

NORTHAMPTON BOROUGH COUNCIL

Licensing Committee

Your attendance is requested at a meeting to be held at
The Jeffrey Room, Guildhall, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 17 June 2014
at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

1 APOLOGIES

2 MINUTES

(Copy herewith.)

3 DEPUTATIONS / PUBLIC ADDRESSES

4 DECLARATIONS OF INTEREST

**5 MATTERS OF URGENCY WHICH BY REASON OF SPECIAL
CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE
CONSIDERED**

6 BETTING SHOPS AND FIXED ODDS BETTING TERMINALS

(Copy herewith)

7 TOWN CENTRE STREET TRADING CONSENTS

(Copy herewith)

8 REVIEW OF HACKNEY RANKS

(Copy herewith)

9 BECKET'S PARK STREET TRADING CONSENTS

(Copy herewith)

10 EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

SUPPLEMENTARY AGENDA

Exempted Under Schedule, 12A of L.Govt Act 1972, Para No: -

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

NORTHAMPTON BOROUGH COUNCIL

LICENSING COMMITTEE

Tuesday, 29 April 2014

PRESENT: Councillor Malpas (Chair); Councillor Hill (Deputy Chair); Councillors Conroy, Ford, Sargeant and Stone

1. APOLOGIES

Apologies were received from Councillors Eales, Hibbert, Mennell and Wire DL.

2. MINUTES

The minutes of the meeting held on 21 January 2014 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

There were none.

Councillor Hill stated that his comments in the local press regarding a street trading consent site in Becket's Park indicated a predisposition to support the proposal and not predetermination and that he would consider the matter with an open mind.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. STREET TRADING CONSENTS - BECKET'S PARK

The Senior Licensing Officer presented a report asking the Committee to authorise the publication of the intention to adopt a Street Trading Consent Site within Becket's Park, as set out in the appendices to the officer's report, as from 1 August 2014. The request for a consent site, similar to that recently adopted in Abington Park, had been made by local ice cream traders. Two sites were being considered, as set out in the report appendices.

Any objections to the notice of intention would be considered by the Committee at the next meeting.

In answer to Members' comments and questions the Senior Licensing Officer stated that:

- There were no schools in the immediate vicinity of the site. There were no schools within half a mile of the site;
- Appendix F of the officer's report indicated the preferred site;
- One site could accommodate two pitches;
- Should any trees be removed to accommodate the site they would be replaced, although it was not considered that any trees would need to be removed;
- The building in Becket's Park was no longer used as a café and was largely used as changing provision for users of the Park's facilities;
- Persons in the vicinity of the park would be consulted about the proposal and any objections would be reported to the Committee.

RESOLVED:

1. That notice be given of the Council's intention to adopt with effect from 1 August 2014 a street trading consent site in Becket's Park, Northampton near to the junction of Nunn Mills Road and Bedford Road, to be designated a "Premium" consent site.
2. That the Parks Department be requested to replace any trees which might need to be removed to accommodate a street trading consent site in Becket's Park.

7. THANKS TO MEMBERS AND OFFICERS

As this was the final meeting of the Committee in the current Council year the Chair thanked Members and Officers for their work and support during the year and was thanked in return for his Chairmanship.

The meeting concluded at 6:13 pm.

Appendices
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NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Betting Shops and Fixed Odds Betting Terminals
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AGENDA STATUS: PUBLIC

**Committee Meeting Date: 17th June
2014**

Policy Document: No

**Directorate: Customers and
Communities**

1. Purpose

1.1 To update the Licensing Committee in relation to the situation locally and advise of national developments in relation to Betting Shops and Fixed Odds Betting Terminals

2. Recommendations

2.1 That the Committee utilise new legislation and support the Licensing service in the continuance of its monitoring, enforcement and regulatory functions (Option 3.)

3. Issues and Choices

3.1 Report Background

3.1.1 Following concerns expressed by the Licensing Committee regarding Fixed Odds Betting Terminals (FOBT's) an initial report was submitted on December 10th 2013. That report gave a general overview of the position relating to FOBT's and the Committee requested a further report be submitted looking at the situation in Northampton and what the Committee could do to change what was seen as a detrimental risk to vulnerable persons gambling behaviour.

