

	AGENDA ITEM NO.
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Report Cover Sheet

Name of Meeting:	Regulatory Committee
Date of Meeting:	2nd January 2008
Report Title:	Application for a street trading consent
Summary of report:	To consider an application for a street trading consent to sell jacket potatoes in market Square, Warwick
For Further Information Please Contact (report author):	David Davies, Licensing Services Manager, Members' Services. Tel: 01926 456107. david.davies@warwickdc.gov.uk
Would the recommended decision be contrary to the Policy Framework:	No
Would the recommended decision be contrary to the Budgetary framework:	No
Wards of the District directly affected by this decision:	No
Key Decision?	No
Included within the Forward Plan?	No
Is the report Private & Confidential	No
Background Papers:	None

Consultation Undertaken

Below is a table of the Council's regular consultees. However not all have to be consulted on every matter and if there was no obligation to consult with a specific consultee they will be marked as n/a.

Consultees	Yes/ No	Who
Other Committees	n/a	
Ward Councillors	n/a	
Portfolio Holders	Yes	Councillor Kinson
Other Councillors	n/a	
Warwick District Council recognised Trades Unions	n/a	
Other Warwick District Council Service Areas	n/a	
Project partners	n/a	
Parish/Town Council	n/a	
Highways Authority	n/a	
Residents	n/a	
Citizens Panel	n/a	
Other consultees	n/a	

Officer Approval

With regard to officer approval all reports must be approved by the report author's relevant director, Finance Services and Legal Services.

Officer Approval	Date	Name
Relevant Director(s)	10/12/2007	Robert Inman
Chief Executive		n/a
CMT		n/a
Section 151 Officer		n/a
Legal	10/12/2007	Simon Best
Finance	10/12/2007	Gary walker
Final Decision?		No
Suggested next steps (if not final decision please set out below)		

1. **RECOMMENDATION**

- 1.1 Members are asked to consider an application for a street trading consent for the sale of jacket potatoes in Warwick Market Square.
- 1.2 Members are asked to modify the scheme of delegation regarding street trading consents.

2. **REASONS FOR THE RECOMMENDATION**

- 2.1 Anyone who exposes goods for sale within the District needs a street trading consent issued by the Council.
- 2.2 Mr Giles Massey, 1, Spencer Street, Leamington Spa has applied for a street trading consent in order that he may sell jacket potatoes. The consent, if granted would permit him to trade in all streets in the District. However, Mr Massey has requested on his application form to trade in Market Square, Warwick.
- 2.3 On receipt of the application, officers consulted with the Chief Officer of Police, the Highways Authority and the Council's Town Centre Managers.
- 2.4 The Highways Authority had no objection and the police did not respond. Adrian Field, Warwick Town Centre Manager made a representation against the granting of the consent for Warwick Market Place. (Appendix 1)
- 2.5 Mr Massey has had a meeting with Adrian Field to discuss the matter. Adrian Field is still against the granting of the consent (Appendix 2)
- 2.6 Mr Massey has responded by letter (Appendix 3)
- 2.7 Adrian Field and Mr Massey have been invited to attend the meeting.
- 2.7 Decision required.

The Committee are requested to either reject or accept the application from Mr Massey for a street trading consent to sell jacket potatoes in Warwick Market Square.

- 2.8 Decision required.

Should the Committee decide not to allow the grant of the consent, officers suggest that a condition is added to all consents issued prohibiting the use of Market Square Warwick at any time. The Council is empowered to add conditions under the Local Government (Miscellaneous Provisions) Act 1982.

- 2.9 Decision required.

At present, officers may grant a street trading consent, but have no powers in the scheme of delegation to reject one. Officers recommend a change to the scheme of delegation to allow the spokespersons to be consulted in the event of

representations being received against a street trading consent application. If, after a period of 5 days, the Spokespersons did not reply to the contrary, the consent would be granted. If one or more responded that they were not in favour of the application, the matter would be put before the entire Committee.

3. ALTERNATIVE OPTIONS CONSIDERED

3.1 No alternatives may be considered.

4. BUDGETARY FRAMEWORK

4.1 This report has no budgetary considerations for the Council.

5. POLICY FRAMEWORK

5.1 None