

# GENERAL PURPOSES LICENSING COMMITTEE

Monday 8<sup>th</sup> February 2010

**COUNCILLORS PRESENT FOR THE WHOLE OF THE MEETING:** The Chair (Councillor Mary-Jane Sareva), the Vice-Chair (Councillor Colin Cook), Councillors Bryan Keen and David Williams.

**COUNCILLORS PRESENT FOR PART OF THE MEETING:** Councillors Clark Brundin, Roy Darke, John Goddard and David Rundle.

**OFFICERS PRESENT FOR THE WHOLE OF THE MEETING:** Mathew Metcalfe and Daniel Smith (Law and Governance) Tony Payne and Andrew Thompson (Environmental Development).

**OFFICERS PRESENT FOR PART OF THE MEETING:** Julian Alison and Jill Cramer (Environmental Development).

## **24. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Rae Humberstone and Mark Lygo.

## **25. DECLARATIONS OF INTEREST**

The Chair (Councillor Mary-Jane Sareva) declared the following personal interests that, depending upon the circumstances, might also be prejudicial interests in respect of the work of the Committee:

- (i) Holder of a Security Industry Authority licence;
- (ii) Holder of a personal licence issued by the Oxford City Council under the provisions of the Licensing Act 2003.

## **26. MINUTES**

The Committee agreed to approve the minutes (previously circulated) of the meeting held on 12<sup>th</sup> October 2009.

## **27. CRITERIA FOR LICENSED PRIVATE HIRE VEHICLE LICENCE**

The Head of Environmental Development submitted a report (previously circulated, now appended), which asked the Committee to consider a request to amend the criteria for Licensed Private Hire Vehicles.

Jill Cramer (Environmental Development) attended the meeting and introduced the report.

The Committee agreed:

- (a) Not to amend the current criteria for private hire vehicles as requested;

- (b) To request Officers to review the current criteria in conjunction with Councillor Brundin to take into account advances in vehicle technology and submit a report following the review;
- (c) To amend the current criteria in relation to the rear seat leg room in accordance with paragraphs 11, 12 and 13 of the report;
- (d) To thank Jill Cramer for attending the meeting.

## **28. FEES AND CHARGES 2010/11**

The Head of Environmental Development submitted a report (previously circulated, now appended), which sought the Committee agreement of the licence fees for 2010/11 where the Council had the discretion over the level of fee charged.

Tony Payne (Environmental Development) attended the meeting and introduced the report.

The Committee agreed:

- (a) To note the licence fees set by statute;
- (b) To approve the licence fees for 2010/11 as detailed in the report;
- (c) To request the Head of Environmental Development to inform the Committee each time a reduced “market rate” is applied when letting a “difficult to let” site.

## **29. REVIEW OF THE STREET TRADING SCHEME AND POLICY – CONSULTATION RESPONSES**

The Head of Environmental Development submitted a report (previously circulated, now appended), which reported back the responses to the public consultation on the Street Trading Scheme and Draft Policy.

Tony Payne (Environmental Development) introduced the report.

The Committee agreed:

- (a) To amend the proposed Street Trading Policy as set out in paragraphs 39-45 of the report with the exception of further amendments to:
  - (1) The 7<sup>th</sup> paragraph under 4.1 to read:

*“Annexe 1 lists the streets in the City Centre that are designated as prohibited streets, consent streets, and the approved street trading sites. When considering street trading sites, the Council will seek the advice of Thames Valley Police, Nightsafe, Oxfordshire Fire and Rescue Service, the Highways Department of Oxfordshire County Council and neighbouring retail establishments and residents”*

(2) Paragraph 14 of Annex 2 to read:

*“A Street Trading Consent cannot be transferred or sold to another person, except to an immediate family member of the Consent Holder’s family in the event of the consent holder’s death or incapacity on payment of a fee. The sub letting of a pitch is prohibited.”*

And refer this to Council for consideration and adoption, and for the policy to come into effect on publication for new Street Trading Consent applications and six months from the date of publication for current Consent holder.

- (b) To authorise the Head of Environmental Development and the Head of Law and Governance to make textual changes to the policy in consultation with the Chair of the General Purposes Licensing Committee;
- (c) To request Council to consider and delegate subsequent revisions of the Street Trading Policy to the General Purposes Licensing Committee;
- (d) To change in principle, the Street Trading designation of streets in the City, and request a further report be submitted to the Committee outlining the proposed changes;
- (e) To request the Head of Environmental Development to explore the feasibility of the new approach for street trading in the northern part of St. Ebbe’s Street in conjunction with any plans to regenerate the area;
- (f) The status of the following street trading sites that have been brought into question by the street trading review:
  - (i) 5 Bonn Square outside 13a Bank House – Status – move the pitch along Queen Street a short distance and defined as the Queen Street, junction with New Inn Hall Street site;
  - (ii) 7 Castle Street, east side lay-by – Status – Relocate this site to New Road, northside and pursue the feasibility of a further relocation to the car park;
  - (iii) 9 George Street, outside number 25 – Status – No change to this site;
  - (iv) 10 High Street outside Lincoln College Library (on the road) – Status – Relocate to King Edward Street as suggested by the County Council and to consult with partners and those that maybe affected by the relocation;
  - (v) 11 High Street outside University College – Status – Retain this pitch in the same location with the setting up and trading times not to commence before 8.00pm on any day;

- (vi) 15 St. Aldates (outside Christ Church) – Status – Site should be retained with further consultation carried out between the City and County Councils to avoid any conflicts of interests;
- (vii) 17 and 18 St. Giles, lay-by outside the Taylorian Institute – Status – Sites to be retained with further consultation between the City and County Council to avoid any conflicts of interest;
- (viii) 19 Woodstock Road – Status – No change to this site;
- (ix) 26 Pennyfarthing Place – Status – Head of Environmental Development to find a suitable alternative site in a Consent Street to relocate this site;
- (x) Sites affected by the Bonn Square redevelopment and Transform Oxford. 5 Bonn Square outside 13a Bank House, 7 Castle Street, east side lay-by, 20 Bonn Square outside Westgate Library, 21 Bonn Square junction with New Inn Hall Street, 27 Queen Street outside New Look Fashions, Weekly Let site at Bonn Square south side (outside Westgate) – Status – These sites had previously been dealt with in a report to the Committee in June 2009. Proposals for the treatment of the evening hot food sites outside 13a Bank House and Castle Street lay-by have been dealt with.

With regard to the site currently occupied by the crepe Stall outside New Look Fashions and the Flower Stall and weekly lets temporarily trading from Cornmarket Street, to be dealt with in a report on feasibility of relocating these to St. Ebbe's.

- (g) To delegate authority to the Head of Environmental Development to determine Street Trading Consent applications as set out in paragraphs 14-16 of the report;
- (h) To receive a further report to the Committees June 2010 meeting, on the apportionment of Street Trading Fees and agreed that the Council should not lose money on the Street Trading Scheme with the fees set to enable the costs to be recovered;
- (i) To request the Head of Environment Development to submit a report on proposals suggested by Councillor Matthew Morton with regard to Dawson Street.

### **30. GOVERNMENT CONSULTATION ON MODERNISING STREET TRADING AND PEDLER LEGISLATION, AND ON DRAFT GUIDANCE ON THE CURRENT REGIME**

The Head of Environmental Development submitted a report (previously circulated, now appended), which sought the Committees views of the Governments consultation on Street Trading and Pedlary Laws.

Tony Payne (Environmental Development) introduced the report.

The Committee agreed:

- (a) To note the report;
- (b) That Pedlers certification should be transferred from the Police to the Local authority;
- (c) To request the Head of Environmental Development to draft a response in consultation with the Chair of the General Purposes Licensing Committee.

### **31. DATE OF NEXT MEETING**

The Committee noted that it would meet on Thursday 20<sup>th</sup> May 2010.

### **32. FUTURE ITEMS**

- (1) Exploration of the feasibility of the new approach for street trading in the northern part of St. Ebbe's Street in conjunction with any plans to regenerate the area
- (2) The apportionment of Street Trading Fees to enable the costs to be recovered;
  - (i) Proposals suggested by Councillor Matthew Morton with regard to Dawson Street.

The meeting started at 5.55pm and finished at 7.45pm