
Meeting of the Licensing Sub-Committee - 27th February 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 Mr Benjamin Davies for the grant of a consent to engage in street trading in Stourbridge Town Centre.

Recommendation

2. That the Committee consider this application for the grant of a consent to engage in street trading for the sale of Hot and Cold Coffee, Teas Sandwiches and Cakes in Foster Street, Stourbridge.

Background

3. On the 15th December 2023, an application was received by the Licensing Office from Mr Benjamin Davies for the grant of a consent to engage in street trading in Foster Street, Stourbridge to sell Hot and Cold Coffee, Teas, Sandwiches and Cakes on the following days and times:

Monday to Friday 7.00 am until 3.00 pm.

Saturday 8.00 am until 2.00 pm

4. That application together with details of the proposed site and photograph of the trading vehicle have been circulated to interested



parties and are attached to this report as Appendix 1. Details of the application have also been posted on the Council Web Site.

5. Representations in respect of the application were received from Transport and Highways Services. Mediation has been undertaken between the Transport and Highways Department and Mr Davies, all representations have been forwarded to Mr Davies who has addressed all concerns raised. A copy of the representations from the Transport and Highways Department together with Mr Davies response is attached to this report as Appendix 2. Following mediation confirmation has been received from the Transport and Highways Department that they no longer have objections to the application following Mr Davies response. No other objections or representations have been received in respect of this application from any other interested party.

Finance

6. There are no financial implications.

Law

7. 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.
8. 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.
9. 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.
10. 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.
11. 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

12. There are no risk management implications.

Equality Impact

13. This report takes into account the Council's policy on equal opportunities.

14. There has been no consultation or involvement of children and young people in developing these proposals.

Human Resources/Organisational Development

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

Commercial/Procurement

16. There are no commercial/procurement implications.

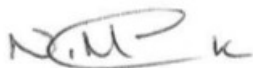
Environment/Climate Change

17. There are no environment/climate change implications.

Council Priorities and Projects

18. This application falls within the Council's statutory responsibility for Licensing as a direct link to the Council's Plan 2022-25 as a place where communities can lead stronger, safer and healthier lives.

- Dudley the borough of opportunity
- Dudley the safe and healthy borough
- Dudley the borough of ambition and enterprise
- Dudley borough the destination of choice



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Appendices

Appendix 1 - Application
Appendix 2 – Representations/Response

List of Background Documents

None