

RENEWAL OF TEMPORARY STREET TRADING LICENCES – TABLES & CHAIRS

Committee	Licensing Sub Committee
Officer Contact	David Frost – Planning, Environment & Community Services
Papers with report	Appendix 1
Ward(s) affected	Uxbridge North, West Ruislip

SUMMARY

The Licensing Service has received and processed applications for the renewal of temporary street trading licences - tables & chairs for a six month period from the date of the meeting.

RECOMMENDATION

To APPROVE the renewal of the temporary Street Trading Licences – Tables & Chairs for each reported trader identified in Appendix 1 for a period of 6 months the date of the meeting.

ALTERNATIVE OPTIONS

- A. To approve the renewal of the licences for a further time limited period of less than 6 months – time period to be specified by the Sub-Committee or;**
- B. To refuse to approve the renewal of the street trading licences**

INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The applications listed in Appendix 1 are for the renewal of temporary Street Trading Licence - Tables & Chairs.
3. The licences issued will be temporary Street Trading licences lasting for six months from date of issue.
4. The Licensing Service has examined all documentation accompanying the applications. Copies of the relevant documentation supplied by each trader will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing
5. The Licensing Service is satisfied that each application complies with the London Borough of Hillingdon's Street Trading Licence Terms & Conditions and the legislation.
6. The Licensing Service confirms that it does not have any objection to the grant of the licence.
7. The Licensing Service confirms the proposed trading activities allow sufficient space of two (2) metres on the pavement for pass and re-pass by pedestrians, which exceeds minimum requirements under the Disability Discrimination Act 1995.

8. On 05/01/2011 correspondence confirming the Committee meeting was despatched to the relevant traders. They were advised by the Licensing Service by post of the date and time of the Sub-Committee meeting at which their application to renew their Street Trading licence – Tables & Chairs would be considered. Copies of this correspondence will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
9. The correspondence also advised the traders of their right to attend the hearing and make written or verbal representations at the hearing.
10. Additionally, the traders were advised via correspondence that the application would be decided in their absence in the event that Democratic Services were not notified of the trader's intention to attend and/or address the Sub-Committee.
11. In light of the traders' compliance with Street Trading Licence Terms & Conditions, the Licensing Service is not aware of any reason to refuse to approve the licence or issue a licence for a period of less than 6 months.

LEGAL COMMENTS

12. This report recommends that the street trading licences as attached at Appendix 1 be renewed in accordance with Section 25(1) of the London Local Authorities Act 1990 (as amended) – ("the Act").
13. An application for the renewal of a street trading licence should be made not later than two months before the date on which the existing licence will cease to be valid. This time period may be shortened if the Local authority considers it reasonable to do so.
14. 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.
15. 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.
16. As at 26 February 2010, all public pavements immediately in front of any shop within the London Borough of Hillingdon has 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 Licence Terms and Conditions

NAME : Mr Patrick Pittard – Baroosh
LICENCE TYPE AND PERIOD : Temporary Street Trading Licence (Tables & Chairs) - Six months
LOCATION : 162 High Street Uxbridge UB8 1JZ
COMMODITY : Tables & Chairs
Uxbridge North

Correspondence to
McMullen & Sons, Ltd
The Hertford Brewery
26 Old Cross
Hertford SG14 1RD

NAME : Mr Paul Barker – Cinnamon Square
LICENCE TYPE AND PERIOD : Temporary Street Trading Licence (Tables & Chairs) - Six months
LOCATION : 93 High Street Ruislip HA4 8JB
COMMODITY : Tables & Chairs
West Ruislip