

**DUDLEY METROPOLITAN BOROUGH**

**LICENSING SUB-COMMITTEE 2**

**21ST FEBRUARY 2006**

**REPORT OF THE DIRECTOR OF LAW AND PROPERTY**

**APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING**

**PURPOSE**

- 1 To consider the application on behalf of Ms Adele Grove for the grant of a Street Trading consent to trade in Brierley Hill Town Centre.

**BACKGROUND**

- 2 On the 18<sup>th</sup> November, 2005, Ms Grove made application for the grant of a consent to engage in street trading to sell hot jacket potatoes, hot/cold drinks in Cottage Street, Brierley Hill.
- 3 This application was circulated to the West Midlands Police, Directorate of the Urban Environment, Democratic Services, Brierley Hill Town Centre Manager and Julie Jones, Commercial Operations Manager, Corporate Estates. A copy of the application and site plan is attached to this report as Appendix 1.
- 4 The Director of the Urban Environment (Highways) made comments which are attached to this report as Appendix 2.
- 5 The Town Centre Manager also made comments which are attached to this report as Appendix 3.
- 6 None of the other agencies raised any objections.
- 7 This report has a direct link to the Council priority for safety as the principal reason for submission is safeguarding the public.

**PROPOSAL**

- 8 That the Committee consider Ms Grove's application for the grant of a consent to engage in street trading.

**FINANCE**

9 There are no financial implications.

**LAW**

- 10 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.
- 11 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.
- 12 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.
- 13 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.
- 14 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**

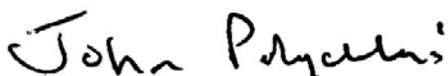
15 This report takes account of the Council's policy on equal opportunities.

**RECOMMENDATION**

16 That the Committee determine Ms Groves application for the grant of a street trading consent in Brierley Hill Town Centre.

**BACKGROUND PAPERS**

17 Application Form.



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DIRECTOR OF LAW AND PROPERTY

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