

# Licensing Committee

Tuesday 6 December 2016

## PRESENT:

Councillor Dr Mahony, in the Chair.

Councillors Carson, Sam Davey, Hendy, Loveridge, Parker-Delaz-Ajete, Rennie, Singh, Storer and Winter.

Apologies for absence: Councillors Churchill, Drean, Fry and Morris.

Also in attendance: Emily Bullimore (Street Operations and Street Trading Manager), Ann Gillbanks (Senior Lawyer) and Helen Wright (Democratic Adviser).

The meeting started at 10.00 am and finished at 10.40 am.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

## 7. **Declarations of Interest**

There were no declarations of interest made by Members, in accordance with the Code of Conduct.

## 8. **Minutes**

The committee agreed the following minutes –

Licensing Committee –

- 7 June 2016

Licensing Sub Committee

- 24 June 2016
- 19 July 2016
- 25 October 2016

## 9. **Chair's Urgent Business**

There were no items of Chair's urgent business.

## 10. **Street Trading Report 2017/2018**

The Strategic Director for Place submitted the street trading report 2016/17 which provided an overview of the process for the issuing of consents for the 2017/18 trading year.

Emily Bullimore highlighted the following main areas –

- the duration of consents for 2017/18;
- consent fees for 2017/18 background;
- allocation procedure;
- street trading during city centre events;
- ad hoc street trading.

The main areas of questioning from Members related to the following –

- (a) Amey were currently responsible for setting the fees for outdoor seating in all areas outside of the Business Improvement District (BID) areas up until next March when the contract finished; the City Centre Company was responsible for setting the pricing structure for the outdoor seating areas (in the areas outside of the BID a standard fee was charged); currently the outdoor seating policy including the pricing structure was being reviewed by Highways; under this review, the feasibility of introducing a penalty charge for making more than one visit was being investigated;
- (b) board advertising was included within the outdoor seating policy; there was recognition that enforcement of issues had not been proactive;
- (c) traders were able to pay their fees either on a monthly or quarterly basis; currently there were no bad debts within the account;
- (d) work had commenced on the drafting of the licensing policy; consideration would be given to designating Plymouth as a trade area; however work would be required to identify the problem areas prior to the adoption of prohibitive streets/roads;
- (e) in order to trade, the hot food vans required a food hygiene certificate which was issued by Environmental Health and Safety Team; (traders wishing to operate after 11pm would need a premises licence);
- (f) Amey would be contacted regarding the problem of articulated lorries parking along the road near the Chaplins superstore (this caused a problem as vehicles were forced to move into the middle of the road in order to pass the parked lorries);
- (g) Amy would also be contacted regarding the broken slabs in the Piazza.

The committee agreed the following the –

- (1) consent dates for 2017/208 are approved 1 April 2017 – 31 March 2018;

- (2) consent fees are approved for 2017/18 (as set out in appendix 1);
- (3) Assistant Director for Economic Development has delegated authority to approve, within Committee policy the issuing of consents to existing city centre traders seeking to continue trading 2017/18;
- (4) Assistant Director for Economic Development has delegated authority to approve, within Committee policy, the issuing of consents to new traders or contested sites for city centre sites in consultation with the Chair of the Licensing Committee and the lead opposition member;
- (5) Assistant Director for Economic Development has delegated authority to approve, within Committee policy, short-term street trading consents in association with other city centre events and commercial activity;
- (6) Assistant Director for Economic Development has delegated authority to approve and set fees for ad hoc street trading applications, within Committee policy;
- (7) Assistant Director for Economic Development has delegated authority to approve, within Committee policy, the issuing of consents to existing ice cream traders seeking to continue trading 2017/18;
- (8) Assistant Director for Economic Development has delegated authority to approve, within Committee policy, the issuing of consents to new traders or contested sites for vacant ice cream sites in consultation with the Chair of the Licensing Committee and the lead opposition member;
- (9) Assistant Director for Economic Development has delegated authority to approve, within Committee policy, the issuing of consents to existing Hoe and Madeira Road trading sites seeking to continue trading in 2017/18;
- (10) Licensing Committee delegates approval for Hoe and Madeira Road trading sites to the Licensing Sub Committee for all new applications.

11. **Exempt Business**

Agreed that under Section 100A(4) of the Local Government Act 1972, to exclude the press and public from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

12. **Confidential Minutes**

The committee agreed the following confidential Licensing Sub Committee minutes –

- 24 June 2016
- 19 July 2016
- 25 October 2016