

DUDLEY METROPOLITAN BOROUGH

LICENSING AND SAFETY COMMITTEE

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

HALESOWEN FARMERS MARKET

24TH MARCH, 2005

1.0. PURPOSE

- 1.1. To consider the temporary relocation of the Halesowen Farmers Market on the 23rd April 2005, to accommodate the Saint George's Day Celebration in Halesowen Town Centre.

2.0. BACKGROUND

- 2.1. Halesowen Farmers Market was first issued a licence on the 23rd November, 2002, and for each second Saturday of each month.
- 2.2. On the 5th November, 2003 Mr. Stephen Evans made application for renewal of the consent to engage in street trading in Halesowen Town Centre and the increase in trading days from one Saturday to two Saturdays per month.
- 2.3. This application was circulated to the West Midlands Police, Support Services, Directorate of the Urban Environment and the Halesowen Town Centre Manager.
- 2.4. None of the agencies raised any objections to the application.
- 2.5. This matter was considered by the Licensing and Safety Committee on the 28th April 2004. The Committee resolved that the consent be issued and extended.
- 2.6. On the 3rd March 2005 a request was made by Stuart Perry, Town Centre Manager for the temporary relocation of the farmers market. A copy of that request is attached as Appendix 1 to the report.
- 2.7. That application was circulated as in paragraph 2.3 above. None of the agencies raised objections to the application.

3.0. PROPOSAL

- 3.1. That the Committee consider the temporary relocation of the Halesowen Farmers Market.

4.0. FINANCE

4.1. There are no financial implications.

5.0. LAW

5.1. 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.

5.2. 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.

5.3 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.

5.4 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.

5.5 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.

6.0. EQUAL OPPORTUNITIES

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

7.0. RECOMMENDATION

7.1. That the Committee determine the application for the temporary re-location of a street trading consent.

8.0 BACKGROUND PAPERS

8.1 Application Form

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DIRECTOR OF LAW AND PROPERTY
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