

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON TUESDAY, 4 OCTOBER 2011 AT 2.00PM

Present:

Councillor K T Rowlands

Councillors

M W Butcher
D Buttle
E M Dodd

Councillors

R D Jenkins
D A Unwin
C Westwood

Councillors

M C Wilkins
R Williams

Officers:

L Jones - Group Manager Public Protection
Y Witchell - Licensing and Registration Officer
K Watson - Legal Officer
M A Galvin - Senior Democratic Services Officer - Committees

88 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C J James

89 DECLARATIONS OF INTEREST

Councillor D K Edwards - Councillor Edwards declared a personal interest in Agenda Item 4, Review of Street Trading in the County Borough, as he was a Member of the Board of Governors at Maesteg Comprehensive School who initiated the review of Street Trading.

Councillor D Buttle - Councillor Buttle declared a personal interest in Agenda Item 4, Review of Street Trading in the County Borough, as he was a Member of the Board of Governors at Maesteg Comprehensive School who initiated the review of Street Trading.

90 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the Special Meeting of the Licensing Committee dated 13 July 2011 be approved as a true and accurate record.

91 REVIEW OF STREET TRADING IN THE COUNTY BOROUGH

The Assistant Chief Executive - Legal and Regulatory Services submitted a follow-up report on a consultation exercise undertaken in connection with the above review, and sought also to obtain approval to adopt a new Street Trading Order, affecting the whole of the County Borough.

The Group Manager Public Protection outlined the background to the report, which confirmed that at its meeting on 19 January 2011, the Committee considered a report on the proposed changes to the organisation of streets within the County Borough for the purposes of street trading and on a proposed street trading policy. The Committee also approved a further consultation and public notice of the proposals, the results of which were set out in the report.

Paragraph 4.1 of the report outlined a proposal within the Policy (attached at Appendix A to the report) to relax the current ban on street trading in John Street, Porthcawl, to allow trading by consent as part of Council approved themed events or festivals.

The Group Manager Public Protection referred Members to the one objection to this proposal from 'Our Pet Shop' also detailed in the report.

The report then advised how the Porthcawl Town Council and Maesteg Town Council supported the proposed changes affecting John Street, as this would allow for a relaxation to street trading controls that currently existed there.

The report then advised how the proposed review would extend to all streets comprising the County Borough as a whole, into the street trading regime.

The Group Manager Public Protection advised that a number of consultees had supported proposals associated with the revised policy, which included also the Head of Street Scene, who felt that this would assist in dealing with new burger vans and static car sales etc.

He added that the Town Centre Manager also supported the changes, who stated that they would help with the Council's objectives to enhance the vibrancy of Porthcawl and bring extra trade and retail spend to this and other locations of the County Borough.

The Group Manager Public Protection confirmed that the Policy also attempted to address events in the form of street trading activities deemed not to require the consent of the local authority and these were outlined in Paragraph 4.12.1 of the report.

The Group Manager Public Protection concluded by referring Members to Paragraph 4.13 of the report, and recommended that the Committee having already previously declared its intention to pursue with the management of the current scope of Street Trading Controls in the Bridgend County Borough, and to set a date for the coming into force of the new designations of streets and give notice of this. It was recommended that the new designation comes into force on 14 November 2011.

A Member of Committee asked how much it would cost for an organisation to make application for a street trading event.

The Licensing and Registration Officer explained that it would cost nothing if the organisation was classed as "not for profit", and failing this a consent was current £219 per annum with fees charges pro rata for monthly events.

A further question was asked as to the definition of Street Trading, i.e. what areas the Policy would cover.

The Licensing and Registration Officer confirmed that the definition of areas extended beyond streets per se, and included any open areas where the public had access without payment.

The Group Manager Public Protection added that the Policy would endeavour to avoid areas of risk such schools, etc, except for charity events and the like. Though he anticipated that there may be grey areas in terms of where or what the Policy covered, he expected these to decrease as the Policy and associated guidance developed and different applications received were processed.

In terms of applications refused for street trading events, he added that these could be referred through the Council's complaints procedure and ultimately to the Local Ombudsman if the applicant so required.

RESOLVED: (1) That the Committee pass the following resolution to vary the designation of streets, for the purposes of street trading controls as follows:

“Pursuant to Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 the following designations of streets shall come into force with effect from 14 November 2011: All streets shall be designated as consent streets with the exception of any school or school playing field designated on the public list of schools published by the authority. A street includes any part of a street and all forecourts, roads, footways or other areas adjacent to the streets referred to in this resolution for a distance of thirty metres. Any resolutions made by the Bridgend County Borough Council, the former Ogwr Borough Council, and their predecessor authorities specifying certain streets as being prohibited streets and consent streets, shall be rescinded”

(2) That the Committee approved the publication of a revised street trading policy attached at Appendix A to the report.

The meeting closed at 2.23pm