

REVIEW OF STREET TRADING CONSENT – TINY WORLD

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1. Purpose

1.1 To review a one hour street trading consent in respect of Oldbrook Boulevard, Oldbrook granted to 'Tiny World' for one hour a day between 5pm and 6pm.

1.2 Recommendation

1.3 To allow the existing consent to continue in its current state (as per Annex A) until its 12 month renewal in February 2012 unless trading beyond permitted hours is substantiated.

2. Details and Outcomes

2.1 The Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – Street Trading, that allows streets to be designated as 'Prohibited' or 'Consent' for street trading purposes. Oldbrook Boulevard is designated as a 'consent' street. This means trading on this adopted highway or within 60 metres of its centre line is only permitted if a valid Consent is held by the trader.

2.2 Consent was granted in February 2011 subject to a four month review. The reasons for these centred on concerns about the location re safety and the objection received from the Police and others.

2.3 The Licensing team has consulted the following in respect of this review: Thames Valley Police (no objection); Highways (no comment); Estates (no objection); Fire Authority (no comment); Ward Members (no comment); other traders on the same road – no comment; Campbell Park Parish Council – no comment; Environmental Health (no objection); Road Safety – no comments; Safer Communities Unit – no comments

2.4 There were some reports of trading beyond hours following the grant of the consent but no complaints have been received for some time. There are no adverse comments received as part of the consultation. An update report will be given at the meeting to summarise site visits made to update the Committee on trading hours.

3. Implications

3.1 Policy

Regulatory Services has an Enforcement Policy that endorses this proportionate approach.

3.2 Resources and Risk

The application fees for street trading take account of potential enforcement activities.

3.3 Legal

Paragraph 9(5) details that when refusing a consent the Council shall remit or refund as they consider appropriate the whole or any part of any fee paid (in this case £225).

There is no appeal against the decision to refuse or grant a street trading consent but a trader could reapply if refused or a consent be revoked if problems occur

Background Papers: Regulatory Committee minute RC31 (16th February 2011);