

Meeting of the Licensing Sub-Committee 3 - 20th December 2022

Report of the Interim Director of Public Realm

Application for Grant of Consent to Engage in Street Trading

Mark Smith trading as Frank Smith (Dudley) Ltd – Dudley Town Centre.

Purpose

1. To consider the application made by Mr Mark Smith for the grant of a consent to engage in street trading in Dudley Town Centre.

Recommendation

2. That the Committee consider the application for the grant of a consent to engage in street trading for the sale of Fast Food in Castle Street, Dudley. (Outside Greggs).

Background

3. On the 11th October 2022, an application was received by the Licensing Office from Mr Mark Smith trading as Frank Smith (Dudley) Ltd for the grant of a consent to engage in street trading in Castle Street, Dudley (outside Greggs) to sell fast food, Hot Dogs, Burgers, Chicken Nuggets, Asian Food etc together with Ice Cream and Hot and Cold Drinks Monday to Sunday 9.00 am until 3.00am

4. That application together with details of the proposed site and photograph of the trading vehicle have been circulated to committee members and interested parties, details of the application have also been posted on the Council Web Site.

No objections in respect of the application have been received.

5. Mr Smith previously held a consent for the same site that consent expired in 2021.

Finance

6. There are no financial implications.

Law

7. 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.
8. 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.
9. 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.
10. 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.
11. 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

12. There are no risk management implications.

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.

Human Resources/Organisational Development

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

Commercial/Procurement

16. There are no commercial/procurement implications.

Environment/Climate Change

17. There are no Environment/Climate Change implications.

Council Priorities and projects

18. This application falls within the Council's responsibility for Licensing as a direct link to the Council's key corporate priority to support stronger and safer communities.



Andy Vaughan
Interim Director of Public Realm

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List of Background Documents

None

Appendices

None