

Licensing Act 2003 Sub-Committee

22 JUNE 2017

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Street Trading Consent – Susan Clark

Final Decision-Maker	Licensing Committee
Head of Service	John Littlemore, Head of Housing and Community Services
Report Author	Lorraine Neale, Senior Licensing Officer
Classification	Non-exempt
Wards affected	Harrietsham

This report makes the following recommendations to the final decision-maker:

1. That Members give consideration to the application for a street trading consent by Susan Clark taking into account the consultation representation (Appendix B)

This report relates to the following corporate priorities:

- Securing a successful economy for Maidstone Borough -

Timetable

Meeting	Date
Licensing Act 2003 Sub-Committee	22 June 2017

Street Trading Consent – Susan Clark

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 That Members give consideration to the application for a street trading consent by Susan Clark (Appendix A) taking into account the consultation representation (Appendix B)
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2. INTRODUCTION AND BACKGROUND

- 2.1 On the 12 April 2017 Susan Clark made an application for a new street trading consent to sell burgers, rolls and other snacks from a mobile van in Victoria's nightclub car park, Harrietsham, Maidstone. The application also includes a letter of permission from Victoria's nightclub for Susan Clark to site herself in their car park. The days and hours of operation she has applied for are Monday to Friday from 7.30 to 15.30. (Appendix A).
- 2.2 Consultations have been carried out, responses were received from the following and no objections have been received:-

Kent Police
Environmental Enforcement

- 2.3 The consultation took place for 14 days from 13 April until 27 April 2017 and one representation was received.
 - 2.4 The objection was received on 24 April 2017 from Harrietsham Parish Council , their main concern is that the siting of the van in the nightclub car park will cause highway safety issues on a busy trunk road (Appendix B).
 - 2.5 On the 3 May 2017, the Head of Housing and Community Services wrote to Susan Clark informing her that he was unable to determine the application due to the objection received and informed her of her right to be heard by the Sub-Committee if she wished to do so. In an e-mail from Susan Clark (Appendix C) received on 8 May 2017 she has confirmed that she wishes for the matter to come before the Sub-Committee.
 - 2.6 On the 17 May 2017, Susan Clark supplied documents in support of her application and these are attached as Appendix D.
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3. AVAILABLE OPTIONS

- 3.1 To grant the consent
 - 3.2 To grant the consent with additional/specific conditions attached
 - 3.3 To refuse grant
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The application for consent should be determined as to fail to do so would not meet legal requirements and could be challenged.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The required 14 day consultation with all relevant parties and local business for the additional items took place from 13 April until 27 April 2017 and one representation was received as a result of that consultation.
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6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities		[Head of Service or Manager]
Risk Management		[Head of Service or Manager]
Financial		[Section 151 Officer & Finance Team]
Staffing		[Head of Service]
Legal		[Legal Team]
Equality Impact Needs Assessment		[Policy & Information Manager]
Environmental/Sustainable Development		[Head of Service or Manager]
Community Safety		[Head of Service or Manager]
Human Rights Act		[Head of Service or Manager]
Procurement		[Head of Service & Section 151 Officer]
Asset Management		[Head of Service & Manager]

7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A Application form
 - Appendix B Copy of objection
 - Appendix C Susan Clark Appeal e-mail
 - Appendix D Susan Clark supporting documentation
 - Appendix E Street Trading Policy
 - Appendix F Hearing Procedure
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8. BACKGROUND PAPERS

None