

NORTH LINCOLNSHIRE COUNCIL

LICENSING (MISCELLANEOUS) SUB COMMITTEE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**APPLICATION FOR GRANT OF STREET TRADING CONSENT
KAREN COULTARD, LAND OFF A18 QUEENSWAY (WEST)
(NEAR LAKESIDE RETAIL PARK)**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request the Committee determines an application for a Street Trading Consent for Mrs 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 14 October 2009. A copy of the application is shown as Appendix A to this report.
- 2.3 The site in which the applicant wishes to trade is identified on the plan attached to the application at Appendix A.
- 2.4 The site is situated on council owned land located to the rear of the Homebase store, on an area facing the A18 Queensway (west). The land consists of a open storage area and accessed via a 'layby' off the Queensway. An area location plan is attached to this report as Appendix B.
- 2.5 The applicant wishes to trade from a vehicle from 9.00 am to 4.00 pm, Monday to Sunday within the month of December 2009, selling holly wreaths.
- 2.6 Due to the concerns raised by the Council's Principal Traffic Officer regarding the application, the application is to 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 may cause road safety issues as raised.
- 4.2 Option 2 – Granting the application subject to alternative conditions may not address the issues raised.
- 4.3 Option 3 – To refuse the application in view of the issues raised from the Council's Highways Section.

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 Humberside Police Crime Reduction Officer, for his consideration. He responded that he has no objections to the application.
- 7.2 The application was drawn to the attention of the Council's Asset Management's (Commercial) Section for their consideration, as the trading site is located on council owned land. They responded that they have achieved agreement to occupy in principle, and have no major objections to the application.
- 7.3 The application was drawn to the attention of the Council's Highways Section for their consideration. The Principal Traffic Officer has objected to the application on the grounds of road safety. A copy of his response is attached to this report at Appendix C.

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 Principal Traffic Officer, shown as Appendix C to this report.

SERVICE DIRECTOR NEIGHBOURHOOD AND ENVIRONMENT

The Angel
BRIGG
North Lincolnshire

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Background Papers used in the preparation of this report: -

Application file, except for information protected by the Data protection Act.