3.2 Issues

- 3.2.1 At that stage, there were no clear avenues available to the Committee to reduce the number of FOBT's, or to insist upon a reduction of the stake or prize and the only courses of action were to begin to implement the lengthy and problematic process of introducing a bye law or to lobby central government to relook at the issue of regulation. The latter was unlikely at that time as the government had just decided to allow Betting Operators to promote self-regulation rather than regulation from the centre.
- 3.2.2 .All the major chain betting shops in Northampton have FOBT's. These machines can be programmed to allow users to play different types of gambling games. We cannot assess the amount of money that is spent locally through them but it is estimated that approximately 80% of revenue taken at betting establishments is via these machines. Some figures were produced at a Liverpool Council meeting relating to how much was being spent in that locality but it has been confirmed by the Gambling Commission that those figures was an estimate and it is not possible to work out the amount spent without access to the premises accounts.
- 3.2.3 Without the ability to obtain figures, and a lack of powers to affect the use of these machines it has been necessary to look at other ways of affecting and ensuring betting establishments are implementing their own guidance in relation to self-regulation and operating standards. We therefore decided to undertake a test purchase operation in Northampton Town Centre in conjunction with the Gambling Commission utilising two 17 year old police cadets. The aim of the operation was to see whether these young persons would be able to enter and use FOBT's.

3.2.4 Test Purchase Operation

- 3.2.5 On 24th April 2014 between 10:30am and 11:45am 5 betting shops operated by the 5 major betting companies were targeted in the Town Centre. At this stage we are not naming the company's pending any legal action that may be taken following the follow up operation.

3.2.6

Premises	Detail	Result
Premises A	Young persons entered the premises. Member of staff immediately saw them and approached them asking for ID. They hadn't any and were told to leave	Pass
Premises B	Young persons entered the premises, walked directly in front of the counter in clear sight of member of staff and played on a machine. They remained in the premises for a few minutes before leaving. No challenge	Fail
Premises C	Young persons entered the premises and stayed in the vision of member of staff for a while before going to a machine and playing on it. Member of staff then approached them asked for ID. They hadn't any. Member of staff refunded their money and asked them to leave.	Fail
Premises D	Young persons entered the premises and stayed at information Boards in clear view of a member of staff. Staff	Tentative Pass

	saw them but continued counting money and dealing with a customer. Young persons started to move toward a machine but were then challenged and asked to leave	
Premises E	Young persons entered the premises, made their way through the premises within clear range of a member of staff at the counter. They made their way to a machine and played on it. They then walked back through the middle of the premises and left. No challenge	Fail

3.2.7 It should be noted that two officers had entered each premises prior to the young persons and risk assessed the premises. They remained in the premises as observers until the young persons left. The two police cadets performed admirably and their manager has been written to commending their actions.

3.2.8 Whilst Section 47 of the Gambling Act states that a person commits an offence even if they permit a child or young person entering a premises where a betting premises licence has effect it is virtually impossible to prevent a young person from entering unless a member of staff is permanently 'on the door' but we do expect staff to be alert to persons entering and make an immediate challenge.

3.2.9 Section 46 of that Act states that a person commits an offence if they invite or permit a child or young person to gamble

3.2.10 All of the premises have been written to with the results of the operation. We have had responses and they have taken the results of the operation very seriously. In some instances investigations had led to the dismissal and/or retraining of staff.

3.2.11 For those that failed, as this is a first offence we have informed them that another operation will be undertaken within three months. If they fail again we will be reviewing their Licence. Any premises that tentatively passed will also be revisited.

3.2.12 **New Powers for Planning Objections**

3.2.13 Since the last report, the government have announced that a new power is to be introduced which will enable Local Authorities, which includes Licensing Authorities to make representation to planning proposals where it is considered that a cluster of betting shops is being formed. The determination will remain with the Planning Committee.

3.2.14 **Wider Betting shop/gambling Issues**

3.2.15 Whilst the Licensing Committee are rightly concerned about the presence of FOBT's and the number of Betting shops that are seen to be appearing in Northampton, research has shown that whilst 8 new Betting Premises Licences have been granted since 2007, two have been surrendered leaving only an increase of 6 Betting shops in seven years. However, they have been at prominent locations and utilise prominent advertising and signage. At the

same time we have seen a decline in the number of independent bookmakers. There is now only one in the town located in Semilong.

3.2.16 Efforts to curtail the use of FOBT's is somewhat curtailed when considering the dramatic increase in internet gambling through computers, tablets, mobile phones and such like. In this regard we have no powers to intervene.

3.2.17 Bearing in mind the issues presented above, a view that can reasonably be arrived at, is that we may well be at the hiatus in relation to the prominence of Betting Shops. With more and more betting being done remotely, less business is being done through their shops questioning the requirement to continue with the associated costs. In fact, during the Test Purchase operation, only one of the premises we considered to be busy, and that was premises A that performed the best. The remainder we considered to be quiet.

3.3 Choices (Options)

1. That the Committee continue with the options previously identified, those being to agree to implement the process of introducing a bye law, or/and

2. That the Committee decide to lobby central government to reconsider its position in relation to stakes and prizes associated with FOBT's

3. That the Committee request the Licensing Service utilise the powers they have and those that are introduced to implement a regular schedule of Test purchases at Betting shops and enforce where necessary taking each case on its merits.

