

APPLICATION FOR TEMPORARY STREET TRADING LICENCE – SHOP FRONT

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

SUMMARY

The Licensing Service has received and processed an application for a new temporary street trading licence – shop front, for a six month period.

RECOMMENDATION

To APPROVE the issue of a temporary Street Trading Licence – Shop Front for the reported trader identified in Appendix 1 for a period of 6 months from date of the meeting.

ALTERNATIVE OPTIONS

- A. To approve the issue of the licence for a further time limited period of less than 6 months – time period to be specified by the Sub-Committee.**
or;
- B. To reject the application for a temporary street trading licence - shop front.**

INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated by the London Local Authorities Act 1990 (as amended).
2. The application listed in Appendix 1 is for a new temporary street trading licence - shop front.
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 application. Copies of the relevant documentation supplied by the trader will be available to be viewed by Councillors at the Licensing Sub-Committee Hearing.
5. The Licensing Service is satisfied that the application complies with the London Borough of Hillingdon's Street Trading Licence Terms & Conditions and the legislation.
6. The Licensing Service confirms that it 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 – Shop Front 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 trader was 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 Annexure 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 : Nr Nachhattar Singh – t/a Hargiopal Plumbing & Electric
LICENCE TYPE AND PERIOD : Temporary Street Trading Licence (Shop Front) - Six Months
LOCATION : 149 North Hyde Road Hayes UB3 4NS
COMMODITY : Plumbing Equipment
Pinkwell