

LICENSING COMMITTEE**8 March 2016 at 10.00 am**

MEMBERS: Councillor Mary Burstow (Chair), Councillor Marlene Heron (Vice-Chair) and Councillors David Bartolucci, Samantha Bourne, Richard Broadbent, Margaret Court, Jean Crossby, Richard Marston, Nighat Piracha, Tony Shields and Graham Whitham

ABSENT: Councillors Moira Butt, Steve Cook, Nali Patel and Paul Wingfield

6. APOLOGIES FOR ABSENCE AND DECLARATION OF SUBSTITUTES

Apologies were received from Councillors Nali Patel and Paul Wingfield.

7. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 15 September 2015 were agreed and signed as a correct record.

8. DECLARATIONS OF INTEREST

There were no declarations of interest.

9. STREET TRADING REVIEW

Richard Winch, Licensing Manager, presented a report on options for alterations to street trading policy. The Council's street trading policy is subject to periodic review to ensure it meets the aspirations of the Council to be an enterprising and enabling Council which allows current and future businesses to thrive. The report set out the options available for the operation and regulation of street trading across the borough.

Councillors asked questions in order to clarify some of the existing policy and surrounding legislation. The Committee then moved on to a discussion of each of the recommendations.

Councillors established that they would like to investigate the possibility of introducing a banned items list if they were to abolish the commodities list. Richard Winch confirmed that Officers would review the options for a banned items list and bring the findings back to the Committee. He clarified that the Council could still restrict licensees to certain goods when granting a license, and that removing the commodities list would be beneficial to the evolving nature of street trading as the existing policy restricted sellers to two "groups" from the list. A vote was taken and the Committee agreed recommendation 2.2.

Councillors Jean Crossby and Margaret Court expressed support for restrictions on the sale of hot food at Rose Hill market, and Richard Winch confirmed that existing restrictions only referred to Sutton High Street and therefore the recommendation in the report only proposed removal of restrictions on Sutton High Street, however he also confirmed that it would be possible to impose restrictions at Rose Hill market. Councillor Marlene Heron proposed that the Committee could consider restrictions on the sale of hot beverages on Sutton High Street in order to prevent business from being taken away from shop units which was followed by a discussion. Councillor Mary Burstow raised a motion to allow the sale of hot food and hot beverages on Sutton High Street, and to prohibit the sale of hot

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food and hot beverages at Rose Hill market, with the condition that these policies would be reviewed after 12 months. A vote was taken and the motion was carried.

Councillors discussed the benefits of extending the licensing hours of pavement cafes to 10pm 7 days a week and raised concerns about the effect it could have on issues surrounding premises with alcohol licenses. Councillor Marlene Heron raised a motion that the Committee agrees recommendation 2.4 for 12 months, to be reviewed at the end of this time period. The motion was carried.

Councillors considered that a time limit of 10 working days for submission of an application prior to the beginning of a street trading license would allow adequate time for consideration and administration of the application.

RESOLVED that the Licensing Committee agrees to:

1. Introduce a speciality market fee structure based on numbers of stalls.
2. Abolish the commodities list.
3. Allow the sale of hot food and hot beverages on Sutton High Street, and to prohibit the sale of hot food and hot beverages at Rose Hill market. To be reviewed after 12 months.
4. Extend the licensing hours of pavement cafes to 10pm 7 days a week. To be reviewed after 12 months.
5. Introduce a time limit of 10 working days for street trading applications to be submitted.

10. FEES REPORT

Richard Winch, Licensing Manager, presented a report setting out the proposed fees for street trading, Special Treatment and Animal Licence fees for 2015/16.

Councillors sought clarification on some of the fees and moved to a vote.

RESOLVED that the Licensing Committee agrees:

1. That no increase is applied to the Market Traders fees.
2. To approve the proposed Temporary Street Trading, Special Treatment and Animal Licence fees.

11. ANY URGENT BUSINESS, BROUGHT FORWARD AT THE DISCRETION OF THE CHAIR

There was no urgent business.

The meeting ended at 11.38 am

Chair:

Date: