

Public Document Pack



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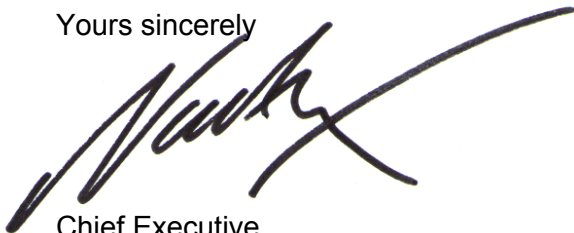
4 March 2019

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **REGULATORY COMMITTEE** will be held in the Council Chamber at these Offices on Tuesday 12 March 2019 at 10.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Jemma Duffield on (01304) 872305 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely



Chief Executive

Regulatory Committee Membership:

B W Butcher (Chairman)
P S Le Chevalier (Vice-Chairman)
P M Brivio
B Gardner
D P Murphy

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointment of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES** (Pages 5 - 6)

To confirm the attached Minutes of the meeting of the Committee held on 11 December 2018.

PROCEDURE FOR HEARING (Pages 7 - 12)

The procedures for the Hearing are attached.

5 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES** (Pages 13 - 22)

To consider the attached report of the Licensing Team Leader.

6 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - APPLICATION FOR STREET TRADING CONSENT** (Pages 23 - 44)

To consider the attached report of the Licensing Team Leader.

7 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 45)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

8 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE** (Pages 46 - 64)

To consider the attached report of the Licensing Team Leader.

9 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE** (Pages 65 - 85)

To consider the attached report of the Licensing Team Leader.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Jemma Duffield, Democratic Services Officer, telephone: (01304) 872305 or email: democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest**Disclosable Pecuniary Interest (DPI