

APPLICATION FOR A TEMPORARY STREET TRADING LICENCE – PITCH

Committee	Licensing Sub-Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1 – Copy of application Appendix 2 – Copy of objection
Ward(s) affected	West Ruislip

SUMMARY

The Licensing Service has received an application (attached as Appendix 1) for a temporary street trading licence – (Pitch) for a six month period for The Flower Stall, o/s 144 High Street, Ruislip, HA4 8LS.

RECOMMENDATION

To grant the application with the addition of the following conditions:

- 1) The licence holder shall not use or obstruct any area of Highway which is outside the licensed area of 3 x 3 metres, for storing waste or any other items.
- 2) The licence holder shall ensure that the licensed trading and the immediate vicinity of the licensed trading area, are kept free from litter and refuse and are maintained in a clean, tidy condition during trading hours.
- 3) At the end of trading hours, the licence holder shall ensure that all pitch equipment is removed from the Highway and that the area is cleared of waste and refuse.

ALTERNATIVE OPTIONS

- A. Refuse to grant the licence
- B. Grant the licence for a shorter period as determined by the Licensing Sub-Committee
- C. Grant the licence for a reduced pitch size as determined by the Licensing Sub-Committee

INFORMATION

The Licensing Service received a Street Trading Pitch Licence application from Mrs Barbara Allvey on 6th October 2011. The application was supplied with all the necessary supporting documents and fee in compliance with the Council's application procedures.

The pitch has been licensed for a number of years but was not renewed in time, so the applicant has submitted a new street trading application.

Licensing Sub-Committee (South) - 23 November 2011

The Licensing Service consulted with Ward Councillors, Licensing Committee Members, Investigations Team and the Highways Service during the consultation period. One letter of objection was received from Councillor Phillip Corthorne (a Ward Councillor) on 13th October 2011.

No objections have been received from the Highways Team or Investigations Team.

The Licensing Sub-Committee is requested to determine the application.

LEGAL COMMENTS

1. Section 25(4) of the Act specifies that a street trading licence may not be granted:
 - a. To a person under the age of 17 years.
 - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading.
 - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
 - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
2. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee are satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.
3. As at 26 February 2010, all public pavements immediately in front of any shop within the London Borough of Hillingdon have been designated as a licence street for the purposes of street trading under the Act.

BACKGROUND DOCUMENTS

London Local Authorities Act 1990 (as amended)
London Borough of Hillingdon Street Trading & Markets Policy