If you require further information about this agenda please contact: Bill Lee, e-mail: william.lee@hounslow.gov.uk or by phone on 020 8583 2068.

LICENSING COMMITTEE

A meeting of the Licensing Committee will be held in Committee Room 1, Civic Centre, Lampton Road, Hounslow on Thursday, 10 May 2012 at 7:30 pm

MEMBERSHIP

Councillor Tom Bruce - Chair

Councillors Alan Barber, Colin Botterill, Jason Ellar, Bradley Fisher, Ajmer Grewal, Darshan Grewal, Matt Harmer, Elizabeth Hughes, Paul Jabbal, Kamaljit Kaur, Adrian Lee, Liz Mammatt, Shantanu Rajawat and John Todd.

AGENDA

1. Apologies for absence, declarations of interest or any other communications from Members

2. Minutes of the meeting held on 25 January 2012 ***(Pages 1 - 7)***

3. Licensing Act 2003 - Update ***(Pages 8 - 15)***

4. Hounslow Town Centre - Street Trading/Market Initiative ***(Pages 16 - 19)***

5. Urgent Business

   Any business which the Chair agrees to accept on grounds of urgency.

DECLARING INTERESTS

Committee members are reminded that if they have a personal interest in any matter being discussed at the meeting they must declare the interest and if the interest is also a prejudicial interest then they may not take part in any discussion or vote on the matter.

R.A. Gruet LLB, Assistant Director Corporate Governance
London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow TW3 4DN
1 May 2012

At a meeting of the Licensing Committee held on Wednesday, 25 January 2012 at 7:30 pm in Committee Room 3, Civic Centre, Lampton Road, Hounslow.

Present:

Councillor Tom Bruce (Chair)

Councillors Ajmer Grewal, Darshan Grewal, Elizabeth Hughes, Paul Jabbal, Kamaljit Kaur, Adrian Lee, Liz Mammatt and Shantanu Rajawat.

Nigel Farmer – Head of Business Regulations.

Caroline Eaton – Legal Adviser.

5. Apologies for absence, declarations of interest or any other communications from Members

Councillors Colin Botterill, Bradley Fisher and Matt Harmer sent their apologies.

6. Minutes of the meeting held on 13 September 2011

The minutes of the meeting held on 13 September 2011 were agreed as a true and accurate record.

Matters arising:
Following questions, Nigel Farmer, Head of Business Regulations, advised that training in the handling of Fixed Penalty Notices had not yet been provided to Business Regulations staff. (Page 1, Item 2)
No licences for fish pedicures had been issued. A business had applied, but had subsequently closed prior to issue. (Page 1, Item 2)
Mr Farmer advised that he would look into whether sex education supplies were excluded from the Statement of Licensing Policy for SEVs. (Page 3, paragraph 3)
Mr Farmer stated that he would examine what progress had been made towards the standardisation of licensing procedures. (Page 6, paragraph 6)

7. Future Proposals Regarding Street Trading in Hounslow High Street

Please see report “Hounslow Central – Street Trading” by the Deputy Leader. The report is not part of the original agenda but is published as an attached document.

The Chair welcomed Patricia Huertas, Hounslow Town Centre Manager, to the meeting. Ms Huertas introduced herself and advised that an initial assessment of both Hounslow and Brentford town centres raised issues regarding street trading, and that the report set out details of a comprehensive street trading initiative for Hounslow High Street. Ms Huertas presented the report to the Committee and advised that the report had been presented to CLT and was to be brought before Cabinet before going to Borough Council. She asked for the Committee’s ideas and feedback on specific matters contained within the report and invited Members to discuss possible consequences.

Following the presentation Ms Huertas asked for questions from Members. In response to

questions she confirmed that the high quality stalls would be purchased by LBH using the grant from the Outer London Fund (OLF) and that the Licensing Committee was requested not to grant further Street Trading Licences for the High Street until May 2012. Ms Huertas advised that she would be happy to check such applications and inform the Panel if they duplicated existing nearby stalls or shops and that the Authority was investigating the purchase of a monitoring system to list the type and location of all retailers in the area.

