

LICENSING PANEL**8 JUNE 2018**

REPORT TITLE	STREET TRADING CONSENT APPLICATION
REPORT OF	ASSISTANT CHIEF EXECUTIVE

REPORT SUMMARY

The purpose of this report is for Members to consider an application for a Street Trading Consent for a site located on Queen's Road, Wallasey.

RECOMMENDATION/S

Members are asked to consider the application for a Street Trading Consent.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1

2.0 OTHER OPTIONS CONSIDERED

2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

3.1 Street Trading is regulated by the Local Government (Miscellaneous Provisions) Act 1982 Part 3, Schedule 4. This legislation provides the Council with the power to allow street trading through a Street Trading Licence or a Street Trading Consent.

3.2 The legislation provides that a District Council may by resolution designate any street in their district as:-

- a) a prohibited street
- b) a licence street
- c) a consent street

3.3 Streets designated as prohibited streets prevent any form of street trading and the Council do not consider any application for street trading in such a street. A person who engages in street trading in a prohibited street commits an offence.

3.4 In respect of a Street Trading Consent, the legislation provides that the Council may grant a Consent if they think fit.

4.0 APPLICATION

4.1 An application, as amended, for a Street Trading Consent has been received by Deborah Jackson for a site located on the paving area on Queen's Road, Wallasey adjacent to Wallasey Town Hall. The application may be found at Appendix 1. The proposed sight is part of the adopted highway and can be found at Appendix 2.

4.2 Ms Jackson originally requested a site in Leasowe but the location is owned by the Council's Parks and Countryside who objected to the application.

4.3 It is proposed that Ms Jackson will use a converted horse box to carry out the street trading offering sandwiches, salad boxes, baked potatoes, and hot and cold drinks. Further details on what she will offer can be found within her application. Although Ms Jackson has not purchased a horse box, she has provided photographs of examples of horse boxes after being converted. These photographs may be found at Appendix 3. If this application is successful, Ms Jackson will purchase a horse box.

5.0 CONSULTION

- 5.1 Consultation has been undertaken with the Wallasey Facilities Team Leader who has no objection to the application.
- 5.2 Consultation has also been undertaken by the Highways Department who has concerns with the application as the location of the trading may impact on local businesses who trade in similar goods.
- 5.3 Environmental Health has made contact with Ms Jackson and provided advise in relation to food safety.

6.0 FINANCIAL IMPLICATIONS

- 6.1 There are no specific implications arising from this report.

7.0 LEGAL IMPLICATIONS

- 7.1 A decision of the Panel may be subject to legal challenge.

8.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 8.1 There are no specific implications arising from this report.

9.0 RELEVANT RISKS

- 9.1 There are none arising directly from this report.

10.0 ENGAGEMENT/CONSULTATION

- 10.1 Consultation has been undertaken as detailed at paragraph 5.1 and 5.2 of this report.

11.0 EQUALITY IMPLICATIONS

- 11.1 There are no specific implications arising from this report.

REPORT AUTHOR: Margaret O'Donnell
Licensing Manager
telephone: (0151) 691 8606
email: margaretodonnell@wirral.gov.uk

APPENDICES

Appendix 1 – Application for a Street Trading Consent

Appendix 2 – Location map

SUBJECT HISTORY (last 3 years)

Council Meeting	Date