
REPORT TO:	Environmental and Development Services– Committee	AGENDA ITEM: 16
DATE OF MEETING:	30th January 2003	CATEGORY: DELEGATED
REPORT FROM:	ENVIRONMENTAL HEALTH MANAGER	OPENPARAGRAPH NO:
MEMBERS' CONTACT POINT:	Carl Jacobs 595717	DOC:
SUBJECT:	Application for trade of ice cream vehicle in consent area	REF: c:\myfiles\com\ES\
WARD(S) AFFECTED:	Swadlincote Ward	TERMS OF REFERENCE: ES13

1.0 Recommendations

- 1.1 That the committee approves or rejects the application for a mobile ice cream vehicle to trade within the town centre.

2.0 Purpose of Report

- 2.1 This committee item was previously taken before the Licensing Sub Committee but it was considered by them that it needed to come before the Environment and Development Committee as it could be amending a previous committee decision that no further trade consents would be granted in the controlled area.

Mr A Blakemore has requested to trade on the High Street within the town centre via a mobile ice cream vehicle. The area in which Mr Blakemore wishes to trade is a consent area as controlled by virtue the Local Government (Misc) Provisions Act 1982 and Committee minute ES/90 of the 17th January 1991.

3.0 Detail

- 3.1 Mr Blakemore, the applicant believes that the provision of a Ice Cream Vehicle situated in the Town centre would be an asset to both trade and the public. It proposed by him that he trades between April to October each year. Mr Blakemore's letter also states that approval of this application would provide employment for his son.
- 3.2 The legislation allows the Council to grant a consent if they think fit. Conditions may be attached to the consent which may include requirements to prevent obstruction of the street, danger to persons using it or nuisance or annoyance.
- 3.3 A consent may be issued for any period up to 12 months and may be revoked at any time. No right of appeal exists in the Act against refusal by the Council to grant consent or against any conditions.

3.4 At present consent is only granted to a hot dog stall on a site in Midland Rd and a hot potato vendor who stands regularly in the High Street. All other applications for trading in this consent area has so far been refused.

3.5 The areas covered by the consent area are as follows :-
"The whole of Midland Rd, Church Street, Civic Way, Belmont Street, Grove Street, High St, Hill St, Market Street, and Alexander Rd southwards to its intersection with Hastings Rd and West Street – westwards to its junction with Civic Way, all in Swadlincote Ward".

4.0 Financial Implications

4.1 None

5.0 Conclusions

5.1 The committee are asked to grant or refuse the licence application from Mr Blakemore for trading in the consent area.

6.0 Background Papers

6.1 Copy letter from Mr Blakemore