4. The Committee do nothing

4. Implications (including financial implications)

4.1 Policy

4.1.1 Often, there is no requirement to develop new policies or by laws as existing powers can be sufficient if implemented effectively. A good example of this is in relation to the EMRO. Whilst it was seen by some as a tool that was necessary to promote the licensing objective 'The prevention of Crime and Disorder', we can now see that it was not necessary as over the last few months the existing legislation has been utilised to bring about the same effect that the EMRO was intended to have. I believe that this is a similar situation.

4.2 Resources and Risk

4.2.1 Existing resources are utilised from within the Licensing Budget. Police Cadets are used free of charge.

4.2.2 Operations are dynamically risk assessed

4.3 Legal

In exercising its functions in relation to Premises Licenses, the Licensing Committee must have regard to the Licensing Objectives under The Gambling Act 2005.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

With regard to the Test Purchases, a Review can be called in under the Objective of “Protecting Children and other vulnerable persons from being harmed and exploited by gambling.

Any Test Purchase carried out is done under strict guidance in order to ensure that all those involved have no risk of being challenged for use of the “honeypot” method, and no pressure is used to incriminate the Premises Licence Holder - *Nottingham City Council v Amin [2000] 1 WLR 1071*

The intention of the Act is that children and young persons should not be allowed to gamble, and should be prevented from entering those gambling premises which are ‘adult-only’ environments.

The Licensing Committee should be mindful of steps to be taken to prevent children from taking part in, or being in close proximity to, gambling.

When determining a premises licence or permit we will consider whether any additional measures are necessary to protect children, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises like pubs, clubs and betting tracks.

Should any Review be called, the Licensing Committee should always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people, should balance these considerations against the overall principle of aiming to permit the use of premises for gambling.

If such a Review is called under s201 of the Act, the Licensing Committee may:

- Revoke the Licence
- Suspend the Licence for a specified period not exceeding 3 months

- Add, remove or amend a condition on the licence.

4.4 Equality

4.4.1 No Equality issues have been identified.

4.5 Consultees (Internal and External)

4.5.1 Legal

4.6 Other Implications

4.6.1 None

5. Background Papers

5.1 Gambling Act 2005

5.2 Gambling Commission – Approach to Test Purchasing, May 2011

Bill Edwards
Senior Licensing Officer
May 2014



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Town Centre Street Trading Consents.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	17 June 2014
Policy Document:	Street Trading
Directorate:	Customers and Communities

1. Purpose

1.1 That the Committee, formally agree to publish a notice of intention, in a local newspaper, to remove those streets on the map (Appendix B) from the prohibited list and pass a resolution, to adopt the area of Northampton Town Centre, within the area detailed at Appendix B, as a Street Trading Consent Site within the meaning of the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4 Section 2 and:

1.2. To authorise the issue of Occasional Street Trading Consents for minimum of 3 days to 6 days maximum to traders requesting to trade at council organised or council approved or community events. (The fee as set by the Committee and subject to compliance with our street trading consent conditions).

1.3. Occasional sites will only be licensed a maximum of six times in any year.

2. Recommendations

2.1. That with effect from: 1st November 2014.

(i) The Town Centre area of Northampton is adopted as a Street Trading Consent area. (A copy of the formal resolution is attached to this Report).

ii) That the Licensing Department have delegated authority to issue Occasional Street Trading Consents for 3 to 6 days to traders requesting to trade at Council organised or Council approved or community events. (These to be issued no more than six times per year at each location and would be to a single trader, larger groups or markets would fall under the Northampton market Provisions.)

Note: Special Occasions could include the Christmas holiday period and other bank holidays when events take place.

2.2. That should the recommendations be adopted, prior to granting a consent, the specific location of any Occasional Street Trading Consent site be delegated to the Senior Licensing Officer.

2.3. This will enable the activity in the Town Centre to be assessed, following consultation with the relevant departments at the time of the application and, any safety issues can be taken into consideration prior to any consent being granted.

3.1 Report Background

3.1.1. Over recent years the number of events taking place in the town centre, during holiday periods, has been increased this has also resulted in an increase in visitors to the town.

3.1.2. These events have been limited to the Market Square as to hold an event in any other part of the town centre could be in contravention of Northampton's Market Charter.

3.1.3. It is also the case that currently all other areas of the town centre are 'prohibited streets', this means that no street trading can take place.

3.1.4. This now presents an opportunity to prescribe an area within the town centre whereby the prohibition of street trading can be lifted. (Appendix B).

