

NORTH LINCOLNSHIRE COUNCIL

LICENSING (MISCELLANEOUS) SUB COMMITTEE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**APPLICATION FOR GRANT OF STREET TRADING CONSENT
PETER KEANE (T/A COFFEE REPUBLIC), COLE STREET, SCUNTHORPE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request the Committee determine an application for a Street Trading Consent for Peter Keane.

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 This Street Trading application was put before the Sub-Committee on the 30 June 2009. The applicant did not attend due to an administration error, and the Committee requested the report be deferred to the next Sub-Committee.
- 2.3 An application for a Street Trading Consent was received from Peter Keane on 18 May 2009. A copy of the application is shown as Appendix 4A to this report.
- 2.4 A letter of support accompanied the application. A copy is attached as Appendix 4B to this report.
- 2.5 The site is situated on Cole Street, on the pedestrianised area. A location plan is attached to this report as Appendix 4C.
- 2.6 The applicant wishes to trade from 11.00 am to 7.00 pm, Monday to Sunday, selling ice cream and ice lollies from an ice cream van. A photograph of the van is attached to this report as Appendix 4D.
- 2.7 There is a Street Trading & Collections Policy in place. This is currently under review and we are looking at relaxing the process and permissions by allowing

street trading in designated areas of the High Street. The consultation process has not yet commenced.

- 2.8 The current policy states that it is the general policy to refuse applications where a trader wishes to trade in the pedestrianised areas of Scunthorpe High Street. Any applicant who wishes to trade in these areas should provide the Sub-Committee with such reasons why this policy should not be adhered to (Part 1, s14).
- 2.9 The legislation also allows the Licensing Authority to attach Conditions to 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 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 as applied for could cause access problems due to restriction on access to this pedestrian zone, before 10.00am.
- 4.2 Option 2 – Granting the application subject to alternative conditions would address the issue of access.
- 4.3 Option 3 – To refuse the application may be the most appropriate option as the Policy is currently under review.

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 A consultation process has taken place. Responses have been received from Humberside Police, Tourism & Town Centre Management, Highways & Transportation and Neighbourhood Services. These are attached to this report as Appendices 4E, 4F, 4G and 4H respectively.

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 from the consultation process, shown as Appendix E, F, G and H to this report.

SERVICE DIRECTOR NEIGHBOURHOOD AND ENVIRONMENT

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Date: 14 July 2009

Background Papers used in the preparation of this report: -

Application file, Street Trading and Collections Policy, except for information protected by the Data Protection Act.