



HILLINGDON  
LONDON



## Notice of Hearing Licensing Sub-Committee C

**Date:** FRIDAY, 12 NOVEMBER  
2010

**Time:** 2.00 PM

**Venue:** COMMITTEE ROOM 6 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE UB8  
1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

**This agenda and associated reports can be made available in other languages, in Braille, large print or on audio tape on request. Please contact us for further information.**

### Councillors on the Sub-Committee:

Andrew Retter  
David Allam  
Carol Melvin

### Important Information

On receipt of this notice, you **MUST** notify the Committee Clerk (contact details below) by the following date:

**Tuesday 9 November 2010**

If you don't notify you may lose your right to speak at the hearing. When notifying you must confirm:

- 1) Whether you intend to attend or to be represented by someone at the hearing;
- 2) If you consider a hearing to be unnecessary and;
- 3) Whether to request that another person attends (other than your representative) as a witness

**Published:** Thursday, 28 October 2010

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This Agenda is available online at:  
<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=260&Year=2010>

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# Useful information

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Please enter from the Council's main reception where you will be directed to the Committee Room. An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

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# Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To confirm that Items marked Part 1 will be considered in Public and Items marked Part 2 will be considered in Private
- 4 Matters notified in advance as urgent

## Part 1 (Public)

### Consideration of Reports from the Council's Street Scene Enforcement Officer

Hearing Protocol			Pages 1 - 8
	Title of Reports	Wards	Page Nos.
5	Variation of a Temporary Pitch Street Trading Licence	West Ruislip	9 – 12
6	Christmas Events - Applications for New Temporary Pitch Street Trading Licence	Manor, Northwood Hills, Ruislip, Eastcote & East Ruislip	13 – 18
7	Renewal of Temporary Shop Front Street Trading Licences	Ickenham	19 - 22
8	Variation of Temporary Shop Front Street Trading Licence	Botwell	23 – 26
9	Urgent Report - Ruislip Manor Street Trading Event	Manor	27 - 30

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HILLINGDON  
LONDON

# Part III of the London Local Authorities Act 1990 (as amended): Street Trading

## Rules of Procedure for Urgent Licensing Sub-Committee Hearings

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### 1. SCOPE

- 1.1 These procedure rules apply to Licensing Sub-Committees established by the Licensing Committee of Hillingdon Council acting as Licensing Authority. The rules are subject to Street Trading legislation as contained in Part III of the London Local Authorities Act 1990 (as amended)
- 1.3 The purpose of these procedure rules is to guide the Licensing Sub-Committees through the various stages of hearing urgent applications for street trading licences and to direct the sub-committee hearing a case, and all other parties involved, on the essential procedural requirements to be followed before, during and after a hearing.
- 1.4 Urgent applications to be determined in accordance with this procedure shall include but is not limited to:
  - a. Applications for charitable street trading;
  - b. Applications for street trading linked to community events, for example, fairs
  - c. Applications linked to Shop Front or Tables and Chairs Licences which seek to amend / vary the named Licence Holder;

- d. Applications for pitch licences which seek to amend / vary the assistants licensed to the pitch;
- e. Any other unopposed application which the relevant Council Officer considers to be urgent.

## **2. SUB-COMMITTEES**

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### **Role, Composition and Quorum**

- 2.1 All hearings under these procedure rules will be conducted by licensing sub-committees for the sole purpose of determining urgent applications for and in relation to licences as required under Street Trading legislation as contained in Part III of the London Local Authorities Act 1990 (as amended) [the "Act"].
- 2.2 A sub-committee will usually consist of two members drawn from the Licensing Committee. The quorum for hearings and meetings of a sub-committee is two members. Each meeting shall be chaired by a designated Licensing Sub-Committee Chairman.
- 2.3 The Head of Democratic Services, or his representative (usually the Clerk to the Licensing Committee) shall appoint each sub-committee taking into account the need for it to be politically balanced, where possible; the need to involve all members of the Licensing Committee as equally as possible; the need to avoid involving members with an interest in the item to be discussed or members from the ward in which the subject premises is located; and the timescale available for determining applications.
- 2.3 Where hearings are convened using this procedure, Section 100A of the Local Government Act 1972 permits a Sub-Committee meeting to be convened with less than five clear days notice.

### **Power to adopt own Procedure**

- 2.4 Except where otherwise prescribed by the Act, the sub-committee has wide powers to adopt its own procedures as to the general order and manner in which the hearing is to be conducted. For example, it may in any particular case dispense with or modify these Rules of Procedure.

