

RENEWAL OF PERMANENT STREET TRADING PITCH LICENCES

Committee	Licensing Sub Committee
Officer Contact	Stephanie Waterford – 01895 277232
Papers with report	Appendix 1
Ward(s) affected	Eastcote & East Ruislip, Botwell, Townfield

SUMMARY

The Licensing Service has received applications for the renewal of permanent Street Trading pitch licences 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 trader identified in Appendix 1 for a period of 1 year from 1st April 2011.

ALTERNATIVE OPTIONS

A. Refuse 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 is for the renewal of permanent Street Trading Pitch licence.
3. The licences if issued will be a Permanent licence lasting for a duration of 1 year from the 1st April 2011
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 applications comply 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 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. The applicants were sent notice of hearing on 21st February 2011.
9. 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

10. 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”).
11. 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.
12. 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.
13. 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.
14. 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 L Sivell
 LICENCE TYPE AND PERIOD : Permanent Licence – 1 Year
 LOCATION : Field End Road, Eastcote.
 COMMODITY : Fresh Fish
Eastcote & East Ruislip

NAME : Mrs G Willingham
 LICENCE TYPE AND PERIOD : Permanent Licence – 1 Year
 LOCATION : FPump Lane, Hayes
 COMMODITY : Hot & Cold Food
Botwell

NAME : Mr S Thompson T/A Grub Tub
 LICENCE TYPE AND PERIOD : Permanent Licence – 1 Year
 LOCATION : Pasadena Close, Hayes
 COMMODITY : Hot & Cold Food
 Townfield