

RENEWAL OF PERMANENT STREET TRADING PITCH LICENCES

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – Ext 7232
Papers with report	Appendix 1
Ward(s) affected	Uxbridge South

SUMMARY

The Licensing Service has received and processed application for the renewal of permanent Street Trading pitch licence for the period from 1st April 2011 to 31st March 2012.

RECOMMENDATION

To APPROVE the renewal of the permanent Street Trading Pitch Licences for each reported trader identified in Appendix 1 for a period of 1 year from 1st April 2011.

ALTERNATIVE OPTIONS

A. Refuse to approve the renewal of the licence.

INFORMATION

1. Street trading activity within the London Borough of Hillingdon is regulated under Part III of the London Local Authorities Act 1990 (as amended).
2. The applications listed in Appendix 1 are for the renewal of permanent Street Trading Pitch licences.
3. The licence if issued will be Permanent licences lasting for a duration of 1 year from the 1st April 2011
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 the application complies with the London Borough of Hillingdon's Street Trading Licence Terms & Conditions and the above legislation.
6. The Licensing Service confirms that it does not have any objection to the grant of the licences.
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 1st February 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 pitch trading licence 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, traders have been 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 revoke the licence or issue a licence for a period of less than 1 year.

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 Colin Baird
LICENCE TYPE AND PERIOD	:	Street Trading-Pitch-1 year
LOCATION	:	High Street, Uxbridge
COMMODITY	:	Balloons

Correspondence Address:

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Hayes

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