

**Licensing Sub Committee 4 - 5<sup>th</sup> June 2007**

**Report of the Director of Law and Property**

**Application for Consent to Engage in Street Trading**

**Purpose of Report**

1. To consider the application on behalf of Mr Oliver Simonin for the grant of a consent to engage in street trading in High Street, Dudley

**Background**

2. On the 14<sup>th</sup> May 2007 Mr Simonin made application for the grant of a street trader's permit for High Street, Dudley to sell continental goods on the 14<sup>th</sup> 15<sup>th</sup> and 16<sup>th</sup> June 2007. A copy of the application together with the site plan and full list of goods to be sold is attached to this report as Appendix 1.
3. This application was circulated to the West Midlands Police, Director of the Urban Environment, Dudley Town Centre Manager, Julie Jones, Commercial Operations Manager, Corporate Estates and Alan Radford.
4. Julie Jones, Commercial Operations Manager made comments which are attached to this report as Appendix 2.
5. None of the other agencies raised objections.
6. This report has a direct link to the Councils priority for safety as the principal reason for submission is safeguarding the public.

**Finance**

7. There are no financial implications.

**Law**

8. The grant of consents to engage in street trading is governed by Part III of Schedule IV to the Local Government (Miscellaneous Provisions) Act 1982.
9. Paragraph 7(2) of Schedule IV of the 1982 Act, states that the Council may grant a consent if it thinks fit and, when granting or renewing a consent, the Council may attach such conditions as it considers necessary.

10. Paragraph 10 of Schedule IV of the 1982 Act, states that a street trading consent may be granted for one period not exceeding 12 months but may be revoked at any time.
11. Where the consent allows the holder to trade from a cart, barrow, or other vehicle, then the consent must specify the location from which the trade/may trade and the times between which or periods for which he may trade.
12. There is no right of appeal against the Council's decision to vary a condition upon which a consent is issued, or refusal to grant or renew a street trader's consent.

### **Equality Impact**

13. This report takes into account the Council's policy on equal opportunities.
14. There has been no consultation or involvement of children and young people in developing these proposals.

### **Recommendation**

15. That the Committee determine Mr Simonin's application for the grant of a street trading consent in Dudley Town Centre.

*John Poyce*

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DIRECTOR OF LAW AND PROPERTY

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### **List of Background Papers**