

Licensing Sub-Committee – 3 – 24th March 2015

Report of the Strategic Director Resources and Transformation

Application for Consent to Engage in Street Trading

Mr Anthony John Carney (South Road, Stourbridge – Outside Crematorium)

Purpose of Report

1. To consider the application made by Mr Anthony John Carney for the grant of a consent to engage in street trading at a site in South Road, Stourbridge outside Stourbridge Crematorium.

Background

2. On the 3rd February 2015, Mr Carney, made application for the grant of a Street Trader's Consent to sell Flowers and Potted Plants, between the hours of 8.00 a.m and 12.00 p.m on Sundays and Bank Holidays. A copy of that application has been circulated to the Committee Members and interested parties.
3. On the 12th February 2015, the Traffic Manager (Traffic & Road Safety) made comments, a copy of that email has also been circulated to Committee Members and the Applicant. None of the other agencies or interested parties raised objections to the application.
4. This application falls within the Council's responsibility for licensing which has a direct link to the Council's key corporate priority that safety matters.

Finance

5. There are no financial implications.

Law

6. 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. South Road, Stourbridge is a consent street designated as such by a resolution of the Council. To trade without such a consent is an offence.

7. 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.
8. 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.
9. 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.
10. 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

11. This report takes into account the Council's policy on equal opportunities.
12. There has been no consultation or involvement of children and young people in developing these proposals.

Recommendation

13. That the Committee consider Mr Carney's application for the grant of a street trading consent to trade in South Road, Stourbridge.



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Strategic Director Resources and Transformation

Contact Officer: Mrs. L Rouse 5377
Telephone: 01384 815377
Email: liz.rouse@dudley.gov.uk

List of Background Papers