

HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Committee held on 26 June 2023

Present

Councillor Payter (Chairman)

Councillors Patrick (Vice-Chairman), Keast, Brent, Gray, Patel, Sceal, Mrs Shimbart, Wade, Weeks, Blades and Harris

6 Apologies

Apologies were received from Councillors Milne and Moutray.

7 Declarations of Interests

There were no declarations of interests from members present in respect of any of the various matters on the agenda for this meeting.

8 Minutes of the previous meeting

RESOLVED that:

the minutes of the meeting of the Licensing Committee held on 12th June 2023 be agreed as a correct record subject to the below amendments to be made to the Unmet Demand Survey item:

“Following questions; Members took part in a debate regarding their views on the results of the survey; some concerns were raised regarding the validity of speaking with the profession only specifically in terms of unspent capacity”.

9 Review of Statement of Principles, Gambling Act 2005

The Licensing Team Leader introduced her report. In response to questions from Members, the officer advised that:

- Any reference to the Gambling Act 2005 includes all previous incorporated changes. This Act is “as amended.”
- The Licensing Authority are responsible for putting updates onto their website, i.e publishing notice of applications. The Act refers to the applicant’s obligations to publish notices at the premises and in a local newspaper.

It was also noted that at section 9.2 an error in the wording will be amended from “fee” to “free”.

PROPOSED by Councillor Weeks and **SECONDED** by Councillor Sceal
RESOLVED that Members **APPROVE** the revised Statement of Principles under the Gambling Act 2005 for the purpose of consultation.

10 Review of Statement of Licensing Policy, Licensing Act 2003.

There were no questions raised from Members. **PROPOSED** by Councillor Weeks and **SECONDED** by Councillor Shimbart the Committee **RESOLVED** that Members:

APPROVE the revised statement of Licensing policy under the Licensing Act 2003 for the purpose of consultation.

11 Adoption of Street Trading Provisions - Local Government (Miscellaneous Provisions) Act 1982

Following questions from Members, the Officer advised that:

- Consent streets were originally designated by the Council in the 1980s.
- If a road name is not contained on the list, then anyone can trade there (with landowners permission) which results in concern over the enforcement of this.
- It is not unusual for an authority to designate every street in their authority on the list.

It was **PROPOSED by Councillor Brent and SECONDED by Councillor Patel** that the recommendation be **AMENDED** to:

Adopt **ALL** streets in the borough (that fall within the definition of streets in this legislation) as a consent street.

PROPOSED by Councillor Keast and **SECONDED** by Councillor Patel it was **RESOLVED** that Members;

APPROVE the commencement of the statutory consultation process for adopting the relevant legislation and designating **ALL** streets in the borough (that fall within the definition of streets in this legislation) as a consent street.

12 Street Trading Policy

The Licensing Team Leader introduced her report, following questions from Members it was clarified that:

- One off markets would likely need street trading consent. This would include one application for the entire site.
- A Pedlars Certificate relates to a travelling salesman, who must be moving when trading. Pedlars Certificates are issued by the local police.

PROPOSED by Councillor Keast and **SECONDED** by Councillor Sceal, **RESOLVED** that Members;

APPROVE the draft street trading policy for public consultation.

Licensing Committee (26.6.23)

The meeting commenced at 5.00 pm and concluded at 5.44 pm