

LICENSING SUB-COMMITTEE 3

Tuesday, 29th June, 2010 at 10.05 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Mrs Dunn (Chairman)
Councillors Mrs Ameson and Ryder

Officers

Mr M Farooq (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor (Directorate of Law, Property and Human Resources).

1 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Councillor Mottram.

2 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor Ryder had been appointed as a substitute member for Councillor Mottram for this meeting of the Sub-Committee only.

3 **DECLARATIONS OF INTEREST**

No member declared an interest in accordance with the Members' Code of Conduct.

4 **MINUTES**

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 14th May, 2010 be approved as a correct record and signed.

5 **APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING**

A report of the Director of Corporate Resources was submitted on an application, made by Mrs Tracey Gould, for the grant of a consent to engage in street trading at a site in Stourbridge Town Centre.

In attendance was Mrs T Gould (Applicant), and Mr P Vangeersdaele (Traffic & Road Safety) who was objecting to the application.

Following introductions, Mrs J Elliott, Licensing Officer, Directorate of Law, Property and Human Resources, presented the report on behalf of the Council.

Mrs Gould presented her case, and in doing so stated that this would be a new business and that she was not aware of any additional mobile food establishments in the proposed area.

Mr Vangeersdaele then presented his case, and in doing so referred to Mrs Gould's proposed site and how it was situated close to an access for emergency vehicles. He suggested that this could cause a safety hazard to nearby pedestrians. It was also confirmed that there were a large number of food establishments in the area.

The parties withdrew from the meeting to enable the Sub - Committee to determine the application.

The Sub-Committee, having made their decision, invited the parties to return and the Chairman then outlined the decision.

RESOLVED

That following careful consideration of the application, the application made by Mrs Gould, for the grant of a consent to engage in street trading at a site in Stourbridge Town Centre, be refused due to the obstruction of the adjoining access for emergency vehicles and concerns over the safety of pedestrians.

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APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – CARE 2 GIVE LIMITED

A report of the Director of Corporate Resources was submitted on an application made on behalf of Care 2 Give Limited for the grant of a House to House Collections Licence on behalf of Guideposts, Action Medical Research and the Woodland Trust.

In attendance were Mr P, Lowther (Managing Director) and Mr G. Hockley (Finance Director / Chief Promoter).

Following introductions, Mrs J Elliott, Licensing Officer, Directorate of Law, Property and Human Resources, presented the report on behalf of the Council.

Arising from the presentation of the report, the Chairman queried why the applicants had not submitted accounts to identify the accounts of Care 2 Give Limited and the transactions between the charities.

Mr Lowther informed the Committee that all proceeds collected were sent direct to the charities through a direct debit system, therefore the company accounts would not identify the donations given. He also confirmed that a one-off payment fee from the charities for the service provided generated the company's income.

Mr Lowther stated that he had applied to other Local Authorities for a house to house collections licence and confirmed that the majority had been granted to date.

Following further discussion, the parties then withdrew from the meeting in order to enable the Sub - Committee to determine the application.

RESOLVED

That, following careful consideration of the application made on behalf of Care 2 Give Limited, the grant of a house to house collections licence on behalf of Guideposts, Action Medical Research and the Woodland Trust be deferred for consideration at a future meeting of the Sub-Committee pending submission of the companies financial accounts.

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APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – RAGBAGS DAYCARE TRUST

A report of the Director of Corporate Resources was submitted on an application made on behalf of Daycare Trust (Ragbags) for the grant of a House to House Collections Licence.

In attendance was Mr N. J Pugh (Applicant).

Following introductions, Mrs J Elliott, Licensing Officer, Directorate of Law, Property and Human Resources, presented the report on behalf of the Council.

In responding to a comment made by the Chairman in relation to the amount of money donated to charities, Mr Pugh confirmed that the donations were based on a £75 per ton figure, and that each charity received a minimum of £750 per month.

Further discussions took place with regard to the administration costs involved in the process of collecting donations and it was suggested by the Sub-Committee that further details of the accounts of Daycare Trust (Ragbags) would be needed.

Mr Pugh confirmed that he would be able to provide detailed accounts within two-three weeks.

Following further discussion, the parties then withdrew from the meeting in order to enable the Sub - Committee to determine the application.

RESOLVED

That, following careful consideration of the application made on behalf of Daycare Trust (Ragbags), the grant of a house to house collections licence, be deferred for consideration at a future meeting of the Sub-Committee pending submission of a more comprehensive version of the companies financial accounts.

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APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING –
ST JOHN'S AMBULANCE

A report of the Director of Corporate Resources was submitted on an application, made by the St John's Ambulance, for the grant of a consent to engage in street trading at a site in Dudley Town Centre together with a request for the waiver of the application fee.

Mrs J Elliott, Licensing Officer, informed the Sub-Committee that the applicant's were unable to attend the hearing.

Having decided to hear the matter in the absence of the applicant it was

RESOLVED

That, following careful consideration the application made on behalf of St John's Ambulance for the grant of a consent to engage in street trading at a site in dudley Town Centre, the application together with the request for the waiver of the application fee be approved.

The meeting ended at 11:05 am

CHAIRMAN