### **3. BEFORE THE HEARING**

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#### **Time Limits for Setting up Hearings**

- 3.1 The Act does not prescribe a specific period of time within which an urgent hearing is to be held. It is expected that a hearing will to be commenced within 72 hours of Democratic Services receiving a report related to an unopposed application for a street trading licence / variation of a street trading licence from the relevant Council Officer

#### **Notice Procedures**

- 3.2 In order to hold a fair and transparent hearing, the relevant Council division and parties to proceedings are required to notify each other of relevant information in advance of the hearing as follows:

##### Notice of Hearing from the Licensing Authority

- 3.3 Notice shall given as soon as possible by Democratic Services to all parties to the hearing specifying the date, time and place at which the hearing is to be held.
- 3.4 The Notice of Hearing shall be accompanied by information in writing regarding the following:
- (i) This procedure note, confirmation from the relevant Council Officer that the matter is unopposed and details of the application as provided by the relevant Council Officer.
  - (ii) Confirmation that a party may be assisted / represented by a person who does not have to be legally qualified;
  - (ii) The consequences if a party:
    - (a) Informs the sub-committee that he/she does not wish to attend or be represented at the hearing, or
    - (b) Fails to inform the relevant committee whether he/she wishes to attend or be represented at the hearing, or
    - (c) Informs the sub-committee that he/she wishes to attend or be represented at the hearing, but fails to attend or be represented.

- (iii) the legal requirements imposed on the sub-committee in conducting the hearing.

### **Street Scene Enforcement Team Officer's Report**

- 3.5 A report on the application to be determined will be presented at the hearing by the relevant Council Officer, which will contain a summary of the application, their technical observations and recommendations.

### **Consequences of failure to Attend Hearing**

- 3.6 The sub-committee committee may proceed with a hearing in the absence of the Applicant.
- 3.7 Where the hearing is held in the absence of a party, the relevant committee shall consider at the hearing the application or objections made by that party.

## **4. THE HEARING**

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### **Principles to be applied**

- 4.1 Subject to paragraph 4.2 and 4.3 below, the hearing shall take place in public.
- 4.2 The sub-committee may direct that all or part of a hearing must be held in private if it is satisfied that it is necessary in all the circumstances of the case, having had regard to:
  - (i) any unfairness to a party that is likely to result from hearing in public; and
  - (ii) the need to protect as far as possible, the commercial or other legitimate interests of a party.
- 4.3 Issues that involve personal details such as medical conditions or criminal records will normally be held in private session.
- 4.4 Changes to the membership of the sub-committee will be announced at the beginning of the hearing.



- 4.5 The hearing will take the form of a discussion led by the Chairman of the relevant committee. As the hearing is not a court:
- (i) strict rules of evidence will not apply
  - (ii) comments and questions are to be directed through the sub-committee Chairman.
  - (iii) cross-examination will not be permitted unless the sub-committee considers that cross-examination is required for it to consider the representations or application.
  - (iv) information, discussion and address must be relevant to the Act.
- 4.6 The sub-committee will have regard to the common law rules of natural justice and the Human Rights Act 1998 when exercising its decision-making functions, with particular reference to Article 6 of the European Convention of Human Rights which provides that:
- “...in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”.*
- 4.7 A party may be assisted or represented at the hearing by any person whether or not that person is legally qualified. For the avoidance of doubt, a party may be assisted or represented by their Ward Councillor. However, no member sitting on the relevant sub-committee hearing the case can represent any of the interested parties or applicant.

### **Procedure at the Hearing**

- 4.8 The Chairman shall at the beginning of the hearing introduce the members of the sub-committee, invite the parties to identify themselves and then explain to the parties the procedure that the sub-committee intends to follow.
- 4.9 The relevant Council Officer will then be invited by the Chairman to present the relevant details of his/her report (referred to in paragraph 3.11 above), and any other information regarding any details relevant to the application or representations which may have come to light since the report was written. Alternatively, the Chairman may proceed directly to paragraph 4.10 below.
- 4.10 The Applicant (s) or their representatives will normally be invited to address the sub-committee.
- 4.11 Each party shall be entitled to:

- (i) address the sub-committee or call witnesses
- (ii) provide further information on, or explanation of, any matter on which the licensing authority has indicated that it would want further clarification under paragraph 3.7(vi) above.
- (iii) subject to paragraph 4.4(iv) above, question any other party or person representing a party on any matter that is relevant to the application, or representation made on the application, where in all the circumstances the sub-committee considers it is appropriate to do so.

4.12 The sub-committee will take into consideration documentary or other information in support of the application or objections produced by a party:

- (i) before the hearing; or
- (ii) at the hearing, with the consent of all other parties attending the hearing.

