

## APPLICATION FOR A TEMPORARY STREET TRADING LICENCE – SHOP FRONT

<b>Committee</b>	Licensing Sub-Committee
<b>Officer Contact</b>	Stephanie Waterford 01895 277232
<b>Papers with report</b>	Appendix 1 - Copy of application Appendix 2 – Picture of shop front
<b>Ward(s) affected</b>	Pinkwell

### SUMMARY

The Licensing Service has received an application ((as attached at Appendix 1) for a temporary street trading licence – (Shop Front) for a six month period for Siragro, 147 North Hyde Road, Hayes.

### RECOMMENDATION

**That the Sub-Committee refuse the application.**

### ALTERNATIVE OPTIONS

- A. To grant the licence as per the application for a period of 6 months.**
- B. To grant the licence for a shorter period as determined by the Licensing Sub-Committee**

### INFORMATION

The Licensing Service received a Street Trading Licence application from Mr Gurbinder Singh Bahra on 16<sup>th</sup> August 2011. The application was supplied with all the necessary supporting documents in compliance with the Council's application procedures.

The submission of the application was a result of an investigation carried out by the Council's Investigations Team following general complaints in the area.

Siragro were found to be operating without the required Street Trading Licence and were served with a Fixed Penalty Notice on 10<sup>th</sup> August 2011. To date, the fine remains outstanding.

The Licensing Service consulted with Ward Councillors during the consultation period and received feedback from Cllr Jasvinder Dhillon expressing concerns about trade waste agreements and outstanding enforcement issues.

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The Officer recommendation is to refuse the application due to the outstanding enforcement action involving unlicensed street trading at the premises. Mr Bahra will be invited to reapply once the outstanding enforcement matters have been settled.

## **LEGAL COMMENTS**

1. Section 25(4) of the London Local Authorities Act 1990 (as amended) 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