

Licensing & Regulatory Panel

Minutes of the Licensing & Regulatory Panel held on Wednesday 21 December 2016, at the Town Hall, Royal Leamington Spa at 10.00am.

Present: Councillors Mrs Cain, Davies and Gifford.

Also Present: Mr Gregory (Council's Solicitor), Mrs Barnes (Senior Committee Services Officer) and Mrs Dudgeon (Licensing Officer).

1. **Appointment of Chairman**

Resolved that Councillor Gifford be appointed as Chairman for the hearing.

2. **Declarations of Interest**

There were no declarations of interest.

3. **Application for a Street Trading Consent to trade outside the hours set out in Warwick District Council's Policy**

The Panel considered a report from Health and Community Protection which sought a decision on a Street Trading Consent application from an individual who wished to trade outside the permitted hours set out in the policy.

The Chair introduced the members of the Panel and the officers present. The other parties then introduced themselves as:

- Mr Reid, the applicant; and
- Mr Munsey, observing.
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The Licensing Officer outlined the report and asked the Panel to consider all the information contained within it and whether the applications for three Street Trading Consents should be granted in line with the applications.

Warwick District Council had designated every street within the District as a consent street and any person wishing to expose goods for sale, anywhere the public had free access, must apply for a Street Trading Consent.

The Council's policy permitted trading between the hours of 06:00 and 18:00.

Mr Reid had applied for three renewals of his street trading consents to trade from his ice cream vans from 10:00 to 20:00, two hours later than the Policy currently permitted. If granted, Mr Reid would only be permitted to trade during these hours.

As per procedure, Mr Reid had supplied the Licensing Department with photographs of his vehicles, a copy of his public liability insurance and a basic disclosure. These documents were circulated at the meeting.

Mr Reid addressed the Panel and explained that Monday through to Friday, he would usually finish trading by 18:00, however, on a Saturday he would like the

opportunity to be able to trade up to 20:00. He assured Members that he would not be sounding the chimes on the vehicle after 18:00 and it was only at the weekend that longer trading hours would be used.

In response to questions from Panel Members, Mr Reid stated that:

- His usual pitch was at Dormer Place or Newbold Terrace,
- The extension of hours would provide him with greater flexibility to trade later, especially in the summer months.

At 10.06am, the Chair asked all parties other than the Panel, the Council's Solicitor and the Committee Services Officer to leave the room, in order to enable the Panel to deliberate in private and reach its decision.

Resolved that the three Street Trading Consents be granted as per the application.

The Panel has considered the application, the officer's report, the Council's Street Trading Policy and the representations made by you today. It is satisfied that it is appropriate to grant consent for you to trade between the hours of 10:00 and 20:00.

At 10:14am all parties were invited back into the room and the Chairman invited the Council's Solicitor to read out the Panel's decision.

All parties were advised that they had the right to appeal within 21 days of the formal decision being published.

4. **Application for a Street Trading Consent to trade outside the hours set out in Warwick District Council's Policy**

The Panel considered a report from Health and Community Protection which sought a decision on a Street Trading Consent application from an individual who wished to trade outside the permitted hours set out in the policy.

The Chair introduced the members of the Panel and the officers present. The other parties then introduced themselves as:

- Mr Munsey, the applicant; and
- Mr Reid, observing.
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The Licensing Officer outlined the report and asked the Panel to consider all the information contained within it and whether the applications for three Street Trading Consents should be granted in line with the applications.

Warwick District Council had designated every street within the District as a consent street and any person wishing to expose goods for sale, anywhere the public had free access, must apply for a Street Trading Consent.

The Council's policy permitted trading between the hours of 06:00 and 18:00.

Mr Munsey had applied for a renewal of his street trading consents to trade from his ice cream van from 12:00 to 19:00, one hour later than the Policy currently

permitted. If granted, Mr Munsey would only be permitted to trade during these hours.

As per procedure, Mr Munsey had supplied the Licensing Department with photographs of his vehicles, a copy of his public liability insurance and a basic disclosure. These documents were circulated at the meeting.

Mr Munsey addressed the panel and explained that he only ever traded from 12:00 each day but would like an extension of one hour to trade until 19:00. Mr Munsey assured Members that he was aware of the Local Government Code of Practice which restricted him using the chimes on his vehicle after 19:00.

In response to questions from Panel Members, Mr Munsey stated that:

- The extension of time was only for one hour each day.

At 10.18am, the Chair asked all parties other than the Panel, the Council's Solicitor and the Committee Services Officer to leave the room, in order to enable the Panel to deliberate in private and reach its decision.

Resolved that the Street Trading Consent be granted as per the application.

The Panel has considered the application, the officer's report, the Council's Street Trading Policy and the representations made by you today. It is satisfied that it is appropriate to grant consent for you to trade between the hours of 12.00pm – 19.00.

At 10:14am all parties were invited back into the room and the Chairman invited the Council's Solicitor to read out the Panel's decision.

(The meeting ended at 10:30 pm)