3.1.5. 'Occasional' consents would coincide with special occasions during the calendar year, as previously outlined, and would allow traders to operate at specific events.

3.1.6. It is possible to issue Occasional Street Trading Consents and it is within the remit of the committee to nominate both special/seasonal occasions and the number of consents to be issued. (Those special/seasonal occasions could include National Holidays and those Bank Holidays or other occasions when special/seasonal events take place.)

3.1.7. Conditions attached to those consents can include requirements that would help to prevent the obstruction of the street or danger to persons using it; or nuisance or annoyance, whether to persons using the street or otherwise, or the control of goods to be traded.

3.1.8. This would also acknowledge the changing face of the town centre and the redevelopment due to take place in Guildhall Road, Fetter/Angel Street and possible future development and include that area in the vicinity of All Saints Church.

3.2. Issues and Choices

3.2.1 Issues

3.2.2. It may be that others trading within the vicinity of any nominated location have

some concerns with regard to 'loss of trade' although, those traders likely to be issued with consents, would not include any in direct competition with Northampton's local shops or traders.

3.2.3. Objections could be raised by those market traders traditionally trading on the existing market, it would be for the committee to decide on the type of goods to be sold.

3.2.3 Choices (Options)

3.2.4. To agree to publish a notice in the local newspaper of the proposed resolution. (Appendix A).

3.2.5. To refuse to publish.

4. Implications (including financial implications)

4.1 Policy

4.1.1 There would be a change to the existing Street Trading Policy to include the introduction of an 'Occasional Street Trading Consent'.

4.1.2. Those nominated streets would be removed from 'prohibited streets'

4.1.3. There is the cost of advertising the new locations in a local newspaper.

4.1.4. A fee would be charged in line with current policy for those applying to trade at any adopted site.

4.2 Resources and Risk

4.2.1 There is a fee payable to the authority from those trading from all consent sites. (A daily fee has already been agreed that can be applied to Occasional consents).

4.2.2. There may be objections to the proposal, those objections, if forthcoming, would be considered at the next meeting of the committee.

4.2.3. Costs of advertising will be met from the existing budget.

4.3 Legal

4.3.1 The designation of streets / roads as consented streets is lawful within the meaning of the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 Section 2 (1) (c)

4.3.2 There is a mandatory requirement to advertise a notice of intention to pass a resolution in a local newspaper circulating in the area and to serve a copy of the notice on :

a). The chief officer of police for the area in which the street to be designated by the resolution is situated; and

b).any highway authority responsible for that street and;

c) obtain the necessary consents where the resolution relates to a street which is owned or maintainable by a relevant corporation and;

d) where a resolution designates as a licence street any street maintained by a highway authority.

4.4 Equality

4.4.1 There are no equality issues to be addressed that would have a derogatory effect on protected groups.

4.4.2 Public safety will be addressed during the consultation period.

4.5 Consultees (Internal and External)

4.5.1 The Police, Highways Department (Northamptonshire County Council) The Fire Service and the Environmental Health Department will be consulted.

4.5.2. There will be a need to consult with those directly affected by the change.

4.6 Other Implications

N/A

5. Background Papers

5.1 Northampton Borough Council Street Trading Policy.

5.2 Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 Section 2 (1) (c).

5.3. Highways Act 1980. Section 147A.

5.4. Northampton Market Charter.

Report Author: Philip Bayliss
Title: Senior Licensing Officer
Ext: 7099

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
PART III

STREET TRADING

NOTICE IS HEREBY GIVEN under Paragraph 2 (3)(a) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act, 1982 that Northampton Borough Council's intention to pass the following resolution:-

“That with effect from (Date to be determined).

- (1) The area of Northampton Town Centre is adopted as an Occasional Street Trading Consent site. (Occasional to include those times nominated by Northampton Borough Council as Special Occasions).

