



HILLINGDON
LONDON



Notice of Hearing

Licensing Sub-Committee

C

Councillors on the Sub-Committee:

Andrew Retter
David Allam
Carol Melvin

Date: WEDNESDAY, 16 MARCH
2011

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

Important Information

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

14th March 2011

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

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.

Published: Tuesday, 1 March 2011

Contact: Charles Francis
Tel: 01895 556454
Fax: 01895 277373
Email: cfrancis@hillington.gov.uk

This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=260&MId=846&Ver=4>

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk



INVESTOR IN PEOPLE

Useful information

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

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.

Please switch off any mobile telephones and BlackBerries™ before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

If there is a FIRE in the building the alarm will sound continuously. If there is a BOMB ALERT the alarm sounds intermittently. Please make your way to the nearest FIRE EXIT.



Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private
- 4 Matters that have been notified in advance as urgent

Part 1 - Members, Press and the Public

Consideration of reports from the Council's Licensing officer

	Title of Report / Address of application	Ward	Page
5	Renewal of Temporary Street Trading Licence - Pitch	Manor	9 - 12
6	Renewal of Permanent Street Trading Pitch Licences	Eastcote & East Ruislip, Botwell, Townfield	13 - 16
7	Variation of a Permanent Street Trading Licence - Pitch	Uxbridge North	17 - 20
8	Renewal of Temporary Street Trading Licences - Tables and Chairs	Manor, Uxbridge North	21 - 24
9	Renewal of Temporary Street Trading Licence - Shop Front	West Ruislip, Manor, Eastcote & East Ruislip, Northwood Hills, Townfield, Yiewsley & Barnhill	25 - 28

This page is intentionally left blank



HILLINGDON
LONDON

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

Rules of Procedure for Urgent Licensing Sub-Committee Hearings

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

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

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

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

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

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.

RENEWAL OF TEMPORARY STREET TRADING LICENCE - PITCH

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1
Ward(s) affected	Manor

SUMMARY

The Licensing Service has received an application for the renewal of a temporary street trading licence- Pitch for a six month period.

RECOMMENDATION

To **APPROVE** the renewal of the temporary Street Trading Licence – (Pitch) for the trader identified in Appendix 1 for a period of 6 months from the date of the determination.

ALTERNATIVE OPTIONS

- A. To 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. To refuse the renewal for a temporary 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 Appendix 1 are for the renewal of the temporary street trading licence – Pitch.
3. The licences issued will be temporary Street Trading licences lasting for 6 months from date of issue.
4. The Licensing Service 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 Licensing Service is satisfied that the application complies with the London Borough of Hillingdon's Street Trading Terms & Conditions and the legislation.
6. The Licensing Service confirms that it has no objection to the grant of the licence.
7. The applicants were sent notice of hearing on 22nd February 2011.
8. In light of the traders' compliance with Street Trading Licence Terms & Conditions, the Licensing Service is not aware of any reason to refuse the licence or issue a licence for a period of less than 6 months.

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

NAME	:	Ms N Bambrough. T/A The Flower Stall
LICENCE TYPE AND PERIOD	:	Temporary Street Trading – 6 months
LOCATION	:	20b Victoria Road, Ruislip Manor.
COMMODITY	:	Flowers & Plants
Manor		

This page is intentionally left blank

RENEWAL OF PERMANENT STREET TRADING PITCH LICENCES

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1
Ward(s) affected	Eastcote & East Ruislip, Botwell, Townfield

SUMMARY

The Licensing Service has received applications for the renewal of permanent Street Trading pitch licences for the period from 1st April 2011 to 31st March 2012.

RECOMMENDATION

To **APPROVE** the renewal of the permanent Street Trading Pitch Licences for each trader identified in Appendix 1 for a period of 1 year from 1st April 2011.

ALTERNATIVE OPTIONS

A. Refuse the renewal of the licence.

INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated under Part III of the London Local Authorities Act 1990 (as amended).
2. The applications listed in Appendix 1 is for the renewal of permanent Street Trading Pitch licence.
3. The licences if issued will be a Permanent licence lasting for a duration of 1 year from the 1st April 2011
4. The Licensing Service 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 Licensing Service is satisfied that the applications comply with the London Borough of Hillingdon's Street Trading Licence Terms & Conditions and the above legislation.
6. The Licensing Service confirms that it does not have any objection to the grant of the licence.
7. The Licensing Service confirms the proposed trading activities allow sufficient space of two (2) metres on the pavement for pass and re-pass by pedestrians, which exceeds minimum requirements under the Disability Discrimination Act 1995.
8. The applicants were sent notice of hearing on 21st February 2011.
9. In light of the traders' compliance with Street Trading Licence Terms & Conditions, the Licensing Service is not aware of any reason to revoke the licence or issue a licence for a period of less than 1 year.

