

**Licensing Sub Committee 1 – 14<sup>th</sup> November 2006**

**Report of the Director of Law and Property**

**Application for Consent to Engage in Street Trading**

**Purpose of Report**

1. To consider the application made by Jonas Roberts for the grant of a consent to engage in street trading at King Street/Oakeywell Street, Dudley.

**Background**

2. On the 27<sup>th</sup> February 2006, Mr Roberts made application for the grant of a street trader's permit to operate on King Street/Oakey Street on Monday to Saturday between the hours of 9.00 am to 5.30 pm to sell hot potatoes with hot and cold fillings, hot dogs, burgers, hot and cold baps and hot and cold drinks. A copy of the application together with a site plan is attached to this report as Appendix 1.
3. This application was circulated to the West Midlands Police, Director of the Urban Environment, Dudley Town Centre Manager and Julie Jones, Commercial Operations Manager, Corporate Estates.
4. Andrea Jones, Dudley Town Centre Manager made comments which are attached to this report as Appendix 2. None of the other agencies raised objections.
5. This application was delayed due to the comments not being received by the various agencies.
6. This report has a direct link to the Council's priority for safety as the principal reason for submission is safe guarding the public.

**Finance**

7. There are no financial implications.

## **Law**

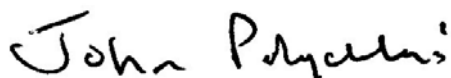
8. The grant of consents to engage in street trading is governed by Part III of Schedule IV to the Local Government (Miscellaneous Provisions) Act 1982.
9. King Street/Oakeywell Street is a consent streets designated as such by a resolution of the Council. To trade without such a consent is an offence.
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.

## **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 determine Mr Roberts application for the grant of a street trading consent in Dudley Town Centre.



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DIRECTOR OF LAW AND PROPERTY

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## **List of Background Papers**