

Licensing Sub-Committee 3 – 24th September 2013

Report of the Director of Corporate Resources

Application for Consent to Engage in Street Trading

Mr Joga Singh - High Street, Dudley

Purpose of Report

1. To consider the application made by Mr Joga Singh for the grant of consent to engage in street trading at the site In High Street, Dudley, West Midlands.

Background

2. On the 1st July 2013, Mr Singh made application for the grant of a Street Trader's Consent to sell Chicken Tikka, Chicken Samosa, Curry, Chick Pea Curry, Rice, Tikka Raps, and Hot and Cold drinks between the hours of 8.00am and 5.00pm, Monday to Sunday in High Street, Dudley. A copy of that application has been circulated to the Committee Members and interested parties.
3. On the 9th July 2013, the CCTV, Curatorial Services and Dudley Market Manager made Comments a copy of that report has been circulated to Committee Members and the applicant.
4. The Directorate of the Urban Environment (Highways) made various comments which have been circulated to the Committee Members and the applicant.
5. On the 31st July 2013, the Marketing/Communications Manager made comments which have been circulated to Committee Members and the applicant.
6. The Chairman of DTCP made comments which have also been forwarded to Committee Members, and the applicant.
7. None of the other agencies raised objections to the application.
8. 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

9. There are no financial implications.

Law

10. 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, Dudley 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 not 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 periods for which he may trade.
14. 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

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 consider Mr Singh's application for the grant of a street trading consent in Dudley Town Centre.



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DIRECTOR OF CORPORATE RESOURCES

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List of Background Papers