

LICENSING SUB-COMMITTEE

Friday 30 October 2009

Present:

Councillors Mrs Danks, Newby and Wadham

Also Present:

Principal Licensing Officer, Licensing Solicitor and Member Services Officer (HB)

92

APPOINTMENT OF CHAIR

Councillor Newby was appointed Chair for the meeting.

93

DECLARATION OF INTERESTS

No declarations of interest were made by Members.

94

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

95

APPLICATION FOR CONSENT TO TRADE (MR M.C.)

The Principal Licensing Officer presented an application for renewal of consent to street trade from Mr C for a period of twelve months in Falcon Road, Sowton Industrial Estate, Exeter, which was designated as a consent street under the provisions of the Local Government Act 1982.

Mr C had been previously granted approval to trade for three months by the Licensing Committee on 28 July 2009. He was seeking to continue trading on Mondays to Fridays from 07.30 hours to 15.30 hours. He was selling a range of 'fast' food, together with salads, sandwiches and more healthy options from a towing trailer measuring approximately 7'6" by 6'. (2.1 x 2 metres approximately).

Mr C was not in attendance.

RESOLVED that street trading consent be granted to Mr C, for a period of twelve months.

(Report circulated to Members)

96

APPLICATION FOR CONSENT TO TRADE (MRS B.P.)

The Principal Licensing Officer presented an application for a consent to street trade from Mrs P for a period of twelve months in Bittern Road, Sowton, Exeter, which was designated a consent street under the provisions of the Local Government Act 1982.

Mrs P had been previously granted approval from the Licensing Sub Committee to trade in Bittern Road and there had been consent for a fast food outlet to trade on this site since October 2005. She was seeking to use a Mercedes Sprinter Mobile catering van on Mondays to Fridays from 06.00 hours to 14.00 hours. She would be offering fast food.

Mrs P was not in attendance.

RESOLVED that street trading consent be granted to Mrs P for a period of 12 months.

(Report circulated to Members)

TOWN POLICE CLAUSES ACT 1847
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

97 **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE FOR A VEHICLE OVER EIGHT YEARS OLD (MR T.G.)**

The Principal Licensing Officer presented an application from Mr G to renew a Private Hire Vehicle Licence in relation to a vehicle which was over 8 years old. The vehicle had first been registered in May 2001 and its licence was due to expire on the 12 November 2009. On the licence renewal date the vehicle would be 8 years, 6 months old. He wished to renew the licence for a further 12 months.

Mr G was not in attendance. Because he used the car principally for transporting children to school, Members felt that it was important for them to view the vehicle.

RESOLVED that an interim Hackney Carriage licence be granted to Mr G until a subsequent meeting of this Sub Committee.

(Report circulated to Members)

98 **APPLICATION FOR A LICENCE TO DRIVE A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE (MR M.C.)**

The Chair introduced the Sub-Committee Members and Officers.

The Principal Licensing Officer presented the application for a licence to drive a Hackney Carriage or Private Hire Vehicle by Mr M who had disclosed a conviction relating to driving with no insurance.

Mr M attended the meeting and spoke in support of his application.

The Sub Committee retired to make its decision in the presence of the Licensing Solicitor and the Member Services Officer.

RESOLVED that the application for a licence to drive a Hackney Carriage or Private Hire Vehicle be granted, with a strong warning that the licence is at risk if any further offences are committed during the life of that licence.

(Report circulated to Members)

(Meeting commenced at 09.30 hours and closed at 10.15 hours)

LICENSING COMMITTEE

Friday 30 October 2009

Present:

Councillors Mrs Danks, Newby and Wadham

Also present:

Principal Licensing Officer, Licensing Solicitor and Member Services Officer (HB)

LICENSING ACT 2003

99

APPOINTMENT OF CHAIR

Councillor Newby was appointed Chair for this meeting.

100

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

101

REVIEW OF A PREMISES LICENCE- FLYING HORSE PUBLIC HOUSE, WONFORD, EXETER

An application by the Devon and Cornwall Constabulary seeking a review of the premises licence of the Flying Horse public house (the premises) under Section 51 of the Licensing Act 2003 on the basis that the licensing objectives relating to crime and disorder, prevention of public nuisance and the protection of children from harm were being undermined at the premises.

There was an application by the Devon and Cornwall Constabulary to adjourn the hearing because of the non-availability of the Police Licensing Officer. The Licensing Sub Committee agreed to adjourn the matter until the next available date.

(The meeting commenced at 10.15 am and closed at 10.20 am)

Chair