Ms Huertas was asked whether the effects of plans for the High Street on the existing Hounslow West Street Market had been taken into account and also what locations had been considered for the new market. She advised that she envisaged links between the planned market in Hounslow High Street and the one in Hounslow West and would ensure that the Space Makers agency incorporated this in their brief. Patricia Huertas added that the BDP agency had carried out a study into locations which she would circulate to Members; however she did not wish to constrain Space Makers and so was allowing them to identify spaces themselves.

Ms Huertas informed members that as part of Round 2 of the Town Centre Master Plan, the Council had secured £2 million for a new public realm scheme that will be implemented in the High Street before March 2014, including the provision of new paving, lighting and street furniture. She advised that BDP had concluded that the High Street was wide enough to permit a linear market along the middle and had also identified spaces for three or four stalls close to Trinity Church, and the possibility of using courtyards off the High Street. The agency had also looked at Bell Corner, but Ms Huertas advised the Committee that she also wanted a space for holding international events, ice skating and so forth and believed that Bell Corner could be more suitable for these. She added that the Town Centre Master Plan suggested the pedestrianisation of the High Street's bus through route, which could also provide a suitable market location; however that was a long term project. Ms Huertas suggested the possibility of themed groups of stalls, perhaps with a different theme for each group situated in each courtyard.

Asked if the plans would be brought before all Councillors, not just the Licensing Committee, Ms Huertas stated that the proposals were on the agenda of the March Borough Council. She assured Members that her brief was to tackle both stalls and shop pavement displays as well as the issue of clutter in the High Street, but due to limited resources she was concentrating on market stalls for the present. She added that there were also enforcement issues, with the possibility that not all traders were licensed.

Caroline Eaton, Legal Adviser, stated that a PFI contract for the Borough's roads was on its way. She advised that the PFI team supported Ms Huertas' vision and that part of the role of the PFI contractors would be street trading enforcement. They would not be responsible for the issue of licences but would enforce on matters of obstruction, which presented an opportunity to deal with unlicensed traders.

Patricia Huertas advised that stalls within the Treaty Centre were licensed by the Centre's management; however a recent change of ownership had brought in new investment for improvements and the owner had informed Ms Huertas that if the High Street scheme proved successful then he would consider extending it to inside the Treaty centre.

Members commented favourably on the proposals, and described the current situation in the High Street as saturated, unmanaged and obstructive. Plans for special events potentially to be held at Bell Corner were warmly welcomed. Ms Huertas advised that more thought was needed regarding the London Road end of the High Street and added that it was possible that the Policy could be updated in the light of future developments, perhaps by looking at the type of goods permitted to be sold. Ms Eaton confirmed that there was legal scope to do this.

Caroline Eaton confirmed that the Committee's decision to adopt the Draft Street Trading Policy on 16 May 2011 did not have to be put before Borough Council. Approval of street trading policy had been delegated as a function of the Licensing Committee on 24 July 1990 and as a result, the Committee's decision the previous year meant that the Policy was now formally adopted. . Ms Eaton advised that this gave the Licensing Committee the ability to control street trading anywhere in the London Borough of Hounslow. Paragraphs 2.10 and 2.11 of the Policy gave the Committee the scope to refuse applications if existing stalls were duplicated, but each application would still have to be taken on its own merit. Following questions, Ms Eaton advised that current policy was for a Panel to hear applications, but it was possible to change policy to officers' delegated decision. She advised that Space Makers would inform existing traders that no further licences would be issued or renewed in the High Street until the plans had been finalised.

Patricia Huertas stated that two traders that management wished to keep in the High Street had agreed to wait until policy was decided before making their applications and advised that discussion with Space Makers was a requirement for new applicants.

The Chair asked how this would affect existing traders whose temporary licences expired before the plans were finalised. Ms Huertas advised that the Town Centre Management did not want to disrupt traders' livelihoods, so applications should be heard, however the Panel had ability to specify the location of stalls. The possibility of issuing licences for shorter periods such as three months was discussed with fees set pro rata, which Ms Eaton confirmed was permissible but no decision was made. Patricia Huertas stated that new applicants would be directed to the Council's website, and letters advising of the plans would be sent to all existing temporary Street Trading Licence holders.

