

DUDLEY METROPOLITAN BOROUGH

LICENSING AND SAFETY COMMITTEE

26TH MAY 2005

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

APPLICATION FOR FRENCH MARKET

1.0. PURPOSE

- 1.1. To consider the application on behalf of Mr Marzolini Eddy for the grant of a Street Trading consent for a French Market in High Street, Dudley.

2.0. BACKGROUND

- 2.1. On the 19th April 2005, Mr Eddy made application for the grant of a consent to engage in street trading in respect of a French Market in High Street, Dudley for the 9th, 10th and 11th June 2005. A copy of that application is attached to this report as appendix 1.
- 2.2. A site plan of the proposed market is also attached to this report as appendix 2.
- 2.3. This application was circulated to the West Midlands Police, Directorate of the Urban Environment, Democratic Services, Dudley Town Centre Manager and Julie Jones, Commercial Operations Manager, Corporate Estates.
- 2.4. Julie Jones, Commercial Operations Manager, Corporate Estates made various comments which are attached to this report as appendix 3.
- 2.5. The Director of the Urban Environment was unable to comment. A copy of the report is attached as Appendix 4.
- 2.6. Dudley Town Centre Manager made comments which are attached to this report as Appendix 5.
- 2.7. None of the other agencies raised any objections.

3.0. PROPOSAL

3.1. That the Committee consider Mr Eddy 's application for the grant of a consent to engage in street trading.

4.0 FINANCE

4.1. There are no financial implications.

5.0. LAW

5.1. 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.

5.2. 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.

5.3 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.

5.4 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.

5.5 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.

6.0. EQUAL OPPORTUNITIES

6.1. This report takes account of the Council's policy on equal opportunities.

7.0. RECOMMENDATION

7.1. That the Committee determine Mr. Eddy's application for the grant of a street trading consent.

8.0 BACKGROUND PAPERS

8.1 Application Form.

John Poyellis

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DIRECTOR OF LAW AND PROPERTY

Contact Officer: Mrs. J. Elliott - Ext. 5377