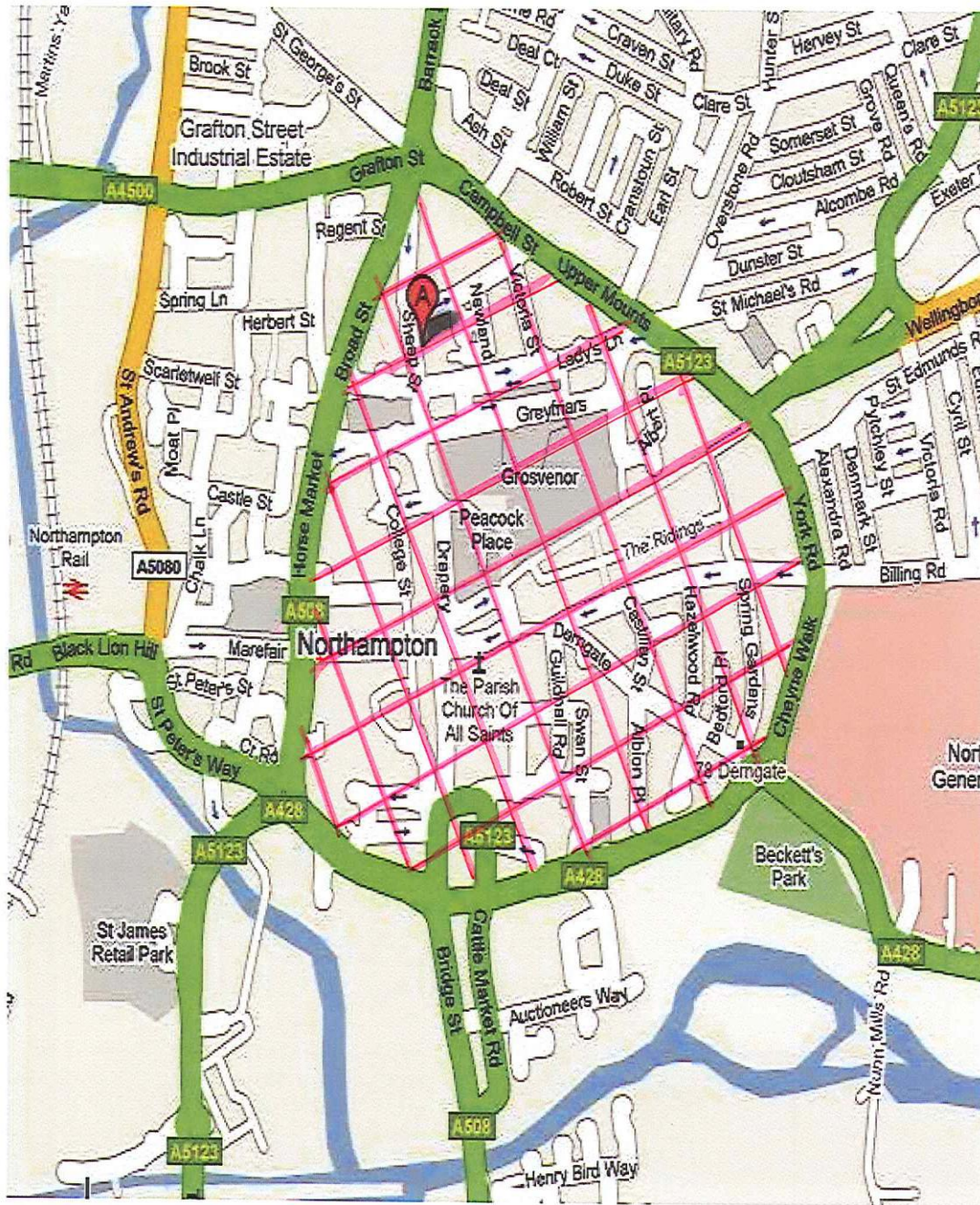
Interpretation

In this Schedule a “consent street” means a street in which street trading is prohibited without the consent of the district council.

The “street trading consent area” will be defined by reference to a plan.

A list of those sites already licensed together with a plan showing the area of the town centre as defined are available for inspection at the offices of the Northampton Borough Council between 9am and 5pm Monday to Friday. (Excluding Bank Holidays)

Any representations or objections must be made in writing to the Council no later than 28 days of the advertisement being published in the local paper.





NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Review of Hackney Ranks
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	17 June 2014
Policy Document:	Hackney Procedures
Directorate:	Customers and Communities

1. Purpose

1.1 The purpose of this report is to ask that the committee approve the extension of an existing hackney rank in the borough, the creation of a new permanent town centre hackney rank and the location of three night time ranks.

2. Recommendations

2.1 That following consultation the ranks as shown on the plan at Appendix B are adopted.

3. Issues and Choices

3.1 Report Background

3.1.1 Hackney Carriage Vehicles, which are regulated in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 are allowed to sit and ply for hire on stands appointed for this purpose.

3.1.2 Under Sections 63 of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Council has the power to adopt stands within its District to be used by Hackney Carriage Vehicles.

3.1.3. Section 63 allows a stand to be appointed in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which does not form part of a highway.

3.1.4. The process to be followed when adopting a new or existing rank is set out in Appendix A.

3.1.5. Following a meeting with representatives of the hackney drivers a number of issues were raised the most important being the lack of Hackney Ranks in the town centre.

3.1.6. NBC licence 138 Hackneys but only currently provide ranks for 12 Hackney Carriage vehicles in the town centre.

3.1.7. The other two established ranks are at the railway station and Weston Favell Centre, both of these are on private property and not maintained at the public expense.

