

Meeting of the Licensing Sub-Committee 4 – 30th April 2024

Report of the Director of Environment

Application for Grant of Consent to Engage in Street Trading

Purpose

1. To consider the application made by Mrs Nicola Westwood for the grant of a consent to engage in street trading in Castle Street, Dudley (outside Greggs).

Recommendation

2. That the Committee consider this application for the grant of a consent to engage in street trading for the sale of Jacket Potatoes with a range of hot and cold drinks in Castle Street, Dudley.

Background

3. On the 15th February 2023, an application was received by the Licensing Office from Mrs Westwood for the grant of a consent to engage in street trading in Castle Street, Dudley to sell Jacket Potatoes and a range of hot and cold drinks on the following days and times:

Monday to Saturday 8.00 am until 5.00 pm.

4. That application together with details of the proposed site and photograph of the trading vehicle have been circulated to interested parties and are attached to this report as Appendix 1. Details of the application have also been posted on the Council Web Site.

5. There have been no representations in respect of this application however comments have been received from the Highways and Transport Department and are attached to this report as Appendix 2.
6. There are currently 2 consents issued for Castle Street (Outside Greggs).

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. To trade without such 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 they may trade and the times between which or periods for which they may trade.
12. There is no right of appeal against the Council's decision to vary a condition upon which consent is issued, or refusal to grant or renew a street trader's consent.

Risk Management

13. There are no risk management implications.

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.

Human Resources/Organisational Development

16. There are no human resources/organisational development implications.

Commercial/Procurement


17. There are no commercial/procurement implications.

Environment/Climate Change

18. There are no environment/climate change implications.

Council Priorities and Projects

19. This application falls within the Council's statutory responsibility for Licensing as a direct link to the Council's Plan 2022-25 as a place where communities can lead stronger, safer and healthier lives.
- Dudley the borough of opportunity
 - Dudley the safe and healthy borough
 - Dudley the borough of ambition and enterprise
 - Dudley borough the destination of choice



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Appendices

Appendix 1 - Application
Appendix 2 – Comments

List of Background Documents

None