4.13 At any time during the hearing, parties may be asked questions upon their presentation or evidence by any member of the sub-committee.

4.14 The parties shall be entitled to make closing submissions and will normally be invited to do in the following order:

- (i) Street Scene Enforcement Officer
- (ii) Applicant

4.15 The sub-committee may require any person who in his/her opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return or to return upon complying with such conditions as the relevant committee may specify. However, any such person will be allowed to submit any evidence in writing that they proposed to give orally, provided they do so before the end of the hearing.

4.16 At the conclusion of evidence and closing submissions, the sub-committee will adjourn into closed session in order to deliberate and reach a decision. During this process only the Legal Adviser and Committee Clerk will remain with them.

4.17 If, during its deliberations, the sub-committee considers that it is necessary for any person present at the hearing to provide further information or clarification on a particular point, the hearing may be re-convened to deal with that issue before reaching a decision.

## **Role of Legal Advisor**

- 4.18 The sub-committee may seek advice or clarification of any procedural, technical or legal matter from the legal adviser at any time during the course of the hearing.
- 4.19 The legal adviser will provide the Sub-Committee with any advice it requires properly to perform its functions whether or not the Sub-Committee requested that advice, on:
- (i) questions of law or of mixed fact and law;
  - (ii) matters of practice and procedure;
  - (iii) the range of options available to the Sub-Committee;
  - (iv) Relevant national guidance, policy or codes;
  - (v) Other issues relevant to the matter before the Sub-Committee;
  - (vi) The appropriate decision-making structure to be applied in any given case.
- 4.20 The legal adviser may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case. The legal adviser is under a duty to ensure that every case is conducted fairly.
- 4.21 The legal adviser will play no part in making findings of fact but may assist the Sub-Committee by reminding it of the evidence taken from his/her own or the committee clerk's notes.
- 4.22 The legal adviser will assist the Sub-Committee where appropriate as to the formulation of reasons and the recording of those reasons.

## **5. THE DECISION**

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### **Principles to be applied**

- 5.1 Each application will be determined on its own merits and the sub-committee shall make its decision based upon the merits of the individual circumstances of each case and its considerations shall be restricted to the evidence placed before it (see paragraph 5.3 and 5.4 below on how evidence will be assessed);

- 5.2 All decisions reached by a sub-committee shall be supported by reasons and a summary of the relevant evidence supporting those reasons. All decisions reached by the sub-committee must comply with the Act.

## **Time Limit**

- 5.3 The relevant sub-committee shall determine the application on the last day on which the hearing was held. So, if the hearing finishes on a Monday, the determination must occur on the same day.
- 5.4 A verbal decision is given to the public at the end of the hearing or at the end of the relevant agenda item.

## **6. AFTER THE HEARING**

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### **Notification of Decision**

- 6.1 After the hearing, formal notice of the sub-committee's decision and related information, such as any conditions that may be imposed on the street trading licence, shall be communicated to all parties to the proceedings, in writing, within 5 working days of a verbal decision being given.
- 6.2 All decisions upon an urgent application shall further be published for viewing on the Council's official website.

## VARIATION OF A TEMPORARY PITCH STREET TRADING LICENCE

<b>Committee</b>	Licensing Sub Committee
<b>Officer Contact</b>	Bill Hickson – (01895 277402) Ext 7402
<b>Papers with report</b>	Annexure 1
<b>Ward(s) affected</b>	West Ruislip

### SUMMARY

The Street Scene Enforcement Team has now processed the application for the variation of a temporary pitch street trading licence. Having considered the application and documentation, the Street Scene Enforcement Team suggests that it would be appropriate to vary the temporary pitch licence for the trader as tabulated in Annexure 1.

### RECOMMENDATION

**That temporary pitch street trading licence of the reported trader identified in Annexure 1 be revised for the remaining of the current period to change the named licensee to that of the assistant & the assistant with that of the licensee**

### ALTERNATIVE OPTIONS

**Refuse to approve the variation of the temporary pitch street trading licence**

### INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The application listed in Annexure 1 is to vary a temporary pitch licence.
3. The variation if granted would be for a period ending 31/3/2011.
4. The Street Scene Enforcement Team has examined all documentation accompanying the application. Copies of the relevant documentation supplied by the trader will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
5. The Street Scene Enforcement Team is satisfied that the application complies with the London Borough of Hillingdon's Street Trading Regulations and the legislation. The Street Scene Enforcement Team confirms that it has no objection to vary the licence.
6. On 20/10/2010 correspondence was despatched by post to the relevant trader.
7. The Street Scene Enforcement Team advised them by post of the date and time of the Sub-Committee meeting at which their application to vary their street trading licence would be considered. Copies of this correspondence will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.

