

Minutes of a meeting held in the Claud Castleton Room, Riverside, Lowestoft on **Wednesday, 7 February 2018 at 6.00pm**

Members Present:

N Brooks (Chairman), P Ashdown, E Back, M Cherry, Y Cherry, J Craig, T Goldson, K Grant, A Green, J Groom, T Mortimer and J Murray.

Officers Present:

C Evans (Licensing Services Manager) and S Carter (Democratic Services Officer).

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**1 APOLOGIES / SUBSTITUTES**

Apologies for absence were received from Councillors Springall and Topping.

**2 DECLARATIONS OF INTEREST**

Councillor Green declared a Local Non Pecuniary Interest in Item 6 – Street Trading, as being a Lowestoft Town Councillor.

**3 DECLARATIONS OF LOBBYING**

No declarations of lobbying were made.

**4 MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 13 December 2017 be approved as a correct record and signed by the Chairman.

**5 PLEASURE BOATS**

The Committee considered a report which proposed an update of the Waveney District Council Pleasure Boat licensing scheme.

Members were reminded that a local authority might grant, upon such terms and conditions as it thought fit, licences for pleasure boats and pleasure vehicles to be let for hire or to be used for carrying passengers for hire on inland waterways. Therefore, under the relevant legislation, the Council might licence pleasure boats operating on inland waterways apart from anything to the west of Mutford Lock Bridge as that came under the jurisdiction of the Broads Authority.

The report before the Committee proposed the adoption of the same procedures, conditions and safety requirements as Suffolk Coastal District Council in order to align the policies and to reflect the partnership working already established by the Licensing Team. The Council's current boat licensing scheme was last updated in 2009 and the proposed new

scheme had been updated with reference to current Maritime and Coastguard Agency guidance.

Appendix A to the report set out the proposed policy details and the proposed inspection template to be completed by a qualified marine engineer was contained in Appendix B. Waveney District Council currently licenced four boats operating as a ferry between Southwold and Walberswick and from Lowestoft Harbour Yacht basin to Mutford Lock. It was proposed that the two current licensees were consulted on the proposals to ensure that they found them workable for their businesses.

Members sought clarification with regard to:

- Areas of operation within Categories A and B.
- The local agents.
- The potential for a ferry across the River Waveney and to Beccles.
- Vessels moored in the vicinity of Nicholas Everitt Park.

The Licensing Services Manager explained that Category A related to ‘Narrow rivers and canals where the depth of water was generally less than 1.5 metres’ and Category B covered ‘Wider rivers and canals where the depth of water was generally 1.5 metres or more and where the significant wave height could not be expected to exceed 0.6 metres at any time’, as defined in the Merchant Shipping Notices. Anyone with the responsibility of putting a boat in the water should have knowledge of the different categories.

The two operators within Waveney District provided the Southwold Ferry between Southwold and Walberswick and the Lowestoft Water Taxi between Oulton Broad and Lowestoft. If the proposals were agreed, the operators would be listed as local agents in the boat licensing scheme.

The Licensing Services Manager further confirmed that the route of the Southwold Ferry at the entrance to the River Blyth was classed as Category A waters. Any boats operating west of Mutford Lock and from Nicholas Everitt Park would be the responsibility of the Broads Authority and anything going out to sea came under the control of the Maritime Agency.

The Committee supported the proposals and it was unanimously

#### **RESOLVED**

1. That the proposals to regulate pleasure boats within the Waveney District as outlined in Appendices A and B to report REP1823 be approved.
2. That the proposals go out for consultation with the trade between 12 February and 9 March 2018 with responses being reported to the Licensing Committee at its meeting scheduled for 4 April 2018.

## **6 STREET TRADING**

The Committee considered a report which asked Members to consider a proposal to alter two of the policy provisions relating to Street Trading in the seafront area in Lowestoft

within the Waveney District. The Council's current Street Trading policy was contained in Appendix A to the report.

The proposals were:

- a) To remove the current restriction that allowed only three stalls in the seafront area on Lowestoft seafront from East Point Pavilion to Claremont Pier.
- b) To remove the stipulation that all applications for the seafront area had to go a Licensing Sub-Committee for approval.

The Economic Regeneration Team had made the request, as detailed in Appendix B to the report, because it was hoped that removing the restriction would result in the Council being able to attract more traders to the seafront area. Applicants would have had to have gained permission for the use of the land/site prior to applying to Licensing, so their suitability would have already been assessed. In addition, by removing the need for Sub-Committee approval, it would allow traders to have their applications processed more quickly.

Members considered the use of the seafront and were of the opinion that with the train, the cycle lane and pedestrians, there would be insufficient space for an influx of trading stalls on that part of the seafront and result in the area becoming too congested. Comment was made that existing traders were struggling and it would be disappointing if those traders lost business during the summer months as a result of an influx of stalls. It was confirmed that the proposal before Members had not, as yet, been discussed by Lowestoft Town Council.

In response to Members' questions, the Licensing Services Manager explained that there were no stalls trading at the present time and numbers had previously been restricted having taken into account CCTV and other activities. Although Beccles and Southwold were specifically mentioned, all applications in the market towns would be passed to the relevant Town Council for approval in accordance with the approved policy. To clarify, the Democratic Services Officer drew Members attention to the Minutes of the Licensing Committee meeting held on 1 February 2017, at which time the Committee considered the Council's Street Trading Policy and it was resolved "that the five market towns, Beccles, Bungay, Halesworth, Lowestoft and Southwold be consulted on Street Trading licence applications". The Licensing Services Manager advised that Parish Councils would not normally be consulted.

During discussion, Members agreed that it would be preferable to retain a restriction on the number of trading stalls on the seafront in Lowestoft. If the Town Council objected to that proposal, then it could make representations and submit reasons for the Committee to consider. Members noted that, as part of the application process, all Local Councillors were consulted on street trading applications so any specific issues could be raised at that time. That could, therefore, obviate the need to refer all applications to a Licensing Sub-Committee for approval. However, if objections or adverse comments were received on an application, then that application could still be submitted to Committee for approval prior to a license being issued.

As a result, it was unanimously

**RESOLVED**

1. That the restriction on number of traders allowed in the Lowestoft seafront area between East Point Pavilion and Claremont Pier continues to remain in the Waveney District Council's Street Trading Policy.
2. That the requirement that all new applications relating to the Lowestoft seafront area between East Point Pavilion and Claremont Pier have to have Sub-Committee approval prior to issue be removed from Waveney District Council's policy for Street Trading and that only those applications on which a relevant objection is received be submitted to a Licensing Sub-Committee for approval.

The meeting was concluded at 6.25pm.

Chairman