

Licensing Sub-Committee 2 – 9th June 2015

Report of the Strategic Director Resources and Transformation

Application for Consent to Engage in Street Trading

Mr P R Guy – Hagley Street, Halesowen.

Purpose of Report

1. To consider the application made by Mr Peter Robert Guy for the grant of a consent to engage in street trading at a site in Hagley Street, Halesowen, West Midlands.

Background

2. On the 13th April 2015, Mr Guy, made application for the grant of a Street Trader's Consent to sell shaved ice cones and cups, cooled bottled and canned drinks, between the hours of 10.30 and 17.00 Monday to Saturday inclusive between April and October only. A copy of that application together with a site plan and photograph of the Kiosk has been circulated to the Committee Members and interested parties.
3. On the 15th April 2015, the Town Centre Assistant Events Officer made comments, a copy of that report has been forwarded to the Applicant and Committee Members. None of the other agencies made comments.
4. This application falls within the Council's responsibility for licensing which has a direct link to the Council's key corporate priority that safety matters.

Finance

5. There are no financial implications.

Law

6. 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. Hagley Street, Halesowen is a consent street designated as such by a resolution of the Council. To trade without such a consent is an offence.

7. 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.
8. 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.
9. 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.
10. 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

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

Recommendation

13. That the Committee consider Mr Guy's application for the grant of a street trading consent in Hagley Street, Halesowen.



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STRATIGIC DIRECTOR RESOURCES AND TRANSFORMATION

Contact Officer: Mrs. L Rouse 5377
Telephone: 01384 815377
Email: liz.rouse@dudley.gov.uk

List of Background Papers