8. The correspondence also advised the trader of their right to attend the hearing and make written or verbal representations at the hearing.
9. Additionally, the trader was advised via correspondence that the application would be decided in their absence in the event that Democratic Services were not notified of the trader's intention to attend and/or address the Sub-Committee.
10. In light of the traders' & the assistants compliance with Street Trading Regulations, the Street Scene Enforcement Team is not aware of any reason refuse the variation of the licence for the period requested.

## LEGAL COMMENTS

11. This report recommends that the street trading licences as attached at Annexure 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – ("the Act").
12. An application for the renewal of a street trading licence should be made not later than two months before the date on which the existing licence will cease to be valid. This time period may be shortened if the Local authority considers it reasonable to do so.
13. Section 25(4) of the Act specifies that a street trading licence may not be granted:
  - a. To a person under the age of 17 years;
  - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading
  - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
  - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
14. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee are satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.
15. As at 26 February 2010, all **Highway**" means a route or area which all persons can use to pass and repass along as often and whenever they wish without let or hindrance and without charge; this includes carriageway, footway and any part of that area where the public have access and which may be in public or private ownership public within the London Borough of Hillingdon designated for the purposes of street trading under the Act.

## BACKGROUND DOCUMENTS

London Local Authorities Act 1990(as amended)

London Borough of Hillingdon Street Trading Licence Terms and Conditions

NAME : Mrs Barbara Allvey – Ruislip Flower Stall  
LICENCE TYPE AND PERIOD : Variation of temporary pitch licence  
LOCATION : Area fronting 142 High Street Ruislip  
COMMODITY : Display of Flowers & Plants  
West Ruislip Ward

Correspondence address:  
6 Trevor Gardens  
Northolt  
Middlesex  
UB5 6NB

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## CHRISTMAS EVENTS - APPLICATIONS FOR TEMPORARY PITCH STREET TRADING LICENCES

<b>Committee</b>	Licensing Sub Committee
<b>Officer Contact</b>	Bill Hickson – (01895 277402) Ext 7402
<b>Papers with report</b>	Annexure 1
<b>Ward(s) affected</b>	Manor, Northwood Hills, Ruislip, Eastcote & East Ruislip

### SUMMARY

The Street Scene Enforcement Team has now processed the new applications for temporary pitch street trading licences \*as tabulated in Annexure 1. Having considered the applications and documentation, the Street Scene Enforcement Team suggests that it would be appropriate to issue temporary pitch licences for the traders as tabulated in Annexure 1.

### RECOMMENDATION

**That temporary pitch street trading licences of the reported traders identified in Annexure 1 be issued for one day for each community event:-**

**Be issued for one day being the 13/11/2010 for the Ruislip Manor Christmas Event**  
**Be issued for one day being the 27/11/2010 for the Northwood Hill Christmas Event**  
**Be issued for one day being the 27/11/2010 for the Ruislip Christmas Event**  
**Be issued for one day being the 04/12/2010 for the Eastcote Christmas Event**

### ALTERNATIVE OPTIONS

**Refuse to issue of licence temporary pitch street trading licences.**

### INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The applications listed in Annexure 1 are for new pitch licences.  
The licences if issued will be temporary licences lasting for one day on each of the following –  
  
13/11/2010 for the Ruislip Manor Christmas Event.  
27/11/2010 for the Northwood Hill Christmas Event  
27/11/2010 for the Ruislip Christmas Event.  
4/12/2010 for the Eastcote Christmas Event
3. The Street Scene Enforcement Team has examined all documentation accompanying the applications. Copies of the relevant documentation supplied by each applicant will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.

4. The Street Scene Enforcement Team is satisfied that the applications comply with the London Borough of Hillingdon's Street Trading Regulations and the legislation. The Street Scene Enforcement Team confirms that it has no objection to the grant of the licence.
5. On 22/10/2010 correspondence was despatched by post to the relevant applicants. The Street Scene Enforcement Team advised them by post of the date and time of the Sub-Committee meeting at which their application for their street trading licence would be considered. Copies of this correspondence will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
6. The correspondence also advised the applicants of their right to attend the hearing and make written or verbal representations at the hearing.
7. Additionally, the applicants were advised via correspondence that their applications would be decided in their absence in the event that Democratic Services were not notified of the applicant's intention to attend and/or address the Sub-Committee.
8. In light of the applicants past compliance with Street Trading Regulations, the Street Scene Enforcement Team is not aware of any reason refuse the licences for the period requested.

