

Licensing Sub-Committee 5 – 6th March 2007

Report of the Director of Law and Property

Application for consent to engage in Street Trading

Purpose of Report

1. To consider the application on behalf of Mr Arthur Bloor, for the grant of a consent to engage in street trading for the Pot Fair to take place in Dudley Town Centre.

Background

2. On the 7th February 2007, Mr Bloor made application for the grant of a Street Trader's Permit to allow The Pot Fair to operate in Dudley Town Centre, High Street on the 12th March 2007 until the 17th March 2007, to sell china, glass and fancy goods. 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. Julie Jones, Commercial Operations Manager, Corporate Estates made comments which are attached to this report as Appendix 2. None of the other agencies raised objections.
5. This report has a direct link to the Council priority for safety as the principal reason for submission is safeguarding the public.

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. 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.

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 the trade/may trade and the times between which or periods for which he may trade.
11. 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

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

Recommendations

14. That the Committee determine Mr Bloor's application for the grant of a street trading consent in Dudley Town Centre.

John Pym

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DIRECTOR OF LAW AND PROPERTY

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List of Background Papers