

NORTHAMPTON BOROUGH COUNCIL

LICENSING COMMITTEE

Tuesday, 24 September 2013

PRESENT: Councillor Malpas (Chair); Councillor Hill (Deputy Chair); Councillors Duncan, Eales, Ford, Hibbert, Mennell, Sargeant and Wire DL

1. APOLOGIES

Apologies were received from Councillor Conroy

2. MINUTES

The minutes of the meeting held on the 23rd July 2013 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

Mr Gallone and Councillor Beardsworth were granted leave to address the Committee in respect of Item 6 – Street Trading Consents – Abington Park.

Mr Hill was granted leave to address the Committee in respect of Item 8 of the supplementary agenda – Review of Hackney Driver License.

4. DECLARATIONS OF INTEREST

There were none.

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 - ABINGTON PARK

Mr Gallone addressed the Committee and explained that the proposal to move the street trading pitch from Park Avenue South onto Abington Park could potentially lose him passing trade. He commented that the fact his rent had been increased and the loss of passing trade would have a detrimental effect on his business and voiced his concerns about his potential loss of earnings. He commented that he had invested a lot of money in his ice cream van and noted that with regards to safety concerns, cited in the report, he was not aware of any accidents having been reported to Northamptonshire County Council in over 25 years.

In response to questions asked by the Committee, Mr Gallone stated that he currently had in the region of 30 vans but that the one he currently traded from on Park Avenue South was a trailer (converted to include a coffee machine, ice cream making facility and slush maker) which grounded when driven into Abington Park. It was noted that the trailer used at the location was his prime, most expensive vehicle as it was his prime location.

Councillor Beardsworth commented that the increase in rent had been accepted graciously by the existing street traders and that the tradition of having an ice cream seller next to the playground was a tradition and urged the Committee not to move the street trading pitches, which had been used by Mr Gallone's family business for over 80 years.

The Senior Licensing Officer submitted the report and with the agreement of the Chair, circulated two further documents, one of which was a photograph of the park along Park

Avenue South, and a map of the draft proposed Plaza area. It was explained that they were looking at moving two pitches from outside the park, into the park area – a move that would not be far from the highway area and would allow the current traders to continue to be under the street trading remit. It was explained that the proposed Plaza Area would involve the creation of an attractive gateway into the park in order to make the park more attractive to visitors and residents. When examining the area it was noted that the pavement where the traders currently operate was, at times, very busy which raised some health and safety concerns.

The Senior Licensing Officer explained that both the street traders were constricted by their consents to trade until 7.30pm, but it was proposed that the ice cream traders would be able to trade for longer hours on their new pitches from 06.00 hours until 22.00 hours. It was further explained that the purpose was to go out to consultation for 28 days, after the publication of a notice of intention. The Committee would later need to consider the adoption of the pitches following the consultation period.

RESOLVED:

That the proposed resolution as outlined in Appendix (B of the report) as amended, to state between “06.00 to 22.00” instead of from “dawn to dusk” be:

- 1) Advertised in the local newspaper and that a period of no less than 28 days consultation commence after the date of publication of the advertisement.

7. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to 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.

The Motion was Carried.

The meeting concluded at 6.44pm