

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
STREET TRADING LICENCES**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To propose a change to the current scheme of delegation when determining applications for Street Trading Licences.

2. BACKGROUND INFORMATION

- 2.1 Street Trading is controlled in accordance with the provisions contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The legislation is adoptive and allows for streets to be designated as either "licence streets" or "consent streets".
- 2.2 All of the streets within North Lincolnshire have been designated as either consent streets or licence streets. The licence streets are in the pedestrianised areas. These streets are identified in Appendix A of the Street Trading, Activities and Collections Policy. A copy of this policy is attached as Appendix A to this report.
- 2.3 The current scheme of delegation for a street trading licence specifies that all applications must be determined by the Licensing (Miscellaneous) Sub-Committee. It is proposed to change this delegation to allow the Licensing Manager, or the Head of Trading Standards and Licensing in his absence, to determine non-contentious applications and applications for the renewal of street trading licences. Where there is a doubt about the suitability of an application or an objection against a street trading licence application, then it would still be referred to the Licensing (Miscellaneous) Sub-Committee for determination.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – To maintain the scheme of delegation as it currently stands.

- 3.2 Option 2 – To accept the proposed change to the scheme of delegation and allow the Licensing Manager or the Head of Licensing and Trading Standards in his absence to determine non-contentious applications.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – Maintaining the current policy means that a Licensing (Miscellaneous) Sub-Committee needs to be arranged every time an application is received.
- 4.2 Option 2 – Where non-contentious applications are received then it would be more cost effective for the application to be determined by the Licensing Manager or the Head of Trading Standards and Licensing. Any application where an objection is received or where there is a doubt about the suitability of the location or goods to be traded would still be referred to the committee for determination.

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

- 5.1 There are no financial, staffing, property or IT implications from this report.

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

- 6.1 Statutory – Applications need to be determined in accordance with the scheme of delegation and in accordance with the Provisions of service Regulations 2009. These regulations state that applications must be determined within a specified timescale.

7. OUTCOMES OF CONSULTATION

- 7.1 No consultation has been carried out regarding this report.

8. RECOMMENDATIONS

- 8.1 That the scheme of delegation be reviewed in accordance with the options presented in this report.
- 8.2 That, if agreed, the scheme of delegation be referred to a meeting of the Council to approve the delegation contained within the report.

DIRECTOR OF PLACES

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Background Papers used in the preparation of this report – Deregulation Bill