3.1.8. Following the recent relocation of the bus station the hackney rank in Lady's Lane is no longer viable as this was to service the old bus station.

3.1.9. The redevelopment of Northampton's railway station will also limit the number of hackneys plying for hire at the station with the available spaces being reduced.

3.1.10. It has been suggested that it would be possible to introduce a traffic order changing the use of the south side of the road in George Row in order to establish a further rank for 10 Hackneys.

3.1.11. Although this would remove the parking bays at that location, all are short term bays and would not have a significant impact on town centre parking

3.1.12. This would alleviate the problem when the current numbers of hackney vehicles rank beyond their allocated space which causes a possible obstruction to the free passage of buses through the town centre.

3.1.13. The Police parking bay would be retained to provide that facility for their sole use during the night time economy.

3.1.14. At the same time the traffic order could incorporate an extension of the rank on Mercers Row to cater for an extra two vehicles and three night time ranks. These three night time ranks would consist of one at the top of Bridge Street for 5 Hackneys, one at the bottom of Bridge Street for 8 Hackneys, and a third in Lady's Lane outside the Roadmender Night Club for 5 Hackneys.

3.1.15. The adoption of the night time ranks as recommended will help to satisfy the increase in demand created by the night time economy and may incidentally decrease footfall into any potential hotspots.

3.1.16. This could potentially address the problem of Private Hire Vehicles, parking at these locations, and acting illegally in the town centre at night.

3.1.17. Should the recommendation be adopted this will go some way to addressing the current shortage of spaces provided.

4.1 Choices (Options)

4.1.1. Confirm the formal consultation upon the proposal of the hackney ranks as at Appendix B with the inclusion of a public notice in the local newspaper. The consultation period will be for 28 days after publication of the notice.

4.1.2. Recommend an alternative to those locations.

4.1.3. To reject the recommendation.

5. Implications (including financial implications)

5.1 Policy (Hackney and Private Hire Licensing)

5.1.1. There are no new policy implications, any costs related to advertising will be met from the licensing legal/advertising budget.

5.2 Resources and Risk

5.2.1. Resources will continue to be managed within the licensing budget.

5.2.2. The Authority could be criticised for the lack of available ranks in the town centre and the fact that we do not cater for the vehicles that we licence

5.3 Legal

The Provisions of Section 63 Local Government (Miscellaneous Provisions) Act 1976 allow the designation of Hackney Stands upon any highway maintainable at the public expense or upon private land with the consent of the land owner.

