

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 20 September 2016

**PRESENT:** Councillors Alan Law (Chair), Adam Hurst, George Lindars-Hammond and Bob Pullin

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

1.1 There were no apologies for absence.

#### **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 - STATIC STREET TRADING CONSENTS**

##### *The Job Lot Car Park, 939 Barnsley Road, Sheffield*

4.1.1 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 at The Job Lot Car Park, 939 Barnsley Road, Sheffield S5 0QJ (Case No.93/16).

4.1.2 Present at the meeting were Georgina Hollis (Licensing Enforcement and Technical Officer), Emma Rhodes (Licensing Enforcement and Technical Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee), Samantha Bond (Professional Officer, Legal Services) and Jennie Skiba (Democratic Services).

4.1.3 The Chair outlined the procedure which would be followed during the hearing.

4.1.4 Emma Rhodes presented the report to the Sub-Committee, and it was noted that representations had been made by local residents and one interested party and these were attached at Appendix "B" to the report.

4.1.5 The applicant, who had been invited, did not attend the hearing, and the Sub-Committee agreed to consider the application in his absence.

4.1.6 Emma Rhodes reported on the options open to the Sub-Committee.

- 4.1.7 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.1.8 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.1.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.1.10 RESOLVED: That, following consideration of the information contained in the report now submitted, the application for a Static Street Trading Consent at The Job Lot Car Park, 939 Barnsley Road, Sheffield S5 0QJ (Case. No.93/16), be granted.
- 4.2 *Fabulous Flooring Car Park, 1 Deerlands Avenue, Sheffield S5 7WN*
- 4.2.1 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 at Fabulous Flooring, Car Park, 1 Deerlands Avenue, Sheffield S5 7WN (Case No.94/16).
- 4.2.2 Present at the meeting were Georgina Hollis (Licensing Enforcement and Technical Officer), Emma Rhodes (Licensing Enforcement and Technical Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee), Samantha Bond (Professional Officer, Legal Services) and Jennie Skiba (Democratic Services).
- 4.2.3 The Chair outlined the procedure which would be followed during the hearing.
- 4.2.4 Emma Rhodes presented the report to the Sub-Committee and informed Members that the reason for referral of the application to the Sub-Committee, was due to the fact that the Licensing Authority now had two applications of a similar nature, within close proximity of each other, selling similar products.
- 4.2.5 The applicant, who had been invited, did not attend the hearing, and the Sub-Committee agreed to consider the application in his absence.
- 4.2.6 Emma Rhodes reported on the options open to the Sub-Committee.
- 4.2.7 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.2.8 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.

- 4.2.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.2.10 RESOLVED: That, following consideration of the information contained in the report now submitted, the application for a Static Street Trading Consent at The Fabulous Flooring Car Park, 1 Deerlands Avenue, Sheffield S5 7WN (Case. No.94/16), be granted.

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

- 5.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.
- 5.2 The applicant in Case No. 89/16 attended the hearing with a representative and they both addressed the Sub-Committee.
- 5.3 The applicant in Case No. 90/16 attended the hearing and addressed the Sub-Committee.
- 5.4 The licence holder in Case No. 91/16 did not attend.
- 5.5 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
89/16	Application for a Private Hire Operators Licence	Grant for a period of 12 months, subject to the applicant providing proof that he is running the business.
90/16	Application for a new Hackney Carriage and Private Hire Driver's Licence	Grant the licence for a period of two years as requested by the applicant.
91/16	Review of a Hackney Carriage and Private Hire Driver's Licence	Defer the review.

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