

# Agenda Item 5

## LICENSING AND REGISTRATION SUB COMMITTEE

**Monday 29 October 2012**

**COUNCILLORS PRESENT:** Councillors Cook (Chair), Coulter, Gotch and Royce.

**OFFICERS PRESENT:** Lois Stock (Democratic and Electoral Services Officer), Daniel Smith (Law and Governance)

Dawn Cox (Team Leader - Environmental Development) and Samantha Howell (Licensing Officer) attended the meeting to present the reports to the Sub Committee. They left the room each time the cases were discussed and decisions reached.

### **16. APOLOGIES FOR ABSENCE**

None

### **17. DECLARATIONS OF INTEREST**

None

### **18. PROCEDURE TO BE FOLLOWED**

Resolved to note the procedure.

### **19. BREACH OF STREET TRADING CONSENT CONDITIONS - MISS ARZU DE JESUS NEVES**

The Head of Environmental Development submitted a report (previously circulated, now appended). Samantha Howell (Licensing Officer) presented the report to the Sub Committee.

Miss Arzu de Jesus Neves attended the meeting and presented her case.

The Licensing Officers, Miss de Neves and the press representative withdrew whilst the Sub Committee considered the case.

Having taken all submissions into account, both written and oral, the Sub Committee was concerned about the breach of conditions that had occurred. It therefore RESOLVED that:-

- (1) It was in the interests of public safety to impose an additional condition upon Miss de Neves consent;
- (2) The condition to be imposed is as follows:-

At all times that the van is open for business, it shall be operated by at least 2 suitably qualified people who are registered with Environmental Development.

## **20. BREACH OF STREET TRADING CONSENT CONDITIONS - MR MEHDI KARROUCHI AND MRS WADEYA KARROUCHI**

The Head of Environmental Development submitted a report (previously circulated, now appended). Samantha Howell (Licensing Officer) presented the report to the Sub Committee, and Lindsay Key (Environmental Health officer) explained part of the report concerning the inspections that she had made of Mr and Mrs Karrouchi's business.

Mr and Mrs Karrouchi and Mr Hussain attended the meeting and presented their case.

The Licensing Officers, Mr and Mrs Karrouchi, Mr Hussain and the press representative withdrew whilst the Sub Committee considered the case.

The Sub Committee considered all representations received, both written and oral. The Sub Committee noted that there had been concerns about this business that dated back to 2007. It further noted that a Hygiene Improvement Notice that had been served had not yet been fully complied with; and that a legal case (an issue separate from the matters of licensing) was currently being compiled by the Commercial Regulation team. The Sub Committee therefore concluded that this business was in the "high risk" category.

It therefore RESOLVED that in the interests of public safety, an inspection of Mr and Mrs Karrouchi's business shall take place before the end of November 2012. Should any breaches of condition be found, the matter will be reported forthwith to the Licensing and Registration Sub Committee for further consideration and determination.

## **21. APPLICATION FOR A VACANT APPROVED SITE**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning an application to operate from approved street trading pitch Site 6, Broad Street.

Samantha Howell (Licensing Officer) presented the report to the Sub Committee. Chris Wood (Corporate Property) attended the meeting and explained that some traders along Broad Street had concerns that this application would present direct competition to current tenants. The City Council was the landlord for a number of properties along Broad Street.

Daniel Smith reminded the Sub Committee that concerns over competition to City council tenants were beyond the scope of the street trading policy and not relevant matters for a licensing committee to consider.

Mr Akkouche attended the meeting and presented his application.

The Licensing Officers, Mr Akkouche and the press representative withdrew whilst the Sub Committee considered the case.

Having taken all relevant submissions into account, both written and oral, the Sub Committee resolved to GRANT the application as applied for, attaching the Council's standard conditions for street trading.

## **22. APPLICATION FOR A VACANT APPROVED SITE.**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning an application to operate from a new street trading site on Warneford Lane. Samantha Howell presented the report to the Sub Committee.

Mr Yilmaz attended the meeting and presented his application.

The Licensing Officers, Mr Yilmaz and the press representative withdrew whilst the Sub Committee considered the case.

Having taken all submissions into account, both written and oral, the Sub Committee RESOLVED to:-

- (1) Grant the application, as applied for, attaching the Council's standard conditions for street trading;
- (2) Add a further condition to the street trading consent requiring the use of biodegradable or recyclable packaging and utensils for use by the customers.

## **23. MINUTES**

Resolved to confirm as a correct record the minutes of the meeting held on 24<sup>th</sup> September 2012.

Daniel Smith advised that a Judicial Review application had been received from the owners of The Lodge. The High Court had granted them a stay of the Sub Committee decision last week, which means that they are able to continue operating pending the Judicial Review hearing.

## **24. MATTERS EXEMPT FROM PUBLICATION**

Resolved that all items would be taken in public, with the exception of the deliberations of the Sub Committee which would be taken in private as per paragraph 24 of the hearing procedures.

It is still open to the Sub Committee to resolve to move into private session should the evidence presented during the meeting be likely to require it.

**The meeting started at 5.00 pm and ended at 7.12 pm**

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