The Chair asked about the proposal to fund stalls using OLF money. Patricia Huertas advised that OLF money would be matched by Town Centre Management funding. The funding was to be sourced from the GLA, and would have to be spent by March or lost. Ms Huertas stated that a team was working on "branding" for Hounslow, and that she intended to use any logo, colour scheme etc, on bespoke stalls for the planned High Street market. She said that only limited funding was available (£17,000) and so there was also a limit on the number of stalls that could be purchased. Given that they would be high quality bespoke items she suggested perhaps 16.

Ms Huertas advised the Panel that there was a short space of time to decide before funding was withdrawn, and suggested that if the scheme did not succeed then the stalls could be rented by existing traders in order to create a more uniform appearance. She suggested that this could be made compulsory for traders in the High Street which, she stated, would require a change of policy. Caroline Eaton advised members that they could attach conditions to Street Trading Licences as they saw fit. It was agreed to examine the possibility of changing standard conditions accordingly in the course of a review. Members agreed that even if the overall scheme did not succeed then the creation of a themed set of market stalls was desirable.

Having heard the presentation and questioned Ms Huertas extensively, the Committee resolved unanimously to agree all recommendations contained in the report.

Resolved: The Licensing Committee agreed:

- To note the workplan in respect of street trading in Hounslow High Street as outlined in Sections 3 and 4.

- To approve the suggested use for new high quality marquees that will be purchased with allocated Outer London Fund funding.

- To note that following the work carried out by the Space Makers Agency, a recommendation will be made to Licensing Committee to review and strengthen the existing Street Trading Policy to aid the successful development of a designated market area in Hounslow High Street.

- To support the following recommendations to Borough Council:

  - to confirm agreement for street trading in Hounslow High Street;

  - to give formal notice of intention to designate areas within Hounslow High Street and linked streets as “licence streets” for the purposes of street trading and following consultation to pass a resolution confirming this designation and the date of its coming into effect, as well as any restrictions on the classes of articles, things or services to be offered under a Street Trading Licence as set out in Section 4; and

  - to delegate all street trading functions to Licensing committee and for the constitution to be amended accordingly.

- To note the procedure for designating areas as “licence streets” as set out in Section 4.

- To note the proposed arrangements for partnership working with the successful PFI contractor with regard to street trading as set out in Section 5.

8. Pleasure Boat and Boatman Licensing Report Jan 2012

Please see the report by Cllr Bruce (Agenda Item 4)

Nigel Farmer, Head of Business Regulations, presented the report. He advised that incorporation of the Public Health Acts Amendment Act 1907 (the Act) would require an amendment of the Council’s constitution. Mr Farmer suggested that any Licences issued should be renewed annually, and confirmed that Member decisions could be made by three member Licensing Panels rather than the full Committee.

Mr Farmer was asked what the current licensing arrangements were, and why the Council was only now considering the adoption of an Act that was over 100 years old. He replied that boats and boatmen were inspected by Borough Health and Safety Teams and that Princes Club had been inspected in 2009. He advised that the Act was being considered for adoption because of the fatality in September 2010, and that other Local Authorities had taken the same approach.

Mr Farmer advised that following adoption of the Act, officers would inspect boats and systems operators before a Licence could be granted, and would carry out annual inspections; more if there were problems.

Following questions from Members, Nigel Farmer confirmed that officers would need to be trained to carry out the inspections required and that Licences would not cover boats operating on the Thames. He advised that unless charges of Corporate Manslaughter were brought, action against the Princes Club was a matter to be decided by the Health and Safety Team. The club was currently still operating as there was, as yet, no requirement for a Licence. He

advised that it was usual for traders whose Licence had been revoked to continue trading pending the outcome of any appeal, but that he would ascertain whether this would be the case if a Pleasure Boat Licence were to be revoked, and report back to the Committee. He added that it was possible to place Prohibition Notices on specific activities.

Members queried whether it may be better to employ an outside agency that already possessed staff with the necessary expertise, rather than train LBH employees to carry out tasks that may only be occasionally required. Caroline Eaton confirmed that the Committee could delegate particular functions to another Borough, and that such shared arrangements may well prove cheaper than training staff. Mr Farmer agreed to investigate such a possibility and report his findings back to the Committee, but would first ask if any Health and Safety Officers already had suitable qualifications. Ms Eaton stated that there was a need to add an item to the report to reflect cost analysis enquiries, which would need to be ready by 28 March 2012.

