

Minutes

LICENSING SUB COMMITTEE (SOUTH)

3 January 2014



Meeting held at Committee Room 3 - Civic Centre,
High Street, Uxbridge UB8 1UW

	<p>Committee Members Present: Councillors Dominic Gilham Josephine Barrett Carol Melvin Janet Gardner (Labour Lead)</p> <p>Also Present: Mr Huseyin Kanisirin Ms Duygu</p> <p>LBH Officers Present: Tim Brown, Legal Advisor Sharon Garner, Licensing Officer Bill Hickson, Anti-Social Behaviour Investigations Team Manager Danielle Watson, Democratic Services Officer</p>
18.	<p>APOLOGIES FOR ABSENCE <i>(Agenda Item 1)</i></p> <p>Apologies had been received from Councillor David Yarrow, Peter Kemp and Michael Bull and with Councillors Dominic Gilham and Judy Kelly substituting.</p>
19.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING <i>(Agenda Item 2)</i></p> <p>None.</p>
20.	<p>MINUTES OF THE MEETING HELD ON 20 NOVEMBER 2013 <i>(Agenda Item 3)</i></p> <p>The minutes of the meetings held on 20 November 2013 were agreed as a correct record.</p>
21.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE <i>(Agenda Item 4)</i></p> <p>It was confirmed that all items would be considered in Part 1.</p>
22.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT <i>(Agenda Item 5)</i></p> <p>There were no matters notified in advance or urgent.</p>
23.	<p>APPLICATION FOR RENEWAL OF A TEMPORARY STREET TRADING LICENCE - SHOP FRONT <i>(Agenda Item 6)</i></p>

The Sub-Committee considered an application submitted by Nur Food Centre, 59 Station Road, Hayes, UB3 4BE, in respect of a renewal of a Temporary Street Trading Shop Front Licence.

Officers introduced the report and informed the Sub-Committee that the applicant had submitted a renewal application on 4 November 2013 for the usage of 1 metre of shop front space. Objections to the application had been received from the Council's Anti Social Behaviour Investigation Team as the applicant had been issued 3 Fixed Penalty Notices (FPN's) for breaching the terms of their previous licence by trading in excess of their authorised trading area.

The applicant, Mr Huseyin Kanisirin and Ms Duygu were also in attendance. Ms Duygu spoke on behalf of Mr Kanisirin in support of the Temporary Street Trading Licence that he had applied for. Ms Duygu apologised on behalf of Mr Kanisirin and informed the Sub-Committee that he was not always at the premises. Ms Duygu suggested that it was one of the employees who had argued with one of the Enforcement Officers.

The Council's Anti-Social Behaviour Investigations Team (ASBIT) Manager informed the Sub-Committee that officers had witnessed the applicant trading in excess of their authorised trading area on:

- 18 September 2013 – Street trading measured at 2.9 metres – excess of 1.9 metres.
- 3 October 2013 – Street trading measured at 2.5 metres – excess of 1.5 metres.
- 23 October 2013 – Street trading measured at 2.4 metres – excess of 1.4 metres.

Members questioned whether the Fixed Penalty Notices (FPN's) had been paid by the applicant. The ASBIT Manager informed the Sub-Committee that all of the FPN's issued had been paid. Members also questioned whether the applicant was trading as the meeting was taking place.

The applicant's translator, Ms Duygu, informed the Sub-Committee that the applicant was not trading on the street today (3 January 2014). Ms Duygu stated that 3 workers had been recently dismissed and that not being able to display fruit and vegetables on the highway had slowed income for the business as there was competition elsewhere.

The Council's Legal Advisor advised the Sub-Committee that the letters provided in the Agenda pack were addressed to the wrong person.

Following the discussion, the Sub-Committee adjourned to consider the evidence provided and make their decision.

Resolved – That the Licensing Sub-Committee grant the licence for an increased size of 2 metres upon the payment of an additional fee for a 2 metre shop front street trading application, in accordance with the Council's street trading fee structure and policy.

The meeting, which commenced at 11.00 am, closed at 11.39 am.

These are the minutes of the above meeting. For more information on any of the

resolutions please contact Danielle Watson on 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.