

Licensing Sub-Committee 4 – 28th August 2012

Report of the Director of Corporate Resources

Application for Consent to Engage in Street Trading

Mr Daniel Whiteside (Dan Teas) – Lower High Street, Stourbridge

Purpose of Report

1. To consider the application made by Mr Daniel Whiteside for the grant of consent to engage in street trading at the site of Lower High Street, Stourbridge, West Midlands.

Background

2. On the 11th June 2012, Mr Daniel Whiteside made application for the grant of a Street Trader's Consent to sell hot and cold food and beverages between the hours of 8.00am and 4.30pm, Monday to Saturday in Lower High Street, Stourbridge. A copy of that application has been circulated to the Committee Members and interested parties.
3. This application was circulated to the West Midlands Police, Director of the Urban Environment, Head of Economic Development and Commercial Operations Manager, Corporate Estates.
4. The Directorate of the Urban Environment (Highways) made comments which have been circulated to the Committee Members and interested parties.
5. None of the other agencies raised any objection to the application.
6. 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

7. There are no financial implications.

Law

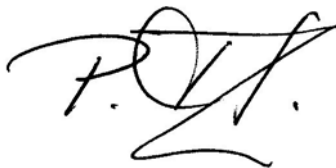
8. The grant of consents to engage in street trading is governed by Part III of Schedule IV to the Local Government (Miscellaneous Provisions) Act 1982. Lower High Street, Stourbridge is a consent street designated as such by a resolution of the Council. To trade without such a consent is an offence.
9. 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.
10. 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.
11. 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.
12. 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

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.

Recommendation

15. That the Committee consider Mr Whiteside's application for the grant of a street trading consent at Lower High Street, Stourbridge.



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DIRECTOR OF CORPORATE RESOURCES

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List of Background Papers