A Member stated that it was proposed that Licence renewals were to be delegated to the Director of the Environment, and asked what would happen in the event of an objection. Ms Eaton advised that there was no process for objections as Licence renewals were based on technical criteria, and if the application and inspection results met the criteria, the Licence would be renewed; otherwise it would not be.

Asked for clarification as to who was considered to be in charge of a hired boat, and therefore in need of a Licence, if a member of the public hired a boat without a crew, Ms Eaton advised that the person who rented it out would be considered responsible. The person who hired it would not therefore require to be licensed. The Chair added that the wording needed to be tightened up in this respect.

Cllr Hughes suggested a number of amendments to the proposed terms and conditions, which following discussion the Committee agreed to adopt. (See “the addenda and amendments to Appendix 1”)

Having heard the presentation, questioned Mr Farmer and discussed the matter extensively, the Committee resolved unanimously to agree in principle all recommendations contained in the report, subject to the report being brought back incorporating the additions set out below.

Resolved: The Licensing Committee agreed:

That Licensing Committee Members endorse the recommendations to Borough Council that:

i) the Council’s Constitution is revised by incorporating the Public Health Acts Amendment Act 1907 (“the Act”) into the list of statutes in the Annex to Part D of the Scheme of Delegation;
ii) the initial licensing of pleasure boats/vessels and pleasure boatmen is delegated as a function of the Licensing Committee and for all subsequent licence renewals to be delegated to the Director of Environment;
iii) decisions as to revocation or suspension of licences be delegated to Licensing Committee except in the case of urgency in which case the decision shall be made by the Director of Environment;
iv) the terms and conditions for the licensing of pleasure boats/vessels and pleasure boatmen as set out in Appendix 1 are approved **subject to suggested amendments** and that authority is delegated to Licensing Committee to make any changes or amendments to these terms and conditions as may from time to time be required; and
v) the period of licences to be for one year.

1.2 That Licensing Committee Members endorse a recommendation to Cabinet that the annual fees as set out in Appendix 2 for any licence granted under S.94 of the Act shall be initially agreed in principle by Licensing Committee who shall make a recommendation to Cabinet as to final approval.

<u>The addenda and amendments to Appendix 1 are as follows:</u>

1. General Licence Conditions:
Paragraph 1: "A vessel shall be maintained and equipped to licensed standards…" These standards shall be defined.

Paragraph 4: Add that valid original insurance documents must be produced before a licence may be granted.

2. Area of Operation:
A clause shall be added to name which bodies of water the regulations applied to.

3. Vessel Condition:
Paragraph 4: "…may waive or reduce any requirement or restriction on account of the special circumstances of any boat…" An explanation/definition of "special circumstances", with examples, shall be added.

5. Safety Requirements:
"Equipment supplied and carried" shall be defined as being to at least the standard required by the licensee's insurance cover documents.

<u>Equipment Required:</u>
6. Shall read "Buoyancy of an appropriate capacity for 100% of passengers and crew."
7. Detail shall be added with regard to the contents of first aid kits.

<u>General:</u>
A condition requiring that the licence be prominently displayed shall be added.
The condition preventing letting a boat on hire to any person drunk or otherwise incapacitated shall be changed to: "The owner of a licensed pleasure boat or vessel shall not let the same on hire to any person who appears to be either drunk or otherwise intoxicated or whom he suspects of being under the influence of narcotics, nor to any person whom such proprietor does not reasonably believe to be competent to manage such boat. The proprietor shall not permit any person hiring the boat or vessel to carry any passenger who appears to be either drunk or otherwise intoxicated or whom he suspects of being under the influence of narcotics."

The condition requiring that "where the boat survey/inspection has identified that pyrotechnic distress signals are to be kept available for use on board these must be kept within date" shall also specify that these shall be kept in an appropriate location on board.

<u>Transfer of Ownership:</u>
The first paragraph shall be amended to read "the transferor shall give written notice forthwith".

<u>Suspensions and Revocation:</u>
Paragraph 2 shall be amended to: "In the case of suspension, this shall remain in force in respect of the boat or vessel specified until the damage or deterioration is repaired and made good to the satisfaction of the Council through their appointed agent. This may require a

further survey in addition to the annual survey."

