

Minutes of a meeting of the GENERAL PURPOSES LICENSING CASEWORK SUB-COMMITTEE on Monday 5 March 2018

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Committee members:

Councillor Cook (Chair)

Councillor Landell Mills

Councillor Lloyd-Shogbesan

Officers:

Daniel Smith, Lawyer

Lesley Rennie, Business Regulation Team Manager

Samantha Broome, Licensing Officer

John Mitchell, Committee and Member Services Officer

Also present:

Lucy Longford, Business Regulation Compliance Assistant (Observer).

57. Apologies for Absence

None received.

58. Declarations of Interest

None.

59. Procedure to be followed at the meeting

The Chair welcomed Mr Khalil and his supporter (Jo Moffett-Levy), introduced the members of the Sub-Committee and described the process to be followed at the meeting.

60. Minutes

The Sub-Committee resolved to APPROVE the minutes of the meeting held on 22 January 2018 as a true and accurate record.

61. Breach of Street Trading Consent Conditions

The Head of Planning, Sustainable Development & Regulatory Services had submitted a report to determine the action to be taken in relation to Mr Hassan Khalil's Street Trading Consent, taking into account his failure to adhere to the conditions of the Street Trading Policy, the matters set out in the report and any representations that might be made at the meeting.

The Licencing Officer spoke briefly to the report, reminding the Sub-Committee of the reasons for referral to the Sub Committee, as detailed at Paragraph 4 of the report, and of the correspondence with Mr Khalil attached as appendices to the report.

Following the letter dated 17 October 2017 she had met Mr Khalil on the same day to hand deliver the letter and discuss the arrears. Mr Khalil said he had been away due to personal circumstances and apologised for the arrears.

Following the letter sent dated 9 January 2018 she met Mr Khalil on 25 January. Mr Khalil explained that a number of serious family issues had caused him to spend large amounts of time away from the business. Mr Khalil was advised to bring his balance up to date as a matter of urgency because he was in breach of his Conditions of Consent. Mr Khalil made assurances that further payments would be received by the Council and the arrears cleared. Since the report had been published, further payments to the sum of £3600 had been received, leaving outstanding arrears of £3350.

Shortly before the start of the meeting Mr Khalil had presented the Licencing Officer with receipts for additional payments. These were totalled during the meeting and, while significantly reducing the debt, fell short of the required amount by £400. Mr Khalil believed however that the debt had in fact been paid in full. Officers agreed that this might be the case with some electronic payments not reflected by the receipts; this would be checked after the meeting.

Mr Khalil explained to the Sub-Committee that a number of factors had contributed to the build up of arrears, including family issues, which had resulted in his absence from the country for lengthy periods of time. He was very sorry for having let the debt build up in this way.

Officers said that Mr Khalil had held a Street Trading Consent for four 12 month periods and this matter was the only breach which had occurred in that time. It was noted that the present Consent only had 3 weeks to run and that Mr Khalil intended to apply for a further 12 month Consent when it expired.

The Mr Khalil, his supporter and the Licencing Officers left the room while the Sub-Committee considered the points made and then returned.

The Chair was concerned that this debt had built up to the extent that it had and, while noting the reasons for it, these did not excuse the failure to pay. He noted that efforts had been made to repay the debt (albeit late) and Mr Khalil's apology. He advised Mr

Khalil that it was imperative that the debt was, indeed, cleared, in full, if he was to be granted another Consent and that he should take steps to ensure regular payments in future.

The Sub-Committee resolved to:

- 1. **Note** Mr Khalil’s breach of condition 28 of the General Conditions for Annual Street Trading Conditions (failure to pay the required instalments by the due dates);
- 2. **Delegate** to Officers the power to refuse a further Consent in the absence of confirmation that the outstanding debt has been paid by the end of the month; and
- 3. **Delegate** to Officers the power to require Mr Khalil’s appearance before the Sub-Committee if he defaults on any future payment.

62. Exempt Matters

The Sub-Committee resolved that under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the remaining items of business on the grounds that their presence would involve the likely disclosure of exempt information as described in Paragraph 3 of Part 1 of Schedule 12A of the Act.

63. Confidential Minutes

The Sub-Committee resolved to APPROVE the confidential minutes of the meeting held on 22 January as a true and accurate record.

64. Dates of Future Meetings

The dates of future meetings (if required) are:

- Monday 16 April 2018
- Monday 30 May 2018
- Monday 25 June 2018

The meeting started at 6.00 pm and ended at 6.30 pm

Chair

Date: Monday 16 April 2018

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