

Licensing Sub-Committee

23 November 2018 at 9.36 am

Present:- Councillors Cates, Mrs Oakley and Wheal

Licensing Officer	Glenn James
Assistant Licensing Officer	Andrew Burrows
Solicitor	April Heaseman

1. Election of Chairman

Prior to commencement of the meeting it had been agreed that Councillor Wheal would chair the meeting.

2. Declarations of Interest

There were no Declarations of Interest made.

3. Application for a Street Trading Consent in London Road Precinct, High Street, Little High Street and Place St Maur, Bognor Regis

The Licensing Officer presented this report which set out the detail of an application for a street trading consent for London Road Precinct, High Street, Little High Street and Place St Maur, Bognor Regis for a period of one year for between the hours of 8.00 am until 11.00 pm for seven days a week and to include Bank Holidays. This application had been received from the Business Improvement District (BID).

The Licensing Officer explained that the application was for consent to hold different types of speciality markets, at various times throughout the year, with the types of goods to be sold varying depending upon the type of market at that time. A schedule of goods, which was not exhaustive, included a wide range of goods including clothing, electrical goods, soft furnishings, giftware, food, household goods, cosmetics, jewellery, services and toys.

Before inviting the representative in attendance on behalf of the Bognor Regis BID, to present the case, the Sub-Committee was reminded of the concessions, market, street trader and street entertainers' strategy that had been adopted in October 2012 and that this Strategy would be formally considered when determining applications for street trading.

The applicant then outlined the application stating that it was a continuation of a similar previous licence held by the Town Centre Manager, who was no longer in post. This meant that a re-application had been required to enable Bognor Regis BID to be able to actively manage, co-ordinate, control and oversee street trading operation in the areas covered by this application.

If approved, the consent would allow the Bognor Regis BID to continue to deliver the desired Town Centre improvements that supported the regeneration of the Town, this would include building on providing high quality regular markets and similar events which would improve the Town's offering to those visiting Bognor Regis. The BID would conduct a similar operating charter to that overseen by the former Town Centre Manager which would be to appropriately control and manage the activity and overall space in a similar manner.

In the course of questions from Members, the hours of operation, six days a week was seen as a slight concern. The applicant stated that he could apply flexibility to this and that the finish time of markets would not go past probably 9.00 pm and so the 11.00 pm finish time could be amended if this was requested by the Sub-Committee.

Questions were then asked about potential noise issues for nearby residents and food stalls and would these be regularly monitored in line with health and safety legislation.

The Sub-Committee was reassured that an operating agreement would be in place and that there would be regular liaison with Arun District Council Officers to ensure that all markets would be delivered to a high quality and acceptable standard. Reference was made to the Market Charter which all operators had to apply to.

All parties then left the room to enable the Sub-Committee to consider the matter.

The Sub-Committee invited everyone back into the room so that further questions could be asked of the applicant and the Licensing Officer. These related to the conditions that would have to be adhered to as part of the street trading consent.

All parties then left the room to enable the Sub-Committee to consider the matter further.

The Sub-Committee

RESOLVED

That the consent be issued subject to the times and days specified in the application and

- (i) The position of the stalls being specified;
- (ii) The articles to be sold by venders to be specified;
- (iii) Stalls to be inspected by a Food Safety Officer and to comply with food hygiene and health and safety standards; and
- (iv) Standard conditions for street traders to be applied to the consent

4. Application for Street Trading Consent in London Road, Bognor Regis

The Licensing Officer presented this report which set out the detail of an application for a street trading consent for a period of one year for the London Road pedestrian precinct, Bognor Regis from Monday to Sunday – 09.00 hours to 17.30 hours each day.

The Licensing Officer confirmed that the application was to allow the applicant to sell garments and hosiery from a covered stall and Members were reminded of the concessions markets, street trade and street entertainers' strategy adopted by Cabinet in 2012 and that this Strategy would be considered when determining this application.

It was outlined to the Sub-Committee that should the application be approved, the applicant would be expected to liaise with the Bognor Regis BID on the relevant days of operation, especially when speciality market days were planned to ensure that there would be no conflict of operation.

The Licensing Officer was asked questions about the location of the stall and insurances.

The applicant then outlined his application stating that he had been trading in Bognor Regis for some time and had another stall located in Bognor Regis. The applicant confirmed that he would amicably co-operate with the Bognor Regis BID, if his application was approved, to ensure that his stall would not be detrimental to any major events planned by the Bognor Regis BID on London Road. He outlined that had been trading for some time with his other stall and had not received any complaints about his operation.

All parties then left the room to enable the Sub-Committee to consider the matter.

Following consideration of the application, Members were content to approve, subject to the applicant complying with any requirements of the Bognor Regis BID on market days and when there were special events held.

The Sub-Committee

RESOLVED

That the consent be issued subject to the times and days specified in the application and

- (i) The position of the stall being specified;
- (ii) The articles to be sold by the vendor to be specified; and
- (iii) Standard conditions to be attached to the consent.

3 Exempt Information

The Sub-Committee

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act of the paragraph specified against the item.

4. Application for a Hackney Carriage/Private Hire Driver Licence (Exempt – Paragraph 1 – Information Relating to Individuals)

The Licensing Officer presented this report which set out the detail of an application for a hackney carriage/private hire driver licence from an applicant with previous relevant convictions.

The applicant was then requested to outline his case, following which he responded to questions from Members and officers.

All parties left the room to enable the Sub-Committee to consider the matter.

All parties were then recalled and the Sub-Committee then

RESOLVED

That the licence be granted, subject to the DBS check, knowledge test, medical and driving assessment being completed to the satisfaction of the officers, with a strict warning for a period of one year from the commencement of the licence being granted.

Reason for the Decision

To ensure that the applicant is a Fit and Proper person as required by legislation:

- Local Government (Miscellaneous Provisions) Act 1976, Section 51
- Local Government (Miscellaneous Provisions) Act 1976
- The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002

(The hearing concluded at 11.15 am)

Signed Chairman