

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 17 August 2017

**PRESENT:** Councillors David Barker (Chair), Adam Hurst and Cliff Woodcraft

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#### **1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 5 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - APPLICATION FOR A STATIC STREET TRADING CONSENT**

4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for the grant of a Static Street Trading Consent for Fargate (Ref No. 82/17).

4.2 Present at the meeting were Joanne Cubbins (Applicant), Clive Stephenson (Licensing Strategy and Policy Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and John Turner (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee, and it was noted that there was already an existing Static Street Trading Consent for Fargate, to trade between 09:00 and 19:00 hours, Monday to Sunday. Mr Stephenson stated that the current consent-holder had not been trading on Fargate for some time and, whilst this was not against any conditions as they had paid their site fees to date, if such fees were not paid going forward, the Service would have to take action in relation to non-payment. He confirmed that a consent-holder may surrender a consent at any time. The consent period was

due to end in November 2017, with the final quarterly site fee due in September 2017, so it was suggested that consideration of this application be deferred until mid-September 2017 at the earliest, to see if the site fees were paid.

- 4.5 RESOLVED: That, in the light of the information now reported, and the current circumstances regarding this case, consideration of the application be deferred to a hearing in mid-September 2017.

## 5. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 5.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.

- 5.2 The applicant in Case No. 99/17 attended the hearing and addressed the Sub-Committee.

- 5.3 The applicant in Case No. 19/17 was not able to attend the hearing, but had requested that the application be considered in his absence.

- 5.4 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
98/17	Application for an exemption from a condition of a Private Hire Vehicle Licence	(a) Defer consideration of the application to enable Licensing Officers to work with the trade to find a suitable, alternative solution with regard to the circumstances under consideration, to the satisfaction of both parties and (b) Licensing Enforcement Officers be requested to be mindful of this, and other cases of this nature, when undertaking vehicle inspections.
99/17	Application for the renewal of a Private Hire Vehicle Licence	Refuse to grant a licence on the grounds that the applicant has not provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy relating to the age limit of vehicles.