

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE LICENSING AND
REGULATORY COMMITTEE – 27 APRIL 2009

SUBMITTED TO THE COUNCIL – 21 JULY 2009

(To be read in conjunction with the Agenda for the Meeting)

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|---------------------------------------|------------------------|
| * Cllr Mrs Gillian Beel (Chairman) | * Cllr Nicholas Holder |
| * Cllr Robert Knowles (Vice-Chairman) | * Cllr Julian Hubble |
| Cllr Maurice Byham | * Cllr Mrs Carole King |
| * Cllr Mrs Elizabeth Cable | * Cllr Peter Isherwood |
| Cllr Victor Duckett | Cllr Bryn Morgan |
| * Cllr Bob Frost | Cllr John Savage |

*Present

Cllr Mrs Lucinda Fleming was in attendance.

47. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 7 April 2009 were confirmed and signed.

48. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence had been received from Councillors Maurice Byham, Victor Duckett, Bryn Morgan and John Savage.

49. DISCLOSURE OF INTERESTS (Agenda Item 3)

Cllr Mrs Gillian Beel declared a personal interest as a Farnham Town Councillor representing the ward from which representations had been received.

PART I – RECOMMENDATIONS TO COUNCIL

There are no matters falling within this category.

MATTERS OF REPORT

Background Papers (CEX)

The background papers relating to the following items in Parts II and III are as specified in the Agenda for the meeting of the Licensing and Regulatory Committee.

PART II – Matters reported in detail for the information of the Council

50. APPLICATION FOR A STREET TRADING CONSENT, WEST STREET, FARNHAM (Agenda Item 5; Appendix A)

The Committee received a report on an application for a consent to trade from a mobile food van selling Doner Kebab, Chicken Shish, burgers, chips and soft drinks from Monday to Sunday from 6.00pm to 11.30pm at a point in West Street, Farnham, from its junction with The Hart, westward to its junction with Crondall Lane.

Members noted that West Street was one of a number of streets within Waverley that is designated as a Consent Street, which means that consent is required from the Council before Street Trading could lawfully take Place. Officers tabled a representation from the Acting Head of Environmental & Community Services.

The Committee received an oral representation in support of the application from the applicant, who offered to exclude trading on Sundays from the application if the Committee wished, and oral objections from a local resident and from Councillor Lucinda Fleming, one of the Ward Borough Councillors, all present at the meeting.

The Committee considered the application and the representations included in the agenda and made at the meeting. Members were of the view that this was an unsuitable and inappropriate location for street trading due to the residential nature of the area and issues arising from the sale of take-away food such as litter, smells and noise from customers congregating in the area. Members also raised concerns over parking and highways issues from customers stopping to purchase food.

Following consideration of the application it was proposed and seconded that the application be refused for the following reasons:

- i) Surrey County Council Highways concerns over obstruction of the highway and parking issues;
- ii) Surrey Police concerns over possible anti-social behaviour generated by congregation of customers;
- iii) noise nuisance to residents and litter problems generated by congregation of customers;
- iv) inappropriate location in a residential area and conservation area of an historic market town; and
- v) another mobile food van in the vicinity.

RESOLVED that the application be refused for the reasons stated above.

51. HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE POLICY (Agenda Item 6; Appendix B)

Members were advised that taxi drivers had made a request at their liaison meeting with the Chairman of the Committee to defer the next stage of the implementation of the vehicle age policy for hackney carriages and private hire vehicles, in the light of the current economic climate.

The policy had been set in 2007 on a sliding scale from September 2007 to gradually reduce the age of vehicles to a maximum of seven years from first registration, at which time they would have to be replaced. The final phase was due to be implemented on 1 September 2009. The effect of this policy would be to ensure that the public were transported in vehicles of a good standard and in a clean and tidy condition, as well as being mechanically sound.

Members discussed the request and were of the view that the policy had been drawn up following lengthy consideration and discussion with the taxi drivers and that the interests and safety of the public were the Committee's primary concerns.

Following further consideration it was proposed and seconded that the Council's vehicle age policy should remain unchanged.

RESOLVED that the Council's vehicle age policy for hackney carriages and private hire vehicles should remain unchanged.

PART III – Brief Summaries of other matters dealt with

52. **MINUTES OF THE MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE A (Agenda Item 7; Appendix C)**

RESOLVED that the minutes of the meeting of the Licensing Act 2003 Sub-Committee A held on 23 March 2009 be noted.

The meeting commenced at 6.30 p.m. and concluded at 7.13 p.m.

Chairman