



**MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE OF THE CABINET**

**THURSDAY 12 MAY 2016
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor J McNeil (Chair)
Councillor J Williamson
Councillor D Grant

Council Officials Present:

Mr I Forrest, Senior Solicitor
Mr R Fruzynski, Licensing Standards Officer

Others Present:

None

Clerk:

Mrs F Stewart

Apologies:

Councillor J Caldwell
Councillor J McMillan
Councillor S Currie

Declarations of Interest:

None

Public

1. STREET TRADERS LICENSING – REVIEW OF LICENCE CONDITIONS

The Depute Chief Executive (Resources and People Services) had submitted a report to advise the Sub-Committee of the work carried out by the Licensing team to review and update the conditions which apply to Street Trader's Licences, and the communications with affected licence-holders.

Ian Forrest, Legal Adviser, presented the report. He advised Members that the conditions which apply to Street Trader's Licences had not been reviewed for a number of years and were consequently out of date in some respects, not fully reflecting the current practice and requirements. The Licensing Team had undertaken a review of these conditions with the aim of making them more reflective of the current position and more user-friendly to read. In accordance with the Civic Government (Scotland) Act 1982, the Council had notified Police Scotland and all affected licence holders of the proposals and no comments had been received.

The Chair noted that the hours of operation in the proposed revised conditions would be from 6pm to 11pm. Councillor Williamson enquired if street traders could, if they wished, carry on their business after 11pm and the Legal Adviser stated that an extension of hours was possible on this licence.

In response to a question from Councillor Grant, the Legal Adviser confirmed that a Street Traders Licence issued by the Council was only valid for operations in East Lothian.

The Chair referred to the forthcoming Riding of the Marches Festival due to take place in Musselburgh in July and hoped that regulating street traders would prevent members of the public being exploited. The Licensing Standards Officer advised that he would be discussing concerns over illicit street trading with Police representatives.

Action Points:

1. Chair to be advised on the cost of a Street Traders Licence – R. Fruzynski
2. Chair to be advised on the circumstances in which a street trader could trade after 11pm – R Fruzynski

Decision

The Sub-Committee approved and adopted the proposed revised conditions of licence in respect of all present and future Street Trading Licences.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Licensing Sub-Committee unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

Private

2. PRIVATE MINUTES OF LICENSING SUB-COMMITTEE MEETINGS FOR APPROVAL

- a) The Sub-Committee agreed that the minute of 14 January 2016 was a true record of the meeting.
- b) The Sub-Committee agreed that the minute of 10 March 2016 was a true record of the meeting.