5.4 Equality

5.4.1. There are no equality issues to be addressed that would have a derogatory effect on protected groups.

5.4.2. Public safety will be addressed during the consultation period.

5.5 Consultees (Internal and External)

5.5.1 Director (Customers and Communities)

5.5.2. Head of Service. (Customers and Communities)

5.5.3. Manager. (Customers and Communities)

5.5.1. Legal

5.5.2. NCC Highways

5.5.3. MGWSP Mr Andrew Leighton.

5.5.4. Northamptonshire Police

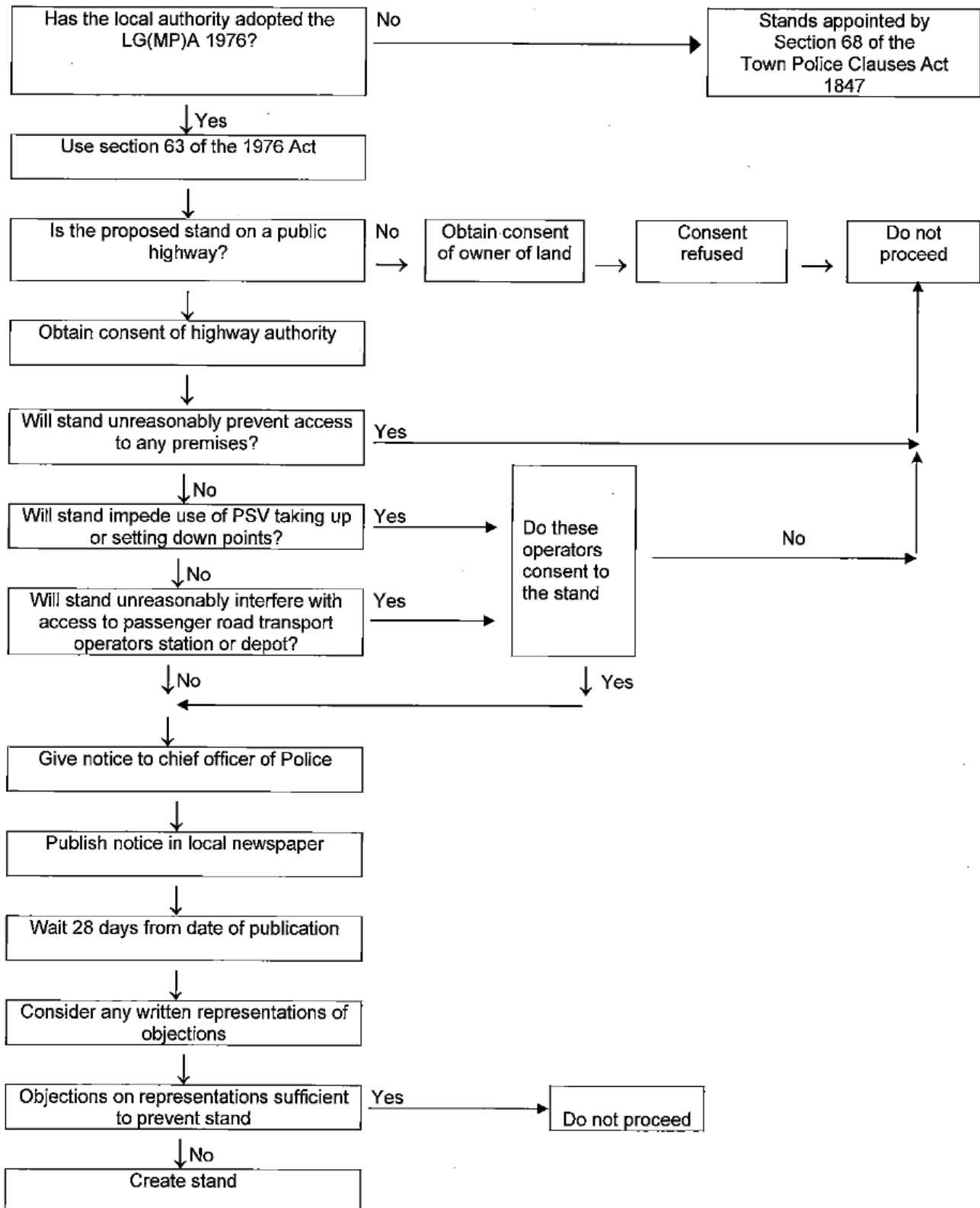
5.6. Background Papers

5.6.1. Local Government (Miscellaneous Provisions) Act 1976. (Relating to Hackney and Private Hire vehicles and drivers).

5.6.2. Taxis-Licensing Law and Practice – James Button

Report Author: Philip Bayliss .
Senior Licensing officer
X7099

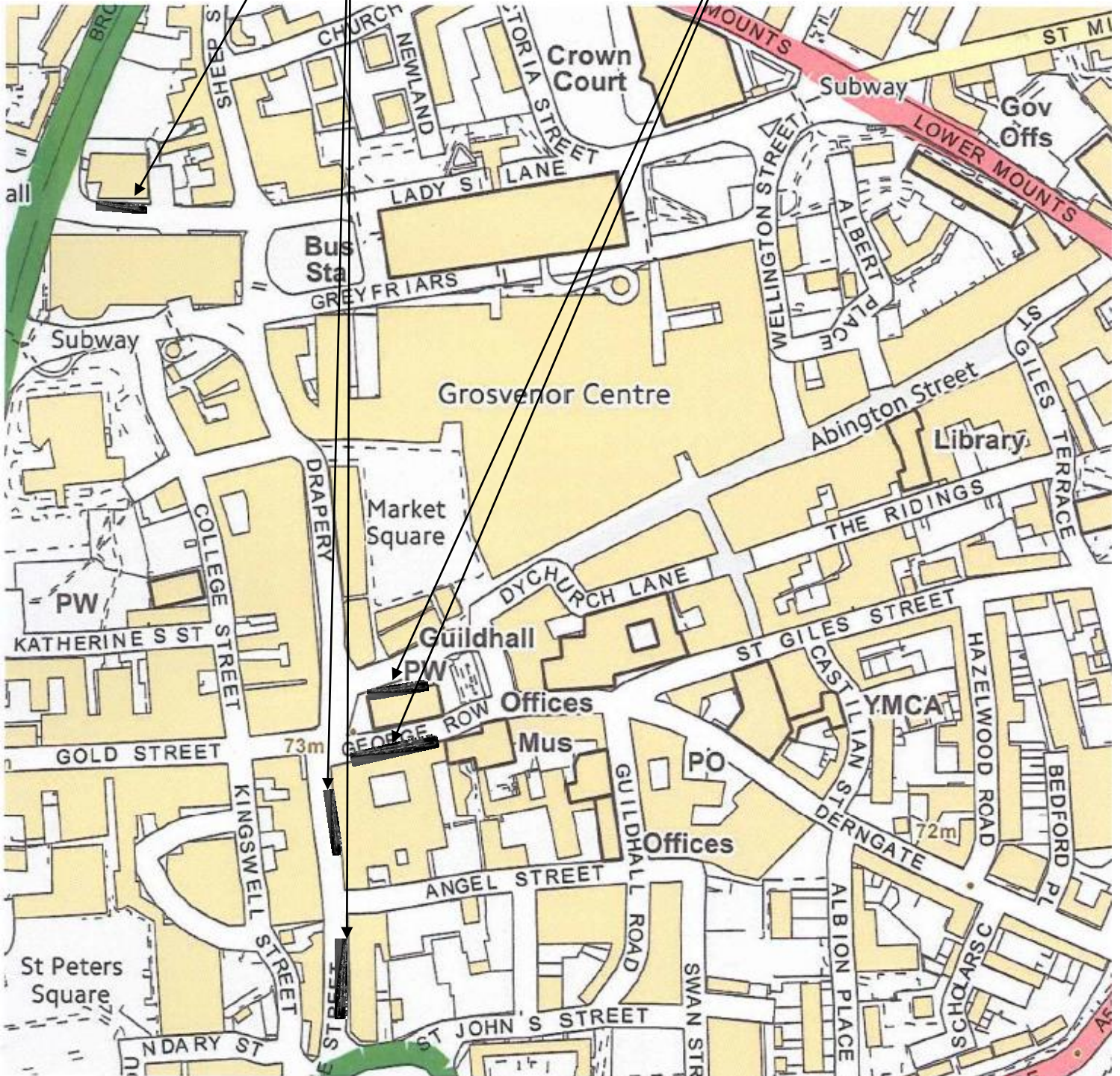
Flow Chart for Granting Hackney Carriages Stand