## **LEGAL COMMENTS**

9. This report recommends that the street trading licences as attached at Annexure 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – ("the Act").
10. An application for the renewal of a street trading licence should be made not later than two months before the date on which the existing licence will cease to be valid. This time period may be shortened if the Local authority considers it reasonable to do so.
11. Section 25(4) of the Act specifies that a street trading licence may not be granted:
  - a. To a person under the age of 17 years;
  - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading
  - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
  - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
12. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee are satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.

13. As at 26 February 2010, all **Highway**” means a route or area which all persons can use to pass and repass along as often and whenever they wish without let or hindrance and without charge; this includes carriageway, footway and any part of that area where the public have access and which may be in public or private ownership public within the London Borough of Hillingdon designated for the purposes of street trading under the Act.

**BACKGROUND DOCUMENTS**

London Local Authorities Act 1990(as amended)

London Borough of Hillingdon Street Trading Licence Terms and Conditions

**RUISLIP MANOR CHRISTMAS EVENT**

NAME : David Brixton – Brixton Amusements  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day events on 13/11/10  
LOCATION : Victoria Road Ruislip Manor  
COMMODITY : Fun Fair Rides - Children's Inflatable Slide  
- Juvenile Jets.  
- Formula Car Track  
- Candy Floss & Striker Stall  
- Mini Wheel & Games Stall

Correspondence address:-  
319 Uxbridge Road  
Rickmansworth Herts WD3 8DS

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NAME : John Brixton – J S Leisure  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day events on 13/11/2010  
LOCATION : Victoria Road Ruislip Manor  
COMMODITY : Fun Fair Rides - Mirror Maze  
- Cups & Saucers Rides

Correspondence address:-  
Homestead, Bell Lane  
Cassington, Witney  
Oxford OX29 4DS

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NAME : John Rawlings  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 13/11/2010  
LOCATION : Victoria Road Ruislip Manor  
COMMODITY : Fun Fair Rides - Organ Stall (motion theatre show)

Correspondence address:-  
11a Plantation , west Park Road  
Newchapel Surrey RH 6HT

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NAME : Mrs S Bartlett-Wills  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 13/11/2010  
LOCATION : Victoria Road Ruislip Manor  
COMMODITY : Fun Fair Rides - Children's Trampoline

Correspondence address:-  
319 Uxbridge Road  
Rickmansworth Herts WD3 8DS

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NAME : Mr J Mackay  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 13/11/2010  
LOCATION : Victoria Road Ruislip Manor  
COMMODITY : Fun Fair Rides - Children's Mini Coaster

c/o 319 Uxbridge Rd, Rickmansworth Herts WD3 8DS

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## PART 1, MEMBERS' PUBLIC AND PRESS

## **NORTHWOOD HILLS CHRISTMAS EVENT**

NAME : David Brixton – Brixton Amusements  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day events on 27/11/10  
LOCATION : Joel Street Northwood Hills  
COMMODITY : Fun Fair Rides - Juvenile Jets  
- Formula Car Track  
- Candy Floss & Striker Stall  
- Mini Wheel & Games Stall

Correspondence address:-  
319 Uxbridge Road  
Rickmansworth Herts WD3 8DS

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NAME : Mrs S Bartlett-Wills  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 27/11/2010  
LOCATION : Joel Street Northwood Hills  
COMMODITY : Fun Fair Rides - Children's Trampoline

Correspondence address:-  
319 Uxbridge Road  
Rickmansworth Herts WD3 8DS

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NAME : Mr J Mackay  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 27/11/2010  
LOCATION : Joel Street Northwood Hills  
COMMODITY : Fun Fair Rides - Children's Mini Coaster

c/o 319 Uxbridge Rd  
Rickmansworth Herts WD3 8DS

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NAME : John Brixton – J S Leisure  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day events on 27/11/2010  
LOCATION : Joel Street Northwood Hills  
COMMODITY : Fun Fair Rides - Mirror Maze  
- Cups & Saucers Rides

Correspondence address:-  
Homestead, Bell Lane  
Cassington, Witney  
Oxford OX29 4DS

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### **RUISLIP CHRISTMAS EVENT**

NAME : John Guest – Stevens Funfair Ltd  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day events on 27/11/10  
LOCATION : High Street Ruislip  
COMMODITY : Fun Fair Rides - Juvenile Jets  
- Formula Car Track  
- Trains

