

MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE A HELD ON THURSDAY, 12TH APRIL, 2018, 7.00 - 7.50 pm

PRESENT:

Councillors: Dhiren Basu, Clive Carter and Ann Waters (Chair)

74. FILMING AT MEETINGS

Noted.

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Brabazon. Councillor Basu was in attendance as a substitute.

Apologies for absence were received from Councillor Doron. Councillor Waters was in attendance as a substitute.

76. URGENT BUSINESS

None.

77. DECLARATIONS OF INTEREST

None.

78. SUMMARY OF PROCEDURE

Noted.

79. REVOCATION OF A STREET TRADING LICENCE

Daliah Barrett introduced the application made by the Licensing Authority which sought revocation of a street trading licence on the grounds of non-payment of the licence fee, under section 28 of the London Local Authorities Act 1990. Section 29 of the Act required the matter to be dealt with by the Licensing Committee.

Ms Barrett had spoken with the licence holder, Mr George Bates in relation to keeping up with the fees, and he had agreed to do so. Mr Bates had been given the chance to pay his fees by December 2017, but had not made any payments until January 2018.

George Bates addressed the Committee. He explained that he had taken over the licence from his father two years ago. In the first year he had been up to date with the

fees, however, in the last year his father had stolen money from him and he had been left with bills to pay at the wholesalers, and so had fallen behind with the fees. Mr Bate's father had now been served with an injunction which meant that he was not allowed to be around Mr Bates. He explained to the Committee that he was able to pay the current fees, but was struggling to clear the back log.

Ms Barrett explained that when Mr Bates had taken over the stall, his father had left a debt of £8,000, which had been paid by a relative. This relative ran a stall close to Mr Bate's stall and was meant to have helped Mr Bates in an advisory role.

Mr Bates added that since his father had not been allowed near the stall, he had been making a profit and had been able to pay towards the backlog.

The Committee adjourned from 19:25-19:31.

The Chair asked Mr Bates for a firm commitment that he would pay his regular site fees, plus an extra amount for the debt on a monthly basis. Mr Bates stated that he would be able to pay £250 each week to clear the debt, plus his stall fees as they were invoiced. The Chair informed Mr Bates that if the Committee were minded to agree to this proposal that it would be Mr Bates' final chance and the licence would be revoked.

The Committee adjourned from 19:40-19:48

RESOLVED

The Committee carefully considered the application from the Licensing Authority for the revocation of a street trading licence, the representations made by the licence holder, and the relevant sections of the London Local Authorities Act 1990.

The Committee decided that the licence would not be revoked.

Reasons

The Committee noted the difficulties that the licence holder had faced from his father's involvement in the business, the steps that had been taken to remove his father and that since his removal, regular payments had been made in the last 3 months, reducing the licence holder's indebtedness by £4291.49. The licence holder offered to pay £250 each week to the Licensing Authority, in addition to the monthly site fees, and the Committee formed the view that the licence holder had demonstrated that he was willing and able to pay his debt to the Council within a reasonable time, and that he should be given the opportunity to do so.

Informative

The Committee wished to stress the seriousness of non-payment of the site fees and informed the licence holder that failure to stick to the agreement made with the

Licensing Authority would likely result in a further Licensing Committee hearing and a possible revocation of the licence.

80. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Ann Waters

Signed by Chair

Date

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