APPENDIX B

RANKS: 11PM X 5AM

24 HOUR RANK



Appendices

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NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Becket's Park Street Trading Consents.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	17 June 2014
Policy Document:	Street Trading
Directorate:	Customers and Communities

1. Purpose

At the meeting of the Licensing Committee on 29 April 2014, it was agreed that a notice would be published of the intention to pass a resolution to adopt a Street Trading Consent site in Becket's Park Northampton.

2. Recommendations

2.1.1 That the Committee, following the formal consultation, now agree:

That with effect from: 1 August 2014

- (i) a street trading consent site is adopted in Becket's Park, Northampton near to the junction of Nunn Mills Road and Bedford Road, and designated a 'Premium' consent site.

3. Issues and Choices

3.1 Report Background

3.1.1. Over recent years local ice cream traders have requested that the Council adopt a street trading site within Becket's Park similar to that recently adopted within Abington Park.

3.1.2. Although within the perimeter of the park the requested location is within 15 metres of the highway and would come within the jurisdiction of the Licensing Department.

- 3.1.3. The granting of a Street Trading Consent is a matter within the general discretion of the Local Authority and the council may attach such conditions as they consider reasonably necessary to a Street Trading Consent.
- 3.1.4. Such conditions can include requirements that would help to prevent the obstruction of the street or danger to persons using it; or nuisance or annoyance, whether to persons using the street or otherwise.
- 3.1.5. This relates specifically to Street Trading Consents, unless the consent allows them to trade from a stationary van/cart barrow or other vehicle or a portable stall.

3.2 Issues

- 3.2.1 The date for this proposal is subject to change depending upon completion of the necessary works to create the two new consent sites. .
- 3.2.2. The option for a trader selling an alternative to ice cream would also be considered.

3.3 Choices (Options)

- 3.3.1. Having published the notice in the local newspaper of the proposed resolution. (Appendix A) and following consultation with the relevant agencies and having received no objections to the proposal this is now adopted.
- 3.3.2. To refuse to adopt the consent site.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There would be no change to the existing policy.

4.2 Resources and Risk

- 4.2.1 There is a fee payable to the authority from those trading from all consent sites.
- 4.2.4. There is an option whereby a part of the initial fee could be waived pending a contribution from the nominated trader(s) towards any preparation work needed for the site.
- 4.2.5. This would be a no cost option to the council.

4.3 Legal

- 4.3.1 The designation of streets / roads as consented streets is lawful within the meaning of the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 Section 2 (1) (c)

- 4.3.2 All mandatory requirements have been complied with.
- 4.3.3 No objections were received from those mandatory consultees.

4.4 Equality

- 4.4.1 There are no equality issues to be addressed that would have a derogatory effect on protected groups.

4.5 Consultees

- 4.5.1 Highways
- 4.5.2. Police
- 4.4.3. Environmental Health.

5. Background Papers

- 5.1 Northampton Borough Council Street Trading Consent Policy.
- 5.2 Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 Section 2 (1) (c)

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