Correspondence address:-  
113 Fordwater Road  
Chertsey  
KT616 8HB

### **EASTCOTE CHRISTMAS EVENT**

NAME : John Brixton – J S Leisure  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day events on 04/12/2010  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Juvenile Jets  
- Formula Car Track  
- Candy Floss & Striker Stall  
- Mini Wheel & Games Stall  
- Mirror Maze  
- Cups & Saucers Rides

Correspondence address:-  
Homestead, Bell Lane  
Cassington, Witney  
Oxford OX29 4DS

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NAME : Mrs S Bartlett-Wills  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 04/12/2010  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Children's Trampoline

Correspondence address:-  
319 Uxbridge Road  
Rickmansworth Herts WD3 8DS

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NAME : Mr J Mackay  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 1 day event 04/12/2010  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Children's Mini Coaster

Correspondence address:-  
c/o 319 Uxbridge Rd Rickmansworth Herts WD3 8DS

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**AMENDED LIST – NOW REQUESTS 2 DAY LICENCE.**

**EASTCOTE CHRISTMAS EVENT**

NAME : John Brixton – J S Leisure  
LICENCE TYPE AND PERIOD : Temporary pitch licence –2 day events on 4<sup>th</sup> & 5th Dec  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Formula Car Track  
- Candy Floss & Striker Stall  
- Mini Wheel & Games Stall  
- Mirror Maze  
- Cups & Saucers Rides  
- Miami

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NAME : Mrs S Bartlett-Wills  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 2 day events on 4<sup>th</sup> & 5th Dec  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Children’s Funhouse

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NAME : Mr J Mackay  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 2 day events on 4<sup>th</sup> & 5th Dec  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Children’s Mini Coaster  
-Train Ride  
-Toy Ride  
- Hoopla Stall  
- Slide

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NAME : Mr J Rawlings  
LICENCE TYPE AND PERIOD : Temporary pitch licence – 2 day events on 4<sup>th</sup> & 5th Dec  
LOCATION : Field End Road Eastcote shopping area  
COMMODITY : Fun Fair Rides - Motion Theatre Show  
- Crane Stall

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## RENEWAL OF TEMPORARY SHOP FRONT STREET TRADING LICENCE

<b>Committee</b>	Licensing Sub Committee
<b>Officer Contact</b>	Bill Hickson – (01895 277402) Ext 7402
<b>Papers with report</b>	Annexure 1
<b>Ward(s) affected</b>	Ickenham

### SUMMARY

The Street Scene Enforcement Team has now processed the application for the renewal of shop front street trading licence. Having considered the application and documentation, the Street Scene Enforcement Team suggests that it would be appropriate to renew the shop front street trading licence of trader as tabulated in Annexure 1.

### RECOMMENDATION

**That the temporary shop front street trading licence of the reported trader identified in Annexure 1 be renewed for a period of 6 months**

### ALTERNATIVE OPTIONS

- A. Approve the renewal of the licence for a further time limited period of less than 6 months – time period to be specified by the Sub-Committee**  
**or;**
- B. Refuse to approve the renewal of the licence**

### INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The application listed in Annexure 1 is for the renewal of shop-front street trading licence.
3. The licence issued will be temporary licence lasting for six months from date of issue.
4. The Street Scene Enforcement Team has examined all documentation accompanying the application. Copies of the relevant documentation supplied by the trader will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
5. The Street Scene Enforcement Team is satisfied that the application complies with the London Borough of Hillingdon's Street Trading Regulations and the legislation.
6. The Street Scene Enforcement Team confirms that it has no objection to the grant of the licence.

7. Street Scene Enforcement Team Officers confirm the proposed trading activities have sufficient space of two (2) metres on the pavement for pass and re-pass by pedestrians.
8. On 20/10/2010 correspondence was despatched to the relevant trader. They were advised by the Street Scene Enforcement Team by post of the date and time of the Sub-Committee meeting at which their application to renew their street trading licence would be considered. Copies of this correspondence will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
9. The correspondence also advised the trader of their right to attend the hearing and make written or verbal representations at the hearing.
10. Additionally, the trader was advised via correspondence that the application would be decided in their absence in the event that Democratic Services were not notified of the trader's intention to attend and/or address the Sub-Committee.
11. In light of the traders' compliance with Street Trading Regulations, the Street Scene Enforcement Team is not aware of any reason that the licence should not be renewed for a period of less than 6 months.

## **LEGAL COMMENTS**

12. This report recommends that the street trading licences as attached at Annexure 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – ("the Act").
13. An application for the renewal of a street trading licence should be made not later than two months before the date on which the existing licence will cease to be valid. This time period may be shortened if the Local authority considers it reasonable to do so.
14. Section 25(4) of the Act specifies that a street trading licence may not be granted:
  - a. To a person under the age of 17 years;
  - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading
  - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
  - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
15. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee are satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.

