

Licensing Sub-Committee 5

6th March 2007

Report of the Director of Law and Property

Temporary Re-location of Street Traders Consent

Purpose of Report

1. To consider the application made by Matthew Caddick, Stourbridge Town Centre Manager for the temporary variation of the Street Trading Consent issued to LSD Promotions for the Stourbridge Farmers Market.

Background

2. On the 10th January, 2007, Matthew Caddick, Stourbridge Town Centre Manager, made application for the temporary variation of the consent to engage in street trading issued to the Stourbridge Farmers Market to enable the Official St George's Day Celebrations to take place in Stourbridge on Saturday 21st April, 2007.
3. It is proposed that in the interest of public safety, that the Farmers Market be relocated on that date to Lower High Street, Stourbridge. Please see attached as Appendix 1 to this report a copy of the application together with map showing the existing licensed location and the preferred location for that date.
4. This application was circulated to the West Midlands Police, Directorate of the Urban Environment and Julie Jones, Commercial Operations Manager, Corporate Estates.
5. The Director of the Urban Environment made comments which are attached to this report as Appendix 2.
6. Julie Jones, Commercial Operations Manager also made comments which are attached to this report as appendix 3. None of the other agencies made comments.
7. This report has a direct link to the Council priority for safety as the principal reason for submission is safeguarding the public.

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 refused to grant or renew a street trader's consent.

Equal Opportunities

14. This report takes into account of 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 determine this application for the Temporary Variation of Consent to Engage in Street Trading in StourbridgeTown Centre.

Background Papers

17. Application form.

John Pye

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DIRECTOR OF LAW AND PROPERTY

Contact Officer: Mrs. J. Elliott 5377
Telephone: 01384 815377
Email: janet.elliott@dudley.gov.uk