

DUDLEY METROPOLITAN BOROUGH

LICENSING SUB-COMMITTEE 4

28TH FEBRUARY 2006

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING

(ST GEORGES DAY CELEBRATIONS)

PURPOSE

- 1 To consider the application on behalf of Mr D McGillicuddy of LSD Promotions Ltd for the grant of a Street Trading consent to trade in High Street, Stone Street and Stone Square, Dudley Town Centre.

BACKGROUND

- 2 On the 3rd February 2006, Mr McGillicuddy made application for the grant of a consent to engage in street trading for a farmers market in High Street, Stone Street and Stone Square, Dudley.
- 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. A copy of the application and site plan is attached to this report as Appendix 1.
- 4 The Dudley Town Centre Manager sent a letter of support, which is attached to this report as Appendix 2.
- 5 Julie Jones, Commercial Operations Manager, made comments which are attached to this report as Appendix 3.
- 6 None of the other agencies raised 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 Mr McGillicuddy'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 Mr McGillicuddy's application for the grant of a street trading consent in Dudley Town Centre.

BACKGROUND PAPERS

17 Application Form.

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DIRECTOR OF LAW AND PROPERTY

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