

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

17 FEBRUARY 2011

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Report prepared by Lorraine Neale

1. STREET TRADING CONSENT – MR M GREENFIELD

1.1 Issue for Decision

- 1.1.1 To consider an application made by Mr Greenfield for consent to trade at the site of Ethos Public House Courtyard, Maidstone off King Street to sell Christmas paper from a stall.

1.2 Recommendation of the Head of Democratic Services

- 1.2.1 That Members give consideration to an application received for a street trading consent received from Mr M Greenfield.

1.3 Reasons for Recommendation

- 1.3.1 Mr Greenfield made enquiries on 26 October 2010 as to how to acquire Street Trading Consent and he also submitted a letter from Ethos offering a contract of employment to run a stall from their forecourt. (Appendix A)
- 1.3.2 On 1 November 2010 Mr M Greenfield made an application for consent to sell Christmas paper from a stall in the courtyard area of Ethos Public House, Maidstone. The days and hours of operation are Monday to Sunday from 9.00 a.m. to 6.00 p.m. (Appendix B).
- 1.3.3 In accordance with the Councils Street Trading Policy the following were consulted on Mr Greenfields application:-

Development Control Planning
Kent Highways
Property Services
Environmental Health
Kent Police

Local Ward Members

- 1.3.4 The only objection received was from Councillor Mrs Wilson and her objection is attached at (Appendix C)
- 1.3.5 On 30 November 2010, Mr Greenfield was informed that it was not possible to determine the application due to the objection received and then informed him of his right to be heard by Committee if he wished to do so in accordance with the Council’s Street Trading policy. Mr Greenfield indicated that he wished for the matter to come before the Committee.

1.4 Alternative Action and why not Recommended

- 1.4.1 The Committee needs to consider the application in accordance with our Street Trading Policy.

1.5 Impact on Corporate Objectives

- 1.5.1 There is no impact on Corporate Objectives

1.6 Risk Management

- 1.6.1 There are no Risk Management issues

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	
3.	Legal	X
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

- 1.7.2 A refund will be required in the event of an unsuccessful application

1.7.3 The Council has an agreed Street Trading Policy which stipulates that any application receiving an objections must be referred to Committee for decision.

1.8 Relevant Documents

1.8.1 Appendices

- Appendix A Letter from Ethos referring to Contract
- Appendix B Application form
- Appendix C copy of Objection
- Appendix D Hearing Procedure

1.9.1 Background Documents

The application from Mr Greenfield and other correspondence held in files in the Licensing Section.

<u>IS THIS A KEY DECISION REPORT?</u>			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, when did it first appear in the Forward Plan?			
.....			
This is a Key Decision because:			
.....			
Wards/Parishes affected:			
.....			