

Licensing Sub Committee 4 – 19th April 2011

Report of the Director of Corporate Resources

Application for Consent to Engage in Street Trading

Purpose of Report

1. To consider the application on behalf of Mr Christopher Maurice Davis for the grant of a consent to engage in street trading at a site in Coventry Street, Stourbridge, West Midlands.

Background

2. On the 11th September 2008, Mr Davis made application for the grant of a street trader's consent to sell wet fish and fresh eggs in Coventry Street, Stourbridge.
3. This application was circulated to the West Midlands Police, Directorate of the Urban Environment, Stourbridge Town Centre Manager and Julie Jones, Commercial Operations Manager, Corporate Estates.
4. Alan Radford (Highways), Peter Vangeersdaele, (Traffic and Road Safety) and Hannah Rogers, Town Centre Manager all of the Directorate of the Urban Environment made comments which were brought to the attention of the Committee.
5. Julie Jones, Commercial Operations Manager, Corporate Estates also made comments which were brought to the attention of the Committee.
6. None of the other agencies raised objections.
7. This matter was considered by the Licensing Sub-Committee on the 4th November 2008. The Committee resolved that Mr Davis be issued with a consent to engage in street trading for a period of 12 months. That consent was subsequently renewed and expired on the 4th November 2010.
8. On the 5th October 2010, Mr Davis made a further application for the grant of a consent to engage in street trading to sell wet fish and fresh eggs at a site in Foster Street, Stourbridge.
9. This application was circulated as in paragraph 3 above.

10. Stuart Perry, Town Centre Manager made comments which were brought to the attention of the Committee.
11. Alan Radford (Highways) and Peter Vangeersdaele (Traffic and Road Safety) both of the Directorate of the Urban Environment made comments, which were brought to the attention of the Committee.
12. None of the other agencies raised objections.
13. This matter was considered by the Licensing Sub-Committee on the 7th December 2010. The Committee resolved that Mr Davis be issued with a street traders consent to trade in Foster Street, Stourbridge for a period of 12 months. That consent bears the expiry date of the 6th December 2011.
14. On the 18th February 2011, Mr Davis made a further application for the grant of a street trading consent to sell wet fish and fresh eggs at his original site in Coventry Street, Stourbridge on Thursdays and Saturdays between the hours of 8.00 am and 4.00pm due to the lack of trade at his current site in Foster Street, Stourbridge. A copy of that application is attached to this report as Appendix 1.
15. That application was circulated as in paragraph 3 above.
16. Julie Jones, Commercial Operations Manager made comments which are attached to this report as Appendix 2.
17. Hannah Rogers, Town Centre Manager, also made comments, which are attached to this report as Appendix 3.
18. None of the other agencies raised objections.
19. This report has a direct link to the Council's priority for safety as the principle reason for submission in safeguarding the public.

Finance

20. There are no financial implications.

Law

21. The grant of consents to engage in street trading is governed by Part III of the Schedule IV to the Local Government (Miscellaneous Provisions) Act 1982. Coventry Street, Stourbridge is a consent street designated as such by a resolution of the Council. To trade without such a consent is an offence.
22. 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.
23. Paragraph 10 of Schedule IV of the 1982 Act states that a street trading consent may be granted for one period no exceeding 12 months but may be revoked at any time.

24. 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 period which he may trade.
25. There is no right of appeal to 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

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

Recommendation

28. That the Committee determine Mr Davis's application for the grant of a street trading consent in Coventry Street, Stourbridge.



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DIRECTOR OF CORPORATE RESOURCES

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List of Background Papers