefore not considered.

38 **ANNUAL MEETING WITH ESSEX POLICE**

INFORMATION: Members were reminded that an invitation had been received from Essex Police to hold an Annual Meeting with the Licensing Committee to discuss licensing matters affecting the District. It had been agreed that an Annual Meeting should be held, but in order to minimise any allegation of bias, or pre-determination, Terms of Reference had been established for the meeting and it had been agreed that the meeting should be held in public.

Mrs E Wisbey, Governance Lawyer, stated that she had received confirmation from Mr S Sparrow, Licensing Officer for Essex Police, that he would attend a Licensing Committee meeting early in 2010 to give a short presentation on current licensing matters. However, Mr Sparrow had indicated that he would not be able to provide detailed data to a meeting which was held in public.

Members reiterated comments made by them at a previous meeting that the presentation by the Police should relate to general matters only and that specific premises or cases should not be considered. It was acknowledged that the Police were a Responsible Authority for licensing matters and it was therefore important that the Licensing Committee's stance should not be prejudiced in any way. It was noted also, that as Mr Sparrow was a civilian officer for Essex Police, not a uniformed Officer, he would not be able to answer specific questions about operational matters and any such questions should be dealt with separately.

DECISION: That Mrs E Wisbey, Governance Lawyer, be requested to write to Mr S Sparrow, Licensing Officer for Essex Police, setting out the Licensing Committee's views as indicated above.

Urgent Item

The Chairman agreed to consider the following matter as an item of urgent business in order that preparatory work may be undertaken.

39 **KNOWLEDGE TEST FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS**

INFORMATION: Members were advised that at a recent meeting of the Drivers' Panel discussion had taken place regarding the possible introduction of a knowledge test for Hackney Carriage and Private Hire drivers. The main purpose of such a test would be to confirm that a driver knew how to locate particular places and roads

within the District and it could also test the driver's knowledge of the respective legislation and licensing conditions. Other matters could also be covered by the test if the Council decided it wished to include these. Passing the test would be a pre-requisite to a person obtaining a driver's licence.

It was suggested that the introduction of a knowledge test should be investigated and a report submitted to a future meeting of the Committee setting out details of what might be included within a test, how it would be administered and how much it would cost to implement. It was noted that some other local authorities already had such tests for Hackney Carriage and Private Hire drivers and it was suggested that they should be contacted to ascertain how their schemes operated.

DECISION: That a report be submitted to a future meeting of the Licensing Committee on the possible introduction of a knowledge test for Hackney Carriage and Private Hire drivers.

The meeting closed at 8.05pm.

At the close of the meeting the Chairman wished everyone a Merry Christmas and a Happy New Year.

M J BANTHORPE
(Chairman)