

Licensing Sub-Committee 2 - 4th July, 2006

Report of the Director of Law and Property

Application for French Market

Purpose of Report

- 1 To consider the application on behalf of Marjorie Vincent for the grant of a Street Trading consent for a French Market in High Street, Dudley.

Background

2. 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.
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.
4. Julie Jones, Commercial Operations Manager, Corporate Estates made various comments which were brought to the attention of the Committee.
5. The Director of the Urban Environment was unable to comment.
6. Dudley Town Centre Manager made comments which were also brought to the attention of the Committee.
7. None of the other agencies raised any objections.
8. This matter was considered by the Committee on the 26th May, 2005. The Committee resolved that the consent be granted for the following days, times and conditions:-

9th, 10th and 11th June, 2005 8.30 a.m. until 6.00 p.m.

No loading by traders after 6.00 p.m.

9. On the 5th June, 2006, Marjorie Vincent made application for the grant of a consent to engage in street trading for a French Market in Dudley Town Centre on the 13th, 14th and 15th July, 2006. A copy of the application and site plan is attached to this report as Appendix 1.
10. This application was circulated as in paragraph 3 above. None of the agencies raised objections.
11. This application falls within the Council's recent responsibility for liquor licensing which has a direct link to the Council's key corporate priority that safety matters.

Proposal

12. That the Committee consider Marjorie Vincent's application for the grant of a consent to engage in street trading.

Finance

13. There are no financial implications.

Law

14. 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, Dudley is a consent streets designated as such by a resolution of the Council. To trade without such a consent is an offence.
15. 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.
16. 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.
17. 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.
18. 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

19. This report takes into account the Council's policy on equal opportunities.
20. There has been no consultation or involvement of children and young people in developing these proposals.

Recommendation

21. That the Committee determine Marjorie Vincent's application for the grant of a street trading consent.

John Poyden

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DIRECTOR OF LAW AND PROPERTY

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List of Background Papers

Application Form