LEGAL COMMENTS

10. This report recommends that the street trading licences as attached at Appendix 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – (“the Act”).
11. 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.
12. 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.
13. 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.
14. 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 : Mr L Sivell
 LICENCE TYPE AND PERIOD : Permanent Licence – 1 Year
 LOCATION : Field End Road, Eastcote.
 COMMODITY : Fresh Fish
Eastcote & East Ruislip

NAME : Mrs G Willingham
 LICENCE TYPE AND PERIOD : Permanent Licence – 1 Year
 LOCATION : FPump Lane, Hayes
 COMMODITY : Hot & Cold Food
Botwell

NAME : Mr S Thompson T/A Grub Tub
 LICENCE TYPE AND PERIOD : Permanent Licence – 1 Year
 LOCATION : Pasadena Close, Hayes
 COMMODITY : Hot & Cold Food
 Townfield

This page is intentionally left blank

VARIATION OF A PERMANENT STREET TRADING LICENCE - PITCH

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1
Ward(s) affected	Uxbridge North

SUMMARY

The Licensing Service has received and processed an application for a variation to a permanent street trading licence – (Pitch) To change the permitted commodity to include ‘soft fruit’

RECOMMENDATION

That the variation be granted.

ALTERNATIVE OPTIONS

- A. Refuse the variation of the permanent street trading licence - pitch**

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 Appendix 1 is to vary a permanent pitch licence.
3. The variation if granted would be for a period of 1 year ending 31st March 2012.
4. The Licensing Service 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 Licensing Service is satisfied that the application complies with the London Borough of Hillingdon’s Street Trading Regulations and the legislation. The Licensing Service confirms that it has no objection to vary the licence.
6. The applicant was sent notice of hearing on 22nd February 2011.
7. In light of the traders’ compliance with Street Trading Regulations, the Licensing Service is not aware of any reason to refuse the variation of the licence for the period requested.

LEGAL COMMENTS

8. This report recommends that the street trading licences as attached at Appendix 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – (“the Act”).
9. 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.
10. 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 permanent 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.
11. 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.
12. 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 G Craddock T/A The Flower Stall
LICENCE TYPE AND PERIOD	:	Street Trading Permanent - 1 year
LOCATION	:	High Street, Uxbridge
COMMODITY	:	Flowers, Plants, Sundries & Soft Fruits
Uxbridge North		

This page is intentionally left blank

RENEWAL OF TEMPORARY STREET TRADING LICENCES – TABLES & CHAIRS

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1
Ward(s) affected	Manor, Uxbridge North

SUMMARY

The Licensing Service has received applications for the renewal of temporary street trading licences - tables & chairs for a six month period from the date of the meeting.

RECOMMENDATION

To APPROVE the renewal of the temporary Street Trading Licences – Tables & Chairs for each trader identified in Appendix 1 for a period of 6 months from the date of the determination.

ALTERNATIVE OPTIONS

- A. To approve the renewal of the licences for a time limited period of less than 6 months – time period to be specified by the Sub-Committee or;**
- B. To refuse the renewal of the 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 application listed in Appendix 1 is for the renewal of a temporary Street Trading Licences - Tables & Chairs.
3. The licences issued will be temporary Street Trading licences lasting for six months from date of issue.
4. The Licensing Service 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 Licensing Service is satisfied that each application complies with the London Borough of Hillingdon's Street Trading Licence Terms & Conditions and the legislation.
6. The Licensing Service confirms that it does not have any objection to the grant of the licences.
7. The Licensing Service confirms the proposed trading activities allow sufficient space of two (2) metres on the pavement for pass by pedestrians, which exceeds minimum requirements under the Disability Discrimination Act 1995.

8. The applicants were sent notice of hearing on 21st February 2011.
9. In light of the traders' compliance with Street Trading Licence Terms & Conditions, the Licensing Service is not aware of any reason to refuse to approve the licence or issue a licence for a period of less than 6 months.

LEGAL COMMENTS

10. This report recommends that the street trading licence as attached at Appendix 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – (“the Act”).
11. 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.
12. 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.
13. 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.
14. 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 K Camci. T/A Café Costa Verdi
LICENCE TYPE AND PERIOD : Street Trading-Tables & Chairs Renewal-
6 Months
LOCATION : 33 Victoria Road, Ruislip. HA4 9AB
COMMODITY : Tables & Chairs
Manor

NAME : Mr N Mohamed. T/A Costa Coffee
LICENCE TYPE AND PERIOD : Street Trading-Tables & Chairs Renewal-
6 Months
LOCATION : 172 High Street, Uxbridge. UB8 1JZ
COMMODITY : Tables & Chairs
Uxbridge North

This page is intentionally left blank

RENEWAL OF TEMPORARY STREET TRADING LICENCE – SHOP FRONT

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1
Ward(s) affected	West Ruislip, Manor, Eastcote & East Ruislip, Northwood Hills, Townfield, Yiewsley & Barnhill

SUMMARY

The Licensing Service has received applications for the renewal of temporary street trading licences – (Shop Front) for a six month period.

