

# LICENSING COMMITTEE



**30 JUNE 2014 - 2:30PM**

**PRESENT:** Councillor Mrs K F Mayor(Chairman), Councillor Mrs C R Cox, Councillor A Miscandlon, Councillor C C Owen, Councillor R Skoulding, Councillor W Sutton.

**APOLOGIES:** Councillor Mrs V M Bucknor, Councillor M J Humphrey,

Kim Winterton (Licensing), Rory McKenna (Legal), Jane Webb (Member Services & Governance)

## **L1/14 TO CONFIRM AND SIGN THE MINUTES OF THE MEETING OF 14 MAY 2013**

The minutes of the meeting of 14 May 2013 were confirmed and signed.

## **L2/14 STREET TRADING POLICY**

Kim Winterton presented the Street Trading Policy and informed Members:

- Street Trading Policy development has been undertaken in response to the district experiencing problems with street trading activity. In seeking to redress those problems to the satisfaction of the community the regulatory partners have found it difficult through utilising existing enforcement options available to them;
- The policy is written in a way that will allow flexibility to enable Street Trading activity that supports the economy and tourism but enable Street Trading activity that supports the economy and tourism but enables effective powers to stop trade that is a nuisance to the community;
- Adoption of Schedule 4, Local Government (Miscellaneous Provisions) Act 1982;
- Consideration of a draft Street Trading Policy for public consultation over a 12 week period;
- Committee Members to discuss and agree designated street areas across the district.

Members made comments, asked questions and received responses:

- Would the Wimblington side of the roundabout at Mill Hill be incorporated as technically it is not the access into town to which Kim Winterton explained there are no particular streets identified within the policy; Members may wish to name certain roads and areas in order to make it clear;
- Do laybys come under the same criteria to which Kim Winterton explained that a plan would show which part of the street was within the consent order, thereby identifying any necessary laybys.

Kim Winterton informed Members:

- Page 15 of the pack, under the heading Purpose, second bullet point, should read District and not County;
- The surrounding local authorities were looked at to see what they were using to enable Fenland to be as consistent as possible therefore the documents are an amalgamation of several different types to ensure that we are not too different from the other authorities and tweaked to suit Fenland activity;
- It may be prudent that this document is sent to Town and Parish Councils prior to public

- consultation, to add value to the policy by enabling problem streets to be identified;
- Laybys can be included if they are within the Fenland district;
- Tables and chairs placed outside premises to consume drinks and food are covered by a separate pavement cafe policy; the street trading policy covers those selling goods;
- Someone pitching up in a layby may need a street trading licence;
- There are some exemptions, ie community events

It was AGREED that the draft policy would go to Town and Parish Councils in order for streets to be identified prior to being sent out for public consultation. The Licensing Committee would meet again after the draft policy had been seen by Town and Parish Council but before the document was then sent for public consultation, in order to decide what should be included. A meeting date was set for Tuesday 14 October 2014 at 10:30am.

### **L3/14      VERBAL UPDATE ON EMERGING NATIONAL LICENSING ISSUES**

Kim Winterton gave a verbal update on the following items:

- Street Trading Policy
- Deregulation Bill 2014/15;
- Community & Ancillary Sellers Notice (CAN);
- Mandatory Conditions;
- New Section 182 Guidance;
- Licensing Act 2003 (Amendment) Bill - Public Health Objective dated (12 June 2014)

Members made the following comments:

- There was concern raised over the fact that unknown drivers would be able to drive taxis and agreement that this should be reviewed. Kim Winterton explained that the Police Crime Commission, Sir Graham Bright has also raised this issue; it was therefore agreed that the Licensing Committee should contact the PCC in order to show support regarding the concerns over the current level of legislation being put forward at the moment;
- Did Fenland work with neighbouring councils in order to find a level playing field over the wider area to which Kim Winterton explained that Fenland, King's Lynn and Cambridge do follow similar practices.

3:25pm

Chairman