

Meeting of the Licensing Sub-Committee 4 – 11th January 2022

Report of the Acting Director of Public Realm

Application for Grant of Consent to Engage in Street Trading

Mr Christopher Davis (Fishmonger) – Stourbridge Town Centre.

Purpose

1. To consider the application made by Mr Christopher Davis for the grant of a consent to engage in street trading in Stourbridge Town Centre.

Recommendation

2. That the Committee consider Mr Davis's application for the grant of a consent to engage in street trading for the sale of fresh fish in the Ryemarket, High Street, Stourbridge.

Background

3. On the 24th September 2021, an application was received by the Licensing Office from Mr Davis for the grant of a consent to engage in street trading in Ryemarket, High Street, Stourbridge to sell fresh fish, Tuesday, Thursday, Friday and Saturday between the hours of 8.00 am and 3.00 pm.
4. That application together with photographs of the proposed site and trading vehicle have been circulated to Committee Members and interested parties, details of the application have also been posted on the Council Web Site.
5. Representations in respect of the application have been received from Street and Green Care and also the Ryemarket Centre Management together with the Chamber of Trade. Copies of all representations have been circulated to the Applicant and Committee Members.

Finance

6. There are no financial implications.

Law

7. 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. To trade without such consent is an offence.
8. 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.
9. 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.
10. Where the consent allows the holder to trade from a cart, barrow, or other vehicle, then the consent must specify the location from which they may trade and the times between which or periods for which they may trade.
11. There is no right of appeal against the Council's decision to vary a condition upon which consent is issued, or refusal to grant or renew a street trader's consent.

Risk Management

12. There are no risk management implications.

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.

Human Resources/Organisational Development

15. There are no human resources/organisational development implications.

Commercial/Procurement

16. There are no commercial/procurement implications.

Council Priorities

17. This application falls within the Council's responsibility for Licensing as a direct link to the Council's key corporate priority to support stronger and safer communities.



Heidi Marsh-Geyton
Acting Director of Public Realm

Contact Officer: Mr S Smith
Telephone: 01384 815377
Email: simon.smith@dudley.gov.uk

List of Background Documents

None

Appendices

None