

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

11th October 2010

STREET TRADING CONSENT POLICY – SCRUTINY BOARD REVIEW

Relevant Portfolio Holder	Councillor P. Whittaker
Relevant Head of Service	Steve Jorden, Head of Worcestershire Regulatory Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Scrutiny Board is due to review the operation of the newly introduced Street Trading Consent Policy. This is included in the Board's work programme for its meeting on 26th October 2010. The purpose of reporting this item to the Licensing Committee is to enable Members of the Committee to contribute to the comments that the Chair of Licensing will present to the Scrutiny Board.

2. RECOMMENDATIONS

- 2.1 That questions regarding the Street Trading Consent Policy put forward by the Scrutiny Board be noted. (An update on the questions will be provided at the meeting).
- 2.2 That the Chair of Licensing report back to the Scrutiny Board the answers to the questions and any additional issues raised by the Licensing Committee as to the operation of the policy.

3. BACKGROUND

- 3.1 At the meeting of the Scrutiny Board held on 27th October 2009 officers were asked to provide further information about the operation of mobile hot food outlets in the District and how these would be affected by the introduction of the new Street Trading Consent Policy. The Street Trading Consent Policy had been approved by Licensing Committee on 7th September 2009.
- 3.2 The policy sets out the areas which will be designated as trading streets and prohibited streets, so in summary, no street trading is permitted in designated areas without specific consent of the Council.
- 3.3 At the meeting of the Council on 20th January 2010 the proposed fee structure for the Street Trading Consent Policy was adopted along with a recommendation from the Chairman of the Licensing Committee that after six months officers reported to the Scrutiny Board on the operation of the Street Trading Consent Policy.

LICENSING COMMITTEE

11th October 2010

- 3.4 Following the introduction of the Street Trading Consent Policy on 20th January 2010 officers were made aware by Worcestershire County Council, Highways Department of an anomaly within the policy regarding Trading from Lay-bys. Officers reported this anomaly to the Licensing Committee meeting held on 24th May 2010 and recommended a minor amendment to the Street Trading Consent Policy. The Licensing Committee agreed to the minor amendment to the Street Trading Consent Policy and the revised policy was adopted on 24th May 2010.

4. KEY ISSUES

- 4 Members are referred to the questions from the Scrutiny Board which will need to be considered. Members may also wish to add any of their own observations on how the new policy has been operating from the perspective of their role on the Licensing Committee. Members will recall that under the policy where no objections are received the street trading consent will be issued by the Licensing Officer; where objections are received it is necessary for that decision to be made by the Licensing Committee at a hearing. To date both sub-committee A and Sub-committee B have decided one application each.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications directly relating to this report.

6. LEGAL IMPLICATIONS

- 6.1 The Street Trading Consent Policy is governed by the Local Government (Miscellaneous Provisions) Act 1982.

7. POLICY IMPLICATIONS

- 7.1 There are no policy implications directly relating to this report.

8. COUNCIL OBJECTIVES

- 8.1 C02 – Improvement

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 9.1 There are no significant risks associated with the details included in this report.

LICENSING COMMITTEE

11th October 2010

10. CUSTOMER IMPLICATIONS

10.1 .N/a

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 None

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 N/a

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 N/a.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 N/a.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 N/a.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 N/a

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 N/a

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

11th October 2010

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

21. WARDS AFFECTED

All wards

22. APPENDICES

None

23. BACKGROUND PAPERS

None

24. KEY

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

11th October 2010

None

AUTHOR OF REPORT

Name:	Sarah Sellers – Senior Solicitor
E Mail:	s.sellers@bromsgrove.gov.uk
Tel:	01527 881397