Paragraph 3 shall be amended to: "A licence may be suspended or revoked without notice in the case of any licence if the licensee fails to observe or comply with any of the terms and conditions under which the licence is granted."

Conditions Arising from Representations:
The condition shall be changed to: "Where representation are made, including but not limited to, noise or health an safety, specific conditions may be imposed and addended to a licence where the Authority think fit."

Unusual craft:

1. Pedaloes: The condition shall be amended to read: "A suitable crewed safety boat must be provided." Definitions of the nature of such boat, its location and crewing arrangements shall be added. This condition, with any local amendments agreed to be necessary, shall be applied in every instance when a safety boat is required by a condition.

2. Canoes: There is a need to define how the area of operation is to be restricted. Delete "where appropriate" from the last sentence.

4. Self-drive Motorboats: "For vessels capable of a maximum speed of 6knots, the above conditions will apply". These conditions shall be separately defined.

5. Personal Water Craft, i.e. jet skis: First line shall be amended to read "…free of bathers and all other water users." A condition shall be added forbidding the hiring of jet skis to children (minimum age to be defined.)

Safety Boats and Lifejackets:

"Where a safety boat (craft) is required it must be afloat or ready for immediate launch." Such a boat must be crewed and conditions relating to the nature of such boat, its location and crewing arrangements shall be added.

The meeting finished at 9:15 pm.

The minute taker at this meeting was Bill Lee.

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Licensing Committee – 10 May 2012

Licensing Act 2003 - Update

Report by: Councillor Tom Bruce

1. RECOMMENDATION

1.1 This report is for information purposes only. There are no recommendations or decisions for the Committee to consider.

Summary

This Authority has been accepting applications under the Licensing Act 2003 for both personal and premises licences since the first transitional date on 7 February 2005. The Act came into full being on 24 November 2005. The purpose of this report is to provide members with an up to date position with regard to licences issued, inspections and enforcement initiatives.

2. INTRODUCTION

2.1 It has been over six years since the first transitional date (the date that applications from existing licence holders could be accepted) of the Licensing Act 2003 (the Act) and six years since the Act came into full being.

2.2 Following the end of the transitional period for the introduction of the Licensing Act 2003 (the Act), since 7 August 2005, applications for new premises licences/club premises certificates or to vary existing premises licences/club premises certificates are received by the Council as the Licensing Authority. Where relevant representations are made on such applications, either by responsible authorities or interested parties (as defined under the Act), if those representations cannot be resolved, the matter is referred to the Council's Licensing Panels for a decision.

If there are no relevant representations on an application or relevant representations are made but subsequently resolved, prior to any hearing of the sub-committee, there is nothing for the sub committee to consider and accordingly under the Act, the application must be granted by officers under delegated authority.

2.3 This report provides an overview of the current impact of the Act, gives an accurate account of licences issued, provides details of inspections and enforcement and advises members of developments since implementation of the Act.

2.4 Enforcement of the provisions of the Act are shared jointly between the Police and the Licensing Authority, whilst the Police retain the greater powers (such as temporary closure of premises) the Licensing Authority are given a major role with rights of entry to most premises (with the exception of private members clubs), the ability to check that statutory provisions and terms and conditions of a licence are being upheld and rights of prosecution.

3. CURRENT SITUATION

3.1 The bulk of applications and consequently licences issued under the Licensing Act 2003 were received in 2005/2006 with a total of 594 licences being issued during this period. These were almost exclusively transfers of existing licences. Since that period of time the number of licences issued within a given year has remained pretty constant with an average of approximately 70 per year.

3.2 For the Committee's information, attached at Appendix A to this report are details of premises licences that were granted by the Council under the Licensing Act 2003 during the period 1 January 2011 to 31 December 2011. Premises are categorised by their main usage as follows: public houses, restaurants, off-licences, take-aways, clubs, entertainment venues, hotels and other (including parks). The Licensing team also deals with a variety of requests to amend or transfer licences and designated premises supervisors and numerous enquiries from the public and the trade, in relation to licensable activities. This information for 2011 is also presented in Appendix A.