RECOMMENDATION

To APPROVE the renewals of the temporary Street Trading Licences – (Shop Front) for the traders identified in Appendix 1 for a period of 6 months from the date of determination.

ALTERNATIVE OPTIONS

- A. To approve the renewal of the licences for a time limited period of less than 6 months – time period to be specified by the Sub-Committee**
or;
- B. To reject the applications for a temporary street trading licences - shop front.**

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 Appendix 1 are for the renewal of the temporary street trading licences - shop front.
3. The licences issued will be temporary Street Trading licences lasting for six months from the date of determination.
4. The Licensing Service has examined all documentation accompanying the applications. Copies of the relevant documentation supplied by the traders will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
5. The Licensing Service is satisfied that the applications comply with the London Borough of Hillingdon's Street Trading Licence Terms & Conditions and the legislation.
6. The Licensing Service confirms that it does not have any objection to the grant of the licences.
7. The Licensing Service confirms the proposed trading activities allow sufficient space of two (2) metres on the pavement for pass by pedestrians, which exceeds minimum requirements under the Disability Discrimination Act 1995.

8. The applicants were sent notice of hearing on 21st February 2011.
9. In light of the traders' compliance with Street Trading Licence Terms & Conditions, the Licensing Service is not aware of any reason to refuse to approve the licence or issue a licence for a period of less than 6 months.

LEGAL COMMENTS

10. 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”).
11. 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.
12. 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.
13. 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.
14. 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 :	Mr M D Tayebzad. T/A Super Value Store
LICENCE TYPE AND PERIOD :	Street Trading-Shop Front Renewal-6 Months
LOCATION :	16 High Street, Ruislip. HA4 7AN
COMMODITY :	Household Goods
West Ruislip	
NAME :	Mrs S Payne. T/A Daisy Chain
LICENCE TYPE AND PERIOD :	Street Trading-Shop Front Renewal-6 Months
LOCATION :	30 High Street, Ruislip. HA4 7BX
COMMODITY :	Flowers & Plants
West Ruislip	
NAME :	Mr F Sexton. T/A Manor Butchers
LICENCE TYPE AND PERIOD :	Street Trading-Shop Front Renewal-6 Months
LOCATION :	69 Victoria Road, Ruislip Manor. HA4 9BH
COMMODITY :	Baked Potatoes & Associated Display
Manor	
NAME :	Mr P Grimshaw. T/A Anything Goes
LICENCE TYPE AND PERIOD :	Street Trading-Shop Front Renewal-6 Months
LOCATION :	165 Field End Road, Eastcote. HA5 1QL
COMMODITY :	General Household Goods
Eastcote & East Ruislip	
NAME :	Mr P Paramanathan. T/A Greenland
LICENCE TYPE AND PERIOD :	Street Trading-Shop Front Renewal-6 Months
LOCATION :	62 The Broadway, Joel St. Northwood Hills. HA6 1PA
COMMODITY :	Fruit & Vegetable Display
Northwood Hills	
NAME :	Mr T Cagin. T/A Hayes Food Centre
LICENCE TYPE AND PERIOD :	Street Trading-Shop Front Renewal-6 Months
LOCATION :	66-68 Coldharbour Lane, Hayes. UB3 3ES
COMMODITY :	Fruit & Vegetable Display
Townfield	

NAME : Mr M Chaudhry. T/A Yiewsley Post Office
LICENCE TYPE AND PERIOD : Street Trading-Shop Front Renewal-
6 Months
LOCATION : 72 & 74 High Street, Yiewsley. UB7 7DS
COMMODITY : Newspapers & Plastic Household Items
Yiewsley

NAME : Mr M S Sidona T/A Bal Supermarket
LICENCE TYPE AND PERIOD : Street Trading-Shop Front Renewal-
6 Months
LOCATION : 65-67 Coldharbour Lane, Hayes. UB3 3EE
COMMODITY : Fruit & Vegetables
Townfield

NAME : Mr G Arora T/A Universal Foods Ltd
LICENCE TYPE AND PERIOD : Street Trading-Shop Front Renewal-
6 Months
LOCATION : 622 Uxbridge Road, Hayes. UB4 0RY
COMMODITY : Fruit & Vegetables, BBQ Charcoal
Barnhill