LICENSING AND SAFETY COMMITTEE

Wednesday, 17th April, 2013 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

Present

Councillor Sears (Chairman)
Councillor Clarke (Vice-Chairman)
Councillor Burley
Councillor Cook
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Harrison
Councillor Rochelle
Councillor Sarohi

1491/13 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Anson and Murray.

1492/13 **Minutes**

Resolved

That the minutes of the meeting held on 27th February, 2013, a copy having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1493/13 **Declarations of Interest**

There were no declarations of interest.

1494/13 **Local Government (Access to Information) Act, 1985 (as amended)**

Resolved

That the public be excluded from the meeting during consideration of the items set out in the private agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

1495/13 **Street Trading - Walsall Town Centre - Redesignation of Licensed Sites - Consultation**

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report for the benefit of the Committee. He added that the consultation exercise had been carried out and four responses had been received. None of the responses received were objecting to the proposals. He drew the Committee's attention to Paragraph 3.7 of the report regarding obtaining the consent of "relevant corporations" as defined within the Act. He stated that the Homes and Communities Agency were happy with the proposals and had given consent. However, there had not been a full and concise consent response from Network Rail Infrastructure Ltd., Until a full and complete response from Network Rail was received, the matter could not be progressed further.

Councillor Cook asked if there was a time limit for Network Rail to respond to the Council's consultation exercise. Dominic Patouchas, Legal Services, replied that there was no time limit set by the legislation. Network Rail were taking their time to indicate which streets they owned.

Councillor Douglas-Maul referred to the fact that street trading affected the image of the town. He referred to the market stalls and to the litter they created which let the town down. He understood that stall holders were supposed to assist the refuse collection operatives in clearing up the market but this was not happening.

Mr. Knapper explained the difference between market traders and the street traders who operated from seven sites around the Town Centre. He added that the street traders always removed their rubbish and there had been no complaints about them. He agreed that litter problems arose from the market traders.

Mr. Knapper reminded the meeting that any street trading applications would be referred to this Committee for determination. There were seven sites trading at present and under the existing regime, no further pitches could be added easily. It was hoped that if additional street trading sites could be offered, then the vibrancy of the Town Centre would be increased.

Councillor Burley referred to the comments made by the Traffic Management Team.

Mr. Knapper replied that if the Highways Team or Traffic Management Team raised objections to a street trading application, then the trader would normally withdraw it. If he/she did not, then the matter would be referred to the Committee for determination.

Councillor Burley suggested that consideration of this matter should be deferred until the consent of Network Rail had been received.

After further discussion it was,

Resolved

That consideration of this matter be deferred until the consent of Network Rail has been received, then it be referred back to the Committee for determination.

1496/13 **Private Session**

Exclusion of Public

Resolved

That, during consideration of the remaining items on the agenda, the Committee considers that the items for consideration are exempt information for the reasons set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider those items in private.

1497/13 **Application for a Private Hire Vehicle Licence - Exceptional Circumstances Request - Mr. Malik Raoof**

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) reported that Mr. Malik Raoof was unable to attend the meeting as he was currently out of the country. He had arranged for his son, Adil Raoof, to attend and present his father's case. However, Mr. Adil Raoof was not in attendance.

Councillor Burley asked if the Committee could determine the matter in Mr. Malik Raoof's absence. Dominic Patouchas (Legal Services) indicated that the Committee could determine the matter in Mr. Malik Raoof's absence if they wished.

Councillor Clarke suggested that consideration of this matter should be deferred in the interests of natural justice.

Resolved

That consideration of Mr. Raoof's exceptional circumstances request be deferred for him to attend before the Committee.

(Exempt information under Paragraphs 1 and 2 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)

1498/13 **Application for the grant of a licence to drive private hire vehicles - Exceptional Circumstances Request - Mr. Hussein Omar Sharriff**

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) reported that Mr. Sharriff was not in attendance.

Councillor Clarke suggested that consideration of this matter should be deferred in the interests of natural justice.

Resolved

That consideration of Mr. Sharriff's exceptional circumstances request be deferred for him to attend before the Committee.

(Exempt information under Paragraphs 1 and 2 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)

1499/13 **Local Government (Miscellaneous Provisions) Act, 1982 - Street Trading Consent application - Mr. Sukhdev Singh, Middlemore Lane, Aldridge**

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) reported that this matter had been withdrawn.

(Exempt information under Paragraphs 1, 2 and 3 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)

Termination of meeting

There being no further business, the meeting terminated at 6.28 p.m.

Chairman ……

Date ……