16. As at 26 February 2010, all public pavements immediately in front of any shop within the London Borough of Hillingdon has been designated as a licence street for the purposes of street trading under the Act.

## **BACKGROUND DOCUMENTS**

London Local Authorities Act 1990(as amended)

London Borough of Hillingdon Street Trading Licence Terms and Conditions

NAME : Mrs H Butler t/a Scentsational  
LICENCE TYPE AND PERIOD : Shop Front Licence – six months  
LOCATION : 49 Swakeleys Road Ickenham UB10 8DG  
COMMODITY : Display of Flowers & Plants

Ickenham ward

## VARIATION OF TEMPORARY SHOP FRONT STREET TRADING LICENCE

<b>Committee</b>	Licensing Sub Committee
<b>Officer Contact</b>	Bill Hickson – (01895 277402) Ext 7402
<b>Ward(s) affected</b>	Botwell

### SUMMARY

The Street Scene Enforcement Team has now processed the application for the variation of shop front street trading licence. Having considered the application and documentation, the Street Scene Enforcement Team suggests that it would be appropriate to vary the shop front street trading licence of the trader as below.

### RECOMMENDATION

**That the temporary shop front street trading licence of the applicant identified below be revised for the remaining period of the current licence by replacing the name assistant Mr Ragueer Lakmani to Mr Paramjeet Singh Talwar**

**NAME:** Mr K Arora of Hayes Town Superstore

**LICENCE TYPE & PERIOD:** Temporary Shop Front Street Trading Licence

**LOCATION:** 6 Botwell Lane Hayes UB3 2AA

**COMMODITY:** Fruit & Vegetable Display

### ALTERNATIVE OPTIONS

#### A. Refuse to approve the variation of the licence

### INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The application set out above is to vary the current temporary shop front licence.
3. The variation if granted would be for a period ending on the 31<sup>st</sup> March 2011.
4. The Street Scene Enforcement Team has examined all documentation accompanying the application. Copies of the relevant documentation supplied by the trader will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
5. The Street Scene Enforcement Team is satisfied that the application complies with the London Borough of Hillingdon's Street Trading Regulations and the legislation.
6. The Street Scene Enforcement Team confirms that it has no objection to the variation of the licence.

7. On 20/10/2010 correspondence was despatched to the relevant applicant. They were advised by the Street Scene Enforcement Team by post of the date and time of the Sub-Committee meeting at which their application to vary their street trading licence would be considered. Copies of this correspondence will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
8. The correspondence also advised the applicant of their right to attend the hearing and make written or verbal representations at the hearing.
9. Additionally, the applicant was advised via correspondence that the application would be decided in their absence in the event that Democratic Services were not notified of the applicants' intention to attend and/or address the Sub-Committee.
10. In light of the traders' compliance with Street Trading Regulations, the Street Scene Enforcement Team is not aware of any reason to revoke the licence or not to vary the licence for the remaining period of their existing licence.

### **LEGAL COMMENTS**

11. This report recommends that the street trading licences as attached at Annexure 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – ("the Act").
12. An application for the renewal of a street trading licence should be made not later than two months before the date on which the existing licence will cease to be valid. This time period may be shortened if the Local authority considers it reasonable to do so.
13. Section 25(4) of the Act specifies that a street trading licence may not be granted:
  - a. To a person under the age of 17 years;
  - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading
  - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
  - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
14. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee are satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.
15. As at 26 February 2010, all public pavements immediately in front of any shop within the London Borough of Hillingdon has been designated as a licence street for the purposes of street trading under the Act.

## **BACKGROUND DOCUMENTS**

London Local Authorities Act 1990(as amended)

London Borough of Hillingdon Street Trading Licence Terms and Conditions

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## APPLICATION FOR TEMPORARY PITCH STREET TRADING LICENCE FOR COMMUNITY EVENT

<b>Committee</b>	Licensing Sub Committee
<b>Officer Contact</b>	Bill Hickson – (01895) 277402 Ext 7402
<b>Papers with report</b>	Annexure 1
<b>Ward(s) affected</b>	Manor

### SUMMARY

Applications have been received via Ruislip Manor Chamber of Commerce for five temporary pitch street trading licences as detailed in Annex 1 to operate in conjunction with the Ruislip Manor Christmas Fun Day on Saturday 13<sup>th</sup> November 2010.

These applications are being supported by Ruislip Manor Chamber of Commerce.

