

**NORTH LINCOLNSHIRE COUNCIL**

**LICENSING (MISCELLANEOUS) SUB COMMITTEE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**APPLICATION FOR GRANT OF STREET TRADING CONSENT  
FROM MR JEFFREY HEALY**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To request the Committee determines an application for a Street Trading Consent for Mr Jeffrey Healy.

**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 Jeffrey Healy on 28 January 2010. A copy of the application, including site plans are shown as Appendix 1 to this report.
- 2.3 The applicant wishes to trade from his van selling hot food, specifically fish & chips, for up to 2 hours, one night a week, in specific villages in the Isle of Axholme.
- 2.4 There are three sites indicated on the application, where the applicant wishes to trade, which includes:
- |                           |   |                            |
|---------------------------|---|----------------------------|
| High Street, Eastoft      | = | 16:30 hours to 19:30 hours |
| West End, Garthorpe       | = | 17:00 hours to 19:00 hours |
| Meredyke Road, Luddington | = | 17:00 hours to 19:00 hours |
- 2.5 To assist Members to show the area surrounding each site, a location plan (showing the proposed highlighted in pink) is provided at Appendix 4.
- 2.6 The applicant sought the advice of the Licensing Division regarding how best to apply to trade in this manner, and was advised that he would either have to apply for a consent for each site, or as an itinerant, but seek approval from the Licensing (Miscellaneous) Sub

Committee, to act otherwise than in accordance with Condition 6 of the Street Trading Consent Conditions. A copy of the conditions is attached to this report at Appendix 2.

- 2.7 Street Trading Condition 6 states that '*Itinerant street traders, i.e. those who move from place to place, shall not remain for more than one half hour in any street*'.
- 2.8 The legislation allows the Licensing Authority to attach Conditions to a Street Trading Consent.
- 2.9 The legislation allows the Licensing Authority at any time, to vary the conditions of a street trading consent.
- 2.10 Reports will be updated at the meeting if necessary to take account of any additional relevant information received after publication.
- 2.11 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 as applied for with no additional conditions.
  - 3.2.2 Option 2 – To grant the application subject to different terms, conditions or restrictions.
  - 3.2.3 Option 3 – To refuse to grant the application.

### **4. ANALYSIS OF OPTIONS**

- 4.1 None.

### **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 The application was drawn to the attention of the Council's Highways Section for its consideration. No response has been received to date.
- 7.2 The application was drawn to the attention of the Humberside Police Casualty Reduction Officer, for his consideration. He has responded and has no concerns other than 'normal' road safety issues. His response is attached to this report at Appendix 3.

## **8. RECOMMENDATIONS**

- 8.1 That the application be determined in accordance with the options outlined at paragraph 3 above, taking into account the comments made.

## **SERVICE DIRECTOR NEIGHBOURHOOD AND ENVIRONMENT**

The Angel  
BRIGG  
North Lincolnshire

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Date: 22 February 2010

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