

# LICENSING REGULATORY COMMITTEE

Meeting: Wednesday, 20th April, 2022  
at 2.00 pm. (Drawing Room)

Present: Councillors Callister (Chairman), McEwan (Vice-Chair), Assouad, Biggins, Gawne, Maddox and Seward.

Officers Present: Graham Barker (Head of Public Protection), Katherine Benson (Licensing Officer), Debbie Storr (Head of Legal and Governance & Monitoring Officer) and Sandra Kemsley (Democratic Services Officer).

## 27 Apologies for Absence

Apologies for absence had been received from Councillors Hall, McLeavy and Wall.

## 28 Minutes

The Minutes of the meeting held on 3rd March, 2022 were taken as read and confirmed.

## 29 Public Participation

RESOLVED:- To note that no questions, representations, deputations or petitions had been received in respect of the meeting.

## 30 Street Trading - Jubilee Celebrations

The Licensing Officer presented a report which set out a proposal to relax the need for individuals to apply for a street trading consent in the Barrow Borough area during the Queens Platinum Jubilee Bank Holiday. The celebrations were expected to take place between 2nd - 5th June, 2022.

As the Council had adopted all streets in the Borough as consent streets, a street trading consent was required where articles were sold or offered for sale in the street or on land to which the public had access without payment.

On 10th May 2019 the Council had adopted all streets in the Borough as consent streets with regard to the provisions of Part III and Schedule 4 the Local Government (Miscellaneous Provisions) Act 1982 - Street Trading.

Under the Act "street trading" meant the selling or exposing or offering for sale of any article in a street. A 'street' included any road, footway, beach, any part of a street or other area which the public had access without payment.

Applications for street trading consents are subject to a 7 day consultation process whereby the application was forwarded to: Cumbria Police; Barrow Borough Council – Health and Safety, Environmental Protection and Planning; Cumbria County Council – Highways Authority and Trading Standards.

Ahead of the celebrations, the Council had been in receipt of a number of enquiries specifically around the Platinum Jubilee bank holiday weekend. Most enquiries related to street parties and the playing of music, which were outside the scope of the street trading regime and this report. However, elements of these enquiries had enquired about having stalls to sell goods and/or food, including ice cream vans. They would generally meet the criteria for requiring a street trading consent, if they didn't already hold one.

The Council had also been in receipt of a letter from the Department for Levelling Up, Housing and Communities (attached as Appendix 1 to the report) requesting the Council support communities in celebrating the Platinum Jubilee. It was therefore proposed that the need to apply for a street trading consent be relaxed for 2nd, 3rd, 4th and 5th June 2022 only.

If this proposal was approved, the sale of alcohol would still be subject to the requirements of the Licensing Act 2003 and in most cases a Temporary Event Notice would be required. All other relevant legislation would also need to be complied with, including food safety legislation.

Although not directly related to street trading, the Government had relaxed the licensing hours for premises licensed under the Licensing Act 2003. It would apply to premises already licensed until 11.00 pm for the sale of alcohol for consumption on the premises, for the provision of late-night refreshment (only where there was also the sale of alcohol for consumption on the premises), and for the provision of regulated entertainment in England and Wales. The Order would extend the licensing hours for such premises from 11.00 pm to 1.00 am the following day, on Thursday 2nd June, Friday 3rd June, and Saturday 4th June.

The proposal in relation to street trading consents would strictly be for the 4 dates stated, any celebrations taking place outside of these dates would need a street trading consent if required.

It was moved by Councillor McEwan and seconded by Councillor Maddox, and

**RESOLVED:-** It was unanimously agreed to relax the need for individuals to obtain a street trading consent during the Queens Platinum Jubilee Celebrations only, on dates 2nd, 3rd, 4th and 5th June, 2022.

The meeting closed at 2.04 pm.