### RECOMMENDATION

**That temporary pitch street trading licences of the reported traders identified in Annexure 1 be APPROVED for one day being the 13/11/2010.**

### ALTERNATIVE OPTIONS

- 1. Conditional approval but identifying commodities which can not be sold**
- 2. Conditional approval on the basis of a shorter period of days or hours trading**
- 3. A combination of 1 and 2.**
- 4. Rejection of the applications.**

### INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The applications listed in Annexure 1 are for new pitch licences.
3. The licences if issued will be temporary licences lasting for one day being the 13/11/2010.
4. The Street Scene Enforcement Team has examined all documentation accompanying the applications. Copies of the relevant documentation supplied by each trader will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
5. The Street Scene Enforcement Team are satisfied that the applications complies with the London Borough of Hillingdon's Street Trading Regulations and the legislation.

6. The Street Scene Enforcement Team confirms that it has no objection to the grant of the licence.
7. On 09/11/2010 correspondence was despatched by email to the relevant event organiser. The Street Scene Enforcement Team advised the event organiser by email of the date and time of the Sub-Committee meeting at which their application for their street trading licence would be considered. Copies of this correspondence will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
8. The correspondence also advised the event organiser of their right to attend the hearing and make written or verbal representations at the hearing.
9. Additionally, the event organiser was advised via correspondence that the applications would be decided in their absence in the event that Democratic Services were not notified of the trader's intention to attend and/or address the Sub-Committee.
10. In light of the traders' compliance with Street Trading Regulations, the Street Scene Enforcement Team is not aware of any reason refuse the licences for the period requested.

## **LEGAL COMMENTS**

11. This report recommends that the street trading licences as attached at Annexure 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – (“the Act”).
12. An application for the renewal of a street trading licence should be made not later than two months before the date on which the existing licence will cease to be valid. This time period may be shortened if the Local authority considers it reasonable to do so.
13. Section 25(4) of the Act specifies that a street trading licence may not be granted:
  - a. To a person under the age of 17 years;
  - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading
  - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
  - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
14. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee are satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.

15. As at 26 February 2010, all **Highway**” means a route or area which all persons can use to pass and repass along as often and whenever they wish without let or hindrance and without charge; this includes carriageway, footway and any part of that area where the public have access and which may be in public or private ownership public within the London Borough of Hillingdon designated for the purposes of street trading under the Act.

## **BACKGROUND DOCUMENTS**

London Local Authorities Act 1990(as amended)

London Borough of Hillingdon Street Trading Licence Terms and Conditions

NAME : Mr Tony Davies – Twin Boys Restaurant  
 LICENCE TYPE AND PERIOD : Temp Pitch – One day 13/11/2010  
 LOCATION : Ruislip Manor Christmas Event – Victoria Road  
 COMMODITY : Food  
 Email address [tonydavis41@yahoo.com](mailto:tonydavis41@yahoo.com)

NAME : Mrs Shan Hutchins – Mad Moo Toys  
 LICENCE TYPE AND PERIOD : Temp Pitch – One day 13/11/2010  
 LOCATION : Ruislip Manor Christmas Event – Victoria Road  
 COMMODITY : Toys  
 Email address [contact@madmootoys.com](mailto:contact@madmootoys.com)

NAME : Mr Richard Maguire – Ruislip Tyre Service Ltd  
 LICENCE TYPE AND PERIOD : Temp Pitch – One day 13/11/2010  
 LOCATION : Ruislip Manor Christmas Event – Victoria Road  
 COMMODITY : Tyre & Wheels  
 Email address [Ruisliptyres@gmail.com](mailto:Ruisliptyres@gmail.com)

NAME : Ms Venessa Salt – The Bag ladies  
 LICENCE TYPE AND PERIOD : Temp Pitch – One day 13/11/2010  
 LOCATION : Ruislip Manor Christmas Event – Victoria Road  
 COMMODITY : Ladies Bags, Scarves & Purses  
 Email address [info@thebag-ladies.co.uk](mailto:info@thebag-ladies.co.uk)

NAME : Mr Shafiqur Rahman – Elachi Restaurant  
 LICENCE TYPE AND PERIOD : Temp Pitch – One day 13/11/2010  
 LOCATION : Ruislip Manor Event – 52 Victoria Rd Ruislip HA4 0AH  
 COMMODITY : Food

Correspondence c/o  
 Mr Les Drussel - Event Organiser  
 Chairman of Ruislip Manor Chamber of Commerce  
 33 Jameston Lodge  
 St. Martins Court  
 36 Pembroke Road  
 Ruislip HA4 8EW  
 Email address [les.drussel@gmail.com](mailto:les.drussel@gmail.com)