
Meeting of the Licensing Sub-Committee – 18th June 2024

Report of the Director of Environment

Application for Grant of Consent to Engage in Street Trading

Purpose

1. To consider the application made by Mark Bruerton-Billington for the grant of a consent to engage in street trading in (1st Choice) Castle Street, Dudley (2nd Choice) Junction of Stone Street and High Street Dudley and (3rd Choice) Lower High Street, Stourbridge.

Recommendation

2. That the Committee consider this application for the grant of a consent to engage in street trading for the sale of Breakfast Sandwiches, Burgers and Chips.

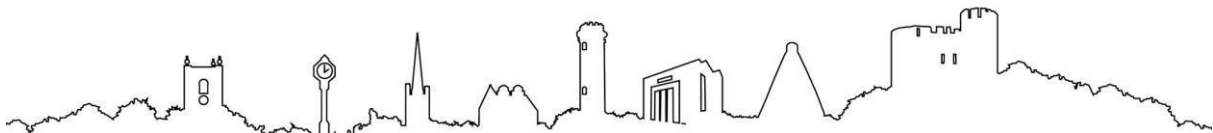
Background

3. On the 18th March 2024, an application was received by the Licensing Office from Mark Bruerton-Billington for the grant of a consent to engage in street trading on one of the following sites:

1st Site Castle Street, Dudley.

2nd Site Junction of Stone Street and High Street, Dudley.

3rd Site Lower High Street, Stourbridge.



To sell Breakfast Sandwiches, Burgers, and Chips on the following days and between the following times:

Monday to Saturday 08.00am until 3.00pm

4. That application together with details of the proposed site and photograph of the trading vehicle have been circulated to interested parties. Details of the application were also posted on the Council Web Site.
5. Representations/comments in respect of all three sites have been received.
6. Since receipt of this application there has been a further street trader granted a consent to engage in street trading at the site in Castle Street, Dudley bringing the current total number of consents issued for Castle Street (Outside Greggs) to 3.
7. This matter was considered by the Licensing Sub Committee 1 on 4th June 2024 where it was resolved the matter be deferred to a further meeting of the Sub Committee 1 on the 18th June 2024 in order to allow further consultations with interested parties and to agree an alternative position in Dudley Town Centre. The three initial preferences were all considered and the Sub-Committee deemed that they were unsuitable locations. A plan of a suggested alternative site has been forwarded to interested parties and is attached to this report as appendix 1.

Finance

8. There are no financial implications.

Law

9. 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. To trade without such consent is an offence.
10. 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.
11. 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.

12. Where the consent allows the holder to trade from a cart, barrow, or other vehicle, then the consent must specify the location from which they may trade and the times between which or periods for which they may trade.
13. There is no right of appeal against the Council's decision to vary a condition upon which consent is issued, or refusal to grant or renew a street trader's consent.

Risk Management

14. There are no risk management implications.

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.

Human Resources/Organisational Development

17. There are no human resources/organisational development implications.

Commercial/Procurement

18. There are no commercial/procurement implications.

Council Plan

19. This application falls within the Council's statutory responsibility for Licensing as a direct link to the Council's Plan 2024- 2025 by improving our organisation and serving our brough by contributing and creating opportunities for all to thrive in a safe and healthy environment.
 - Financial sustainability, efficiency and providing best value
 - Governance and control
 - Leadership and culture
 - Delivering for our customers, residents and communities
 - Supporting businesses and the local economy



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Appendices

Appendix 1 – Plan of alternative site

List of Background Documents

None