3.3 Appendix B provides the total of licences issued under the Act from its transition date to 31 March 2012.

3.4 Appendix C provides more detailed information regarding the decisions made by Licensing Panels in the period 1 January to 31 December 2011. This also includes decisions made with regard to street trading.

3.5 Appendix D details the statistics relating to panels and member attendance for the Council Year May 2011 to May 2012.

3.6 In relation to enforcement there is a protocol between the Licensing team within the Environment Department and partner agencies, including the Police, Trading Standards and the Fire Service. Details are kept centrally by the Licensing team of all formal and informal actions taken to date.

For the period 1 January to 31 December 2011, the Trading Standards team has carried out 160 test purchases using minors. Attempts of test purchases are made regarding a number of age restricted products including alcohol. Of 160 test purchases, there were 17 sales in the following categories:

Product	**No. Sales**
Alcohol	6
Tobacco	5
Fireworks	3
Knives	2
DVDs	1

Actions taken in regards to the sales were a warning, a simple caution or prosecution.

3.7 The Licensing team undertakes advisory and enforcement visits to licensees in an effort to ensure both understanding and compliance with the provisions of the Act and conditions attached to their various licences. In this respect, there is close liaison and exchange of information with the Police and other responsible authorities.

3.8 Inspections are ongoing with premises categorised according to perceived risk, which allows clear indication of how often they should be visited to ensure compliance with the licensing objectives and conditions on individual licences.

3.9 Regular liaison meetings are undertaken with the Police, Pollution Control and other agencies, the purpose of which is to discuss potential problem premises, plan for future initiatives and maintain close working partnership in line with guidance issued by the Secretary of State. This type of communication has proved invaluable and is working well. Although problems are identified, these are usually rectified in line with the Business Regulation Teams Enforcement Policy which includes the offering of advice and education, rather than having to opt for a prosecution of the licence holder or a review of the premises licence.

3.10 A system of enforcement visits is operated by officers of this Authority; these are often carried out in conjunction with the Police and have been successful in identifying unlicensed premises, breaches of conditions and offering of advice where required. It has always been the case to date that breach of licence terms and conditions can adequately be dealt with by firm warning rather than prosecution.

4. COMMENTS OF THE ASSISTANT DIRECTOR CORPORATE GOVERNANCE

4.1 There are no legal implications arising from this report.

5. COMMENTS OF THE ASSISTANT DIRECTOR CORPORATE FINANCE

5.1 There are no financial considerations associated with this report.

6. EQUALITIES IMPLICATIONS

6.1 The nature of this report is such that there is no requirement to have regard to the duties set out in the Equalities Act 2010.

Background Papers: Licensing team files, licence records, Licensing Panel decisions and Member attendance records
This report has been or is due to be considered by: Licensing Committee
This report is relevant to the following wards/areas: All

REPORT ENDS

APPENDIX A

TOTAL NUMBER OF PREMISES AND PERSONAL LICENCES GRANTED UNDER OFFICER DELEGATED POWERS AND BY LICENSING PANELS FROM 1ST JANUARY TO 31ST DECEMBER 2011

Premises Licences

Type of Licence	Number issued	Licence Transfers	DPS changes
Public Houses	12	12	159
Restaurants	17	10	32
Off Licences	30	42	140
Take Aways	5	4	0
Clubs	5	2	5
Entertainment Premises	0	0	0
Hotels	3	1	4
Other	0	0	0
Total	**72**	**71**	**340**

Appeals/Reviews

Appeals	0
Reviews	6

Personal Licences

Personal Licences	228

Temporary Event Notices (TENS)

Issued from Jan 2011 to Dec 2011	499*

*relating to 148 premises

TOTAL NUMBER OF PREMISES AND PERSONAL LICENCES GRANTED UNDER OFFICER DELEGATED POWERS AND BY LICENSING PANELS UP TO 31ST MARCH 2012

Premises Licences

Type of Licence	Number issued
Public Houses	105
Restaurants	192
Off Licences	283
Take Aways	35
Clubs	74
Entertainment Premises	5
Hotels	17
Other	58
Total	**769**

Personal Licences

Personal Licences	3464

APPENDIX C

Licensing Panels 1 January 2011 to 31 December 2011

Please note that the total number of matters considered (64) is higher than the total number of decisions (56). This is because several items were adjourned, some more than once. Items that were on agendas but withdrawn before the hearing have not been counted.

Number of Panel Hearings	**19**	
Matters Considered	**64**	
Premises Licence Application (On Sales)		
a) Granted	5	
b) Refused	1	
TOTAL	**6**	
Premises Licence Variation (On Sales)		
a) Granted	3	
b) Refused	1	
TOTAL	**4**	
Premises Licence Application (Off Sales)		
a) Granted	12	
b) Refused	0	
TOTAL	**12**	
Premises Licence Variation (Off Sales)		
a) Granted	1	
b) Refused	1	
TOTAL	**2**	
Premises Licence Review (On Sales)		
a) Revoked	2	
b) Varied	2	
c) No change	1	
TOTAL	**5**	
Late Night Refreshment/Entertainment		No Alcohol
a) Granted	2	
b) Refused	0	
TOTAL	**2**	
Street Trading (Stall)		
a) Granted	4	
b) Refused	6	
TOTAL	**10**	
Street Trading (Shop Front Display)		
a) Granted	8	
b) Refused	1	
TOTAL	**9**	
Street Trading (Pavement Cafe)		
a) Granted	6	
b) Refused	0	
TOTAL	**6**	

APPENDIX D

Labour Group

	T Bruce	A Barber	J Ellar	A Grewal	D Grewal	M Harmer	E Hughes	K Kaur	S Rajawat	TOTAL
06 June 2011	1									
21 June 2011	1								1	
05 July 2011	1								1	
12 July 2011								1		
28 July 2011						1				
06 September 2011	1								1	
27 September 2011	1								1	
11 October 2011	1								1	
25 October 2011									1	
08 November 2011	1					1				
21 November 2011	1									
06 December 2011	1								1	
21 December 2011									1	
10 January 2012	1									
17 January 2012	1					1				
08 February 2012						1				
14 February 2012							1			
21 February 2012										
06 March 2012	1								1	
13 March 2012	1									
20 March 2012	1						1			
03 April 2012									1	
01 May 2012	1					1				
22 May 2012										
Total Attendance	**15**	**0**	**0**	**0**	**0**	**5**	**2**	**1**	**10**	**33**

Conservative Group

	C Botterill	B Fisher	P Jabbal	A Lee	L Mammatt	J Todd	TOTAL
06 June 2011		1	1				
21 June 2011		1					
05 July 2011					1		
12 July 2011		1	1				
28 July 2011				1		1	
06 September 2011						1	
27 September 2011				1			
11 October 2011				1			
25 October 2011		1				1	
08 November 2011		1			1		
21 November 2011		1	1				
06 December 2011				1			
21 December 2011		1			1		
10 January 2012			1		1		
17 January 2011			1				
08 February 2012		1			1		
14 February 2012		1				1	
21 February 2012		1	1		1		
06 March 2012		1					
13 March 2012		1			1		
20 March 2012		1					
03 April 2012	1				1		
01 May 2012		1					
22 May 2012							
Total Attendance	**1**	**14**	**6**	**4**	**8**	**4**	**37**

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Licensing Committee – 10 May 2012

Hounslow Town Centre – Street Trading/Market Initiative

Report by: Caroline Eaton Principal Lawyer

1. Recommendation

1.1 To note the progress being made and timetable for establishing designated market areas in Hounslow town centre.

Summary

This report sets out details of the progress being made relating to the Hounslow town centre street trading initiative and the proposed implementation timetable to designate Hounslow High Street and some linked streets as licence streets.

2. Background

2.1 The regeneration of Hounslow town centre is a key corporate priority of the Council, which aims to deliver regeneration activities and strategic planning that promote the vitality and viability of town centres. One aspect of the town centre development has been in relation to street trading and the potential for developing designated market areas.

2.2 A report outlining a number of aspects including for Hounslow High Street to become a designated "licence street" and for permanent pitches to be established in place of the current temporary ones was initially presented to Licensing Committee on 26 January 2012 and formally considered by Borough Council on 27 March 2012.

2.3 Borough Council agreed all recommendations and delegated to Licensing Committee all street trading functions. This means that it will be Licensing Committee that will be responsible for making the final decision regarding street trading in Hounslow town centre and, subject to consultation, for passing a resolution to formally designate areas as "licence streets".

2.4 The street trading/market proposals are with the following regeneration objectives in mind:

2.4.1 Dedicated permanent pitches for a new local market to be established. Potential opening times, number of pitches and market theme(s) are currently being

considered although it is anticipated that opening times will include weekends and evenings, that the initial number of permanent pitches will approximately be 10 to 15 and that the market theme(s) could include food, farmers' markets, flowers, and/or arts and crafts. The exact location of the pitches is being considered but these are likely to be placed in pedestrian areas of the High Street, in and around the Holy Trinity Church square and/or pedestrian links to the High Street. It would be a priority to ensure pedestrian and service/emergency circulation routes together are not affected by pitches.

2.4.2 A dedicated space in and around the Bell Junction as a location for a specialist/temporary market a few times a year. It is anticipated that around 30 stalls could be accommodated in and around festive periods to act as specialist markets.

2.4.3 The de-cluttering of street scene by terminating the use of highway licences to display goods, produce or advertisement boards in front of shop fronts.

2.4.4 A contribution to the local economy and positive enhancement of the street scene by allowing the licensing of pavements for high-quality attractive arrangements of tables and chairs in front of cafes and restaurants in appropriate areas to ensure that the pedestrian flow and neighbouring shop fronts are not interrupted.

3. Future Steps – Proposed Implementation

3.1 The Council is continuing to work with the Space Makers Agency, a specialist regeneration firm, to finalise plans for the new market area. Space Makers is liaising with existing street traders and potential future traders to design and develop a viable market for Hounslow town centre. Space Makers is also exploring opportunities to test different types of market by setting up temporary themed markets.

3.2 The procedure for designating streets as "licence streets" was set out in the Borough Council report of 27 March 2012. A timeline has now been drafted (Appendix A) and which takes into account all legal requirements required to implement this street trading initiative. The timeline allows for a margin of flexibility in the event of unforeseen delays occurring.

4. Next Steps

4.1 The Space Makers Agency will continue to liaise with existing street traders and shopkeepers to address concerns and to instil confidence to strengthen support for a market area.

4.2 The public will be informed of the plan to introduce "licence streets" in Hounslow High Street through the printing of a consultation notice in the local newspaper which will invite representations. This will coincide with consultation with the Police whose views are important.

4.3 Once the time period for the consultation (28 days) has expired representations will be collated and a report presented to Licensing Committee for consideration. It will be for Licensing Committee at that stage to determine whether or not to proceed to pass a resolution to designate Hounslow High Street and linked areas as "licence streets".

4.4 If a resolution is passed another newspaper notice would need to be published for two consecutive weeks before the resolution could come into effect, with the objective new market areas coming into effect from September 2012.

5. Comments of the Assistant Director Corporate Governance

5.1 This report is presented on behalf of the Assistant Director Corporate Governance.

6. Comments of the Assistant Director Corporate Finance

6.1 On 27 March 2012, the Council delegated to the Licencing Committee all street trading functions. This report details how this will apply for Hounslow High Street.
The cost of any activity detailed in this report will be met from existing budgets.

7. Equalities Implications

7.1 As this report is "to note" there is no requirement to consider the equalities duties as set out in the Equalities Act 2010.

Background Papers: Street Trading files
This report has been or is due to be considered by: Licensing Committee
This report is relevant to the following wards/areas: All

REPORT ENDS

Hounslow "Licence Street" Timeline

APPENDIX A

Between 30/04 and 01/06:
- Consultation with Commissioner of Police
- Newspaper advertisement (minimum of 28 days required)

23 24 25 26 27 28 29 30 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3

APRIL | Bank Holiday | MAY | JUNE

Between 18/06 and 22/06:
- Publication of Licensing Committee Report

Between 25/06 and 29/06:
- Licensing Committee hearing to consider responses, decide whether to pass resolution and date of coming into effect

Between 02/07 and 20/07:
- Publication of second newspaper advertisement – must be no later than 28 days before resolution comes into effect

Between 06/06 and 15/06:
- Consideration of responses

4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

Bank Holiday | JUNE | JULY

Between 30/07 and 03/08:
- Earliest date for resolution to come into effect

21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

JULY | AUGUST