

LICENSING COMMITTEE

**Meeting held on 31st January 2012
at Council Chamber, Newham Town Hall, East Ham, E6 2RP**

Present: Councillor Ian Corbett (Chair)
Councillors Ron Manley, Patrick Murphy and Paul Schafer

Also Present: Janet Fasan, David Grant, Paul Johnston (LB Newham).

The meeting commenced at 6.11 p.m. and closed at 7.18 p.m.

1. Management of the Business of the Meeting

The Chair welcomed attendees and set out the order of business for the meeting.

2. Declarations of Interest

Councillor Schafer declared a personal interest in item 6 by virtue of a family member working for Newham Community Recycling Ltd., who are involved in contracting work with local markets.

3. Minutes

The Minutes of the meeting held on 26 October 2011 were agreed as a correct record.

4. Libby's, 162-164 The Grove, Stratford, E15 1NS

Members agreed to postpone this item.

5. Permissions for Amenities (Tables and Chairs) on the Public Highway - Highways Act 1980

David Grant, Principal Officer (Licensing), introduced the item, noting that the report sought Members' views on proposals to establish a licensing regime in order to regulate the placing of tables and chairs on the public highway for business purposes.

Mr Grant noted in particular that officers recommended a standard length of 3 years for any permitted application under the new regime and that any granted permission should be annulled if the annual fee was not paid; and that, if the new regime was agreed to, officers recommended that the Council would have to give 21 days written notice of any withdrawal of permission to the permission holder.

Decision

Members agreed to the principles of the regime as set out within the report and asked that a more detailed report on delegations be

presented to the next Committee.

6. Temporary Street Trading Licences: London Local Authorities Act 1990 (as amended)

David Grant, Principal Officer (Licensing), introduced the item, noting that the report set out the consultation that officers had undertaken on proposed Street Trading documents and changes that had been made to those documents as a result of new issues arising.

Mr Grant said that officers had followed up the points made at the Licensing Committee on 2 August 2011 over the potential requirement of deposits to cover any street trading application on the public highway and set out the average cost of replacements. Mr Grant suggested that it should be at the discretion of the Licensing Committee as to whether they required a deposit for reinstatement to be made for any particular application.

In relation to the guidelines attached with the report, Members and the Principal Lawyer raised the following queries:

- How a “fit and proper” person would be defined. Officers responded that any concerns expressed by Police and local authority would be used as a guideline;
- How the local authority would determine whether the operation of a stall could lead to antisocial behaviour. Officers said that the nature of the business (e.g. sale of alcohol) would guide decision making in this area;
- How an “unacceptable environmental impact” of leafleting would be defined. Officers said that this would depend on the quantity and purpose of leafleting.

Members raised concern about proposals to judge an application for leafleting on the basis of content of the material, stating that it was too complicated and that other legislation was in place that prohibited material that was harmful to individuals or certain sections of the community.

Decision

Members agreed to the proposed approach as set out within the report, and asked that a more detailed report on delegations be presented to the next Committee;

Members agreed that reference to contents of advertising material should be removed from application guidelines;

Members asked officers to establish the figure for public liability insurance associated with applications for street trading licences.