

Licensing Sub-Committee 4 – 20th January 2015

Report of the Director of Corporate Resources

Application for Consent to Engage in Street Trading

Mr. and Mrs. Hill, Ryemarket, Stourbridge

Purpose of Report

1. To consider the application made by Mr Roderick Hill and Mrs Larysa Hill for the grant of a consent to engage in street trading at a site in Ryemarket, Stourbridge, West Midlands.

Background

2. On the 23rd September 2014, Mr and Mrs Hill, made application for the grant of a Street Trader's Consent to sell Freshly made Crepes with various filling, Corn Dogs, Burgers, Pancakes and Hot and Cold Sandwiches, between the hours of 7.00 a.m and 5.00 p.m on Fridays, Saturdays and Bank Holidays in Ryemarket, Stourbridge. A copy of that application together with a site plan and photographs of the Trailer has been circulated to the Committee Members and interested parties.
3. On the 29th September 2014, the Building Control Manager (Directorate of the Urban Environment) made various comments.
4. On the 6th October 2014, a letter of objection was received from the Centre Manager of the Ryemarket, Stourbridge.
5. On the 13th October 2014, an objection was received from the Town Centre Events Officer.
6. Also on the 13th October 2014, a further letter of objection was received from a Local Trader, along with an email from the Branch Manager of Waitrose on behalf of local traders, copies of all objections and comments have been forwarded to the Committee Members, the Applicants and interested parties.
7. 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

8. There are no financial implications.

Law

9. 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. Ryemarket, Stourbridge is a consent street designated as such by a resolution of the Council. To trade without such a consent is an offence.
10. 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.
11. 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.
12. 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.
13. 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

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

Recommendation

16. That the Committee consider Mr and Mrs Hill's application for the grant of a street trading consent in Ryemarket, Stourbridge.



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DIRECTOR OF CORPORATE RESOURCES

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List of Background Papers