

LICENSING AND REGISTRATION SUB COMMITTEE

Monday 20 April 2015

COUNCILLORS PRESENT: Councillors Coulter, Clarkson and Royce.

OFFICERS PRESENT: Samantha Howell (Licensing Officer), Lyndsey Key (Environmental Health Officer), Lesley Rennie (Business Regulation Team Manager), Daniel Smith (Law and Governance) and Sarah Claridge (Committee Services Officer)

79. ELECTION OF CHAIR

The Sub-Committee resolved to elect Councillor Coulter as Chair for this meeting.

80. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wolff

81. DECLARATIONS OF INTEREST

None received

82. PROCEDURE TO BE FOLLOWED

The Sub-Committee resolved to NOTE the procedure.

83. BREACH OF STREET TRADING CONSENT CONDITIONS - MR HAROON KHAN

The Head of Environmental Development submitted a report (previously circulated, now appended) which detailed a street trading consent where the street trader had breached the conditions of the Street Trading Policy.

The Licensing Officer presented the report to the Sub-Committee. She explained that Mr Khan (consent holder) had failed to make a valid renewal application at least one month prior to the expiry of his previous consent. Breach of conditions 6, 9 and 17 of the street trading consent in regards to food safety standards had also been reported by Environmental Health.

Mr Haroon Khan (applicant) and Mr Luke Hussain (manager) attended the meeting and presented their case. Mr Khan had been unwell and Mr Hussain had been responsible for the day to day running of the business. Mr Hussain said that he was in the process of re-training his staff and that there had been a number of new staff since the free staff training by the Food Standards Agency. He asked for a final chance and offered not to trade until standards improved. Mr Khan promised to get more involved in the running of the business.

The Licensing Officer explained that it was the responsibility of the consent holder to renew the consent, not the manager's.

The renewal consent application was missing the following documents:

- Public Liability Insurance
- Valid Waste Transfer Agreement
- Registered employees and their right to work.

Currently, there is no valid consent application for the Sub-Committee to determine.

The Principal Lead Environmental Health Officer explained that there had been no real improvement in the food safety practices after the 3 inspections.

At this point the Sub-Committee, accompanied by its Legal Advisor and Committee Secretary, withdrew to deliberate and make its decision in private.

Having taken into account all submissions, the Sub-Committee then returned and announced its decision.

The Sub-Committee NOTED that there was not a valid renewal application to consider as several of the documents were missing from Mr Khan's application.

However if the application had been valid, the Sub-Committee would REFUSE the application as they had no confidence that the consent holder could meet the public food standard requirements set out in the Council's General Conditions for Annual Street Trading Consents, specifically conditions 6, 9 and 17.

Despite appropriate training being given to the employees of the business by the Food Standards Agency, this training was not being practiced.

Mr Khan was informed that he would receive a letter confirming the Sub-Committee's decision and there was no right of appeal.

84. MINUTES

The Sub-Committee resolved to APPROVE the minutes of the meeting held on 3 November 2014 as a true and accurate record.

85. DATES OF FUTURE MEETINGS

The Sub-Committee NOTED the next meeting is scheduled for 1 June 2015 if required.

The meeting started at 5.30 pm and ended at 6.10 pm