
MEETING	LICENSING & REGULATORY COMMITTEE
DATE	8 JANUARY 2010
PRESENT	COUNCILLORS FIRTH, GILLIES (CHAIR), HORTON, LOOKER AND MOORE (VICE-CHAIR)

26. DECLARATIONS OF INTEREST

RESOLVED: That the minutes of the meeting held on 4 September 2009 be approved and signed by the Chair as a correct record.

27. MINUTES

RESOLVED: That the minutes of the meeting held on 6 November 2009 be approved and signed by the Chair as a correct record.

28. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's public participation scheme on general issues within the remit of the Committee.

The Head of Licensing reported that he had received further written submissions from York Taxi Association and York Hackney Carriage Association. Copies were distributed to Members.

29. ISSUE OF NEW HACKNEY CARRIAGE VEHICLE LICENCES.

Members considered a report, which required their views on the issue of two new hackney carriage vehicle licences in January 2010, in line with established policy.

In May 2008 the Council adopted a policy to release 15 new Hackney Carriage vehicle licences followed by a further release of two licences each 6 months after the first year. This was subject to review in 3 years. In January 2009 the York taxi Association requested the Council curtail this policy due to the economic climate. A snapshot survey was conducted by Halcrow, which identified that there was no unmet demand at that time. In May 2009, following advice from the Council's legal department Members resolved to continue with the policy but Officers were instructed to continue to consult with taxi proprietors and Halcrow to review the situation and the evidence base prior to the release of licences in January 2010.

Officers updated that there has been little change in the situation since May 2009 and referred to The Department of Transport's advice, contained in paragraph 5 of the agenda report. Written submissions received from individuals and taxi associations indicate that the majority are happy for the current policy to continue.

Members felt that due to there being no change in the situation since May 2009, then the current policy should continue.

RESOLVED: That Members approved the issue of two new Hackney Carriage vehicle licences in accordance with the established policy of the Council.

REASON: To maintain the growth in the number of Hackney Carriage vehicle licences in line with the guidance issued by the Department of Transport.

30. STREET TRADING AND PEDLAR LAWS: A CONSULTATION ON MODERNISING STREET TRADING AND PEDLAR LEGISLATION.

Members considered a report which asked them to consider the contents of a recently published Government consultation document on street trading and pedlar laws. It seeks Members views to enable officers to complete the consultation on modernising street trading and pedlar legislation.

In 2008 the Government commissioned Durham University to look at the way in which licensing and enforcement practices were applied in relation to street trading and pedlary laws. This was in response to an increasing number of local authorities seeking to extend their enforcement options in relation to street trading and to limit the activities of certified pedlars within their areas. On publication of the research in 2009, the consumer Minister announced that the Government would launch a full public consultation on national guidance and options for possible legislative changes to street trading and pedlar laws. The UK and Scottish Governments are consulting on the case for amending and modernising the law.

Officers advised members that street trading and pedlary is a major problem for York and up to 10 street traders or pedlars can often be seen in York's main streets. They use a 100 year law that allows them to take advantage of a rule which makes it difficult for the Council or Police to move them on and exempts them from more recent trading laws. In York's narrow streets they create obstructions which make it difficult for the public to pass up and down.

Members made the following comments:

- Whether there could be a way of limiting the number of street traders or pedlars in a specified area.
- Trolley sizes – could the size of the trolleys used by street traders and pedlars be a specified smaller size.
- Fines for pedlary should be relative to the money earned by them.

- York has rules for Buskers – could some of the rules be applied to street traders and pedlars.
- Some areas of the City could be more appropriate for street traders and pedlars than other areas.
- Members asked Officers to think about how to word the response to reflect that organised gangs are exploiting the old laws to make money from street trading and pedlary.

RESOLVED: That Members approved the Officer's response to the Government consultation.

REASON: To reflect the of City of York in respect to the consultation paper.

Councillor Gillies, Chair

[The meeting started at 2.00 pm and finished at 2.20 pm].