

DUDLEY METROPOLITAN BOROUGH

LICENSING SUB-COMMITTEE

28TH SEPTEMBER 2005

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING

PURPOSE

- 1 To consider the application on behalf of Mrs Carol Ann Chawner for the grant of a Street Trading consent to trade in Halesowen Town Centre.

BACKGROUND

- 2 On the 27th April 2005, Mrs Chawner made application for the grant of a consent to engage in street trading to sell freshly made do-nuts and hot and cold drinks in Halesowen Town Centre
- 3 This application was circulated to the West Midlands Police, Directorate of the Urban Environment, Democratic Services, Halesowen Town Centre Manager and Julie Jones, Commercial Operations Manager, Corporate Estates. A copy of the application and site plan is attached to this report as Appendix 1.
- 4 The Halesowen Town Centre Manager made objections, which are attached to this report as Appendix 2.
- 5 None of the other agencies raised any objections.
- 6 This report has a direct link to the Council priority for safety as the principal reason for submission is safeguarding the public.

PROPOSAL

- 7 That the Committee consider Mrs Chawner's application for the grant of a consent to engage in street trading.

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. High Street/Coventry Street, Stourbridge is a consent streets 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.

EQUAL OPPORTUNITIES

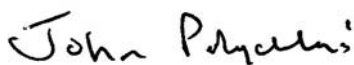
- 14 This report takes account of the Council's policy on equal opportunities.

RECOMMENDATION

- 15 That the Committee determine Mrs Chawner's application for the grant of a street trading consent in Halesowen Town Centre.

BACKGROUND PAPERS

- 16 Application Form.



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DIRECTOR OF LAW AND PROPERTY

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