
REPORT TO:	Environmental and Development Services– Committee	AGENDA ITEM: 7
DATE OF MEETING:	14 th April 2005	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 rejects the application for a mobile ice cream vehicle to trade within the town centre as this application shows no material benefits over and above recent similar applications that the committee has refused.
- 1.2 That the committee agrees for the Licensing Section to undertake a review of the present provision of the consent areas and to take into consideration any future development of the High Street.

2.0 Purpose of Report

- 2.1 A request has been received from Mr George Mazzitelli applying for permission to trade via a mobile food trailer on Swadlincote shopping parade either opposite Woolworths or within the Delph area.
- 2.2 Previous applications for such licences in the consent area have been refused by Committee and only Committee can authorise or refuse such applications.
- 2.3 The Committee may wish to reconsider its position and undertake a review of the street consents as a consequence of the proposed development of the High Street area and look at whether a reduction or an increase of street traders would enhance or detract from facilities available to the public.

3.0 Detail

- 3.1 The Environmental Services Committee agreed its present policy on the 28th February 1991 in order to stop the proliferation of the High Street by Street Traders.
- 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 have 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".

Review of the Street Trading Consents

- 3.6 The public, local residents and shop keepers could be canvassed to determine that if in their opinion, there are types of mobile food traders who would add benefit to the facilities available on the High Street or existing mobile traders that actually detract from the High Street and should be removed.
- 3.7 If a specific trade is identified, the Council may then advertise for applications from such traders and consider them on the added value that they may provide to the High Street Scene.
- 3.8 Consideration of the fees charged for Mobile Vehicles would also be included in the review, taking into account fees charged by neighbouring and similar sized authorities.
- 3.9 The review results would be brought back to this Committee for consideration.
- 3.10 If no Mobile Vehicles are highlighted as adding any value to the High Street this would enhance the Councils present position in not allowing any additions to the High Street of Mobile Catering Vehicles

4.0 Financial Implications

- 4.1 None

6.0 Background Papers

1. Copy letters from Mr Mazzitelli