

Licensing Sub-Committee 4 - 13th June 2006

Report of the Director of Law and Property

Application for French Market (Halesowen Town Centre)

Purpose

1. To consider the application on behalf of Ms Martine Lefrancois for the grant of a Street Trading consent for a French Market in Halesowen Town Centre.

Background

2. On the 19th April 2005, Mr Marzolini 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, 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 27th May 2005. The Committee resolved that the consent be granted.
9. On the 6th July, 2005 Mr Marzolini made application for the grant of a further street traders consent for a French Market in Halesowen Town Centre for the 3rd, 4th, 5th and 6th August, 2005.

10. This application was circulated as in paragraph 3 above.
11. The Director of the Urban Environment made comments which were brought to the attention of the Committee.
12. The Town Centre Manager also made comments along with Julie Jones, Commercial Operations Manager.
13. This application was due to be considered by the Committee however Mr Marzolini made a further/amended application for the 29th September to the 1st October 2005 inclusive. That application was circulated as in paragraph 3. None of the agencies raised objections to the application.
14. The Town Centre Manager, Stuart Perry, confirmed his full support for the application.
15. This matter was considered by the Committee on the 16th September 2005. The Committee resolved that the consent be granted.
16. On the 19th May 2006 Martine Lefrancois made application for the grant of a consent to engage in street trading for a french market in Halesowen Town Centre a copy of the application and site plan are attached to this report as Appendix 1.
17. This application was circulated as in paragraph 3 above.
18. Stuart Perry, Town Centre Manager gave his support to the application. None of the other agencies raised objections.
19. This application has a direct link to the council's key corporate priority that safety matters.

Proposal

20. That the Committee consider Ms Lefrancois' application for the grant of a consent to engage in street trading.

Finance

21. There are no financial implications.

Law

22. 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/Halesowen is a consent streets designated as such by a resolution of the Council. To trade without such a consent is an offence.
23. 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.
24. 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.
25. 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.
26. 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

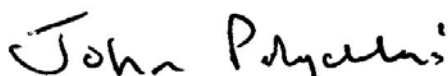
27. This report takes account of the Council's policy on equal opportunities.

Recommendation

28. That the Committee determine Ms. Lefrancois' application for the grant of a street trading consent in Halesowen Town Centre.

Background Papers

29. Application Form.



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DIRECTOR OF LAW AND PROPERTY

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