

Licensing Sub Committee – 1 – 7th December 2010

Report of the Director of Corporate Resources

Application for Consent to Engage in Street Trading

Purpose of Report

1. To consider the application on behalf of Mr Christopher Maurice Davis for the grant of a consent to engage in street trading at a site in Stourbridge Town Centre.

Background

2. On the 5th October 2010, Mr Davis made application for the grant of a Street Traders Consent to sell wet fish and fresh eggs in Foster Street, Stourbridge. A copy of that application together with photographs of the proposed site is attached to this report as Appendix 1.
3. This application was circulated to the West Midlands Police, Director of the Urban Environment, Stourbridge Town Centre Manager and Julie Jones Commercial Operations Manager, Corporate Estates.
4. Stuart Perry, Town Centre Manager made comments which are attached to this report as Appendix 2.
5. Alan Radford, (Highways) Directorate of the Urban Environment made representations, which are attached to this report as Appendix 3.
6. Peter Vangeersdaele, (Traffic and Road Safety), Directorate of the Urban Environment made comments, which are attached to this report as Appendix 4.
7. None of the other agencies raised objections.
8. This report has a direct link to the Council's priority for safety as the principle reason for submission in safeguarding the public.

Finance

9. There are no financial implications.

Law

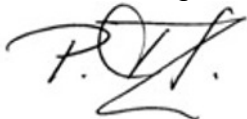
10. The grant of consents to engage in street trading is governed by Part III of the Schedule IV to the Local Government (Miscellaneous Provisions) Act 1982. Foster Street, Stourbridge is a consent street designated as such by a resolution of the Council. To trade without such a consent is an offence.
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 no 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 period which he may trade.
14. There is no right of appeal to 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 into account the Council's policy on equal opportunities.
16. There has been no consultation or involvement of children and young people in developing these proposals.

Recommendation

17. That the Committee determine Mr Davis's application for the grant of a street trading consent in Foster Street, Stourbridge.



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DIRECTOR OF CORPORATE RESOURCES

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List of Background Papers