

NORTH LINCOLNSHIRE COUNCIL

LICENSING (MISCELLANEOUS) SUB COMMITTEE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**APPLICATION FOR GRANT OF STREET TRADING CONSENT
KAREN COULTARD, LAKESIDE PARKWAY (SOUTH)**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request the Sub-Committee determine an application for a Street Trading Consent for Ms Karen Coultard.

2. BACKGROUND INFORMATION

- 2.1 This Licensing (Miscellaneous) Sub-Committee is authorised to determine applications for the grant, transfer, renewal or revocation of Street Trading Consents.
- 2.2 An application for a Street Trading Consent was received by Karen Coultard on 15 May 2008. A copy of the application is shown as Appendix A to this report. The applicant has had an occasional street trading consent to trade on this site which expired December 2007.
- 2.3 The site is situated on Lakeside Parkway, between the mini-roundabout and the access junction to the Anchor Public House. A location plan is attached to this report as Appendix B.
- 2.4 The applicant wishes to trade from 9.00 am to 4.00 pm, Monday to Sunday, selling handmade Christmas wreaths from a van/trailer, parked on the roadside.
- 2.5 In accordance with Section 3(6)(a), Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, "...the council may refuse an application on the grounds that there is not enough space in the street for the application to engage in the trading in which he desires to engage without causing undue interference or inconvenience to persons using the street".

- 2.6 Due to the concerns raised by the Casualty Reduction Officer, Humberside Police regarding the application, the Licensing Division decided that the application be determined by the Licensing (Miscellaneous) Sub-Committee.
- 2.7 The legislation also allows the Licensing Authority to attach Conditions to a Street Trading Consent.
- 2.8 Reports will be updated at the meeting if necessary to take account of any additional relevant information received after publication.
- 2.9 Members should not allow themselves to pre-determine or to be prejudiced in favour of or opposed to the application until they have had an opportunity to consider all the pertinent facts.
- 2.10 Members should not allow themselves to pre-determine or to be prejudiced in favour of or opposed to the application until they have had an opportunity to consider all the pertinent facts.

3. OPTIONS FOR CONSIDERATION

- 3.1 The options available to the Committee under the Local Government (Miscellaneous Provisions) Act 1982 when considering such applications are as follows:
 - 3.1.2 Option 1 – To grant the application for a Street Trading Consent as applied for with no additional conditions.
 - 3.2.2 Option 2 – To grant the application for a Street Trading Consent subject to different terms, conditions or restrictions.
 - 3.2.3 Option 3 – To refuse the application for a Street Trading Consent.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – To grant the application for a street trading consent could cause road safety issues due to the changes in the road layout.
- 4.2 Option 2 – Granting the application subject to alternative conditions would not address the issues concerning the change in the road layout.
- 4.3 Option 3 – To refuse the application may be the most appropriate option due to the change in the road layout.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no resource implications

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Local Government (Miscellaneous Provisions) Act 1982.

7. OUTCOMES OF CONSULTATION

7.1 Not applicable.

8. RECOMMENDATIONS

8.1 That the application be determined in accordance with the options outlined at paragraph 3.1 and the analysis at paragraph 4.above, taking into account information received by Humberside Police, Casualty Reduction Officer, shown as Appendix C to this report.

SERVICE DIRECTOR NEIGHBOURHOOD AND ENVIRONMENT

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Background Papers used in the preparation of this report: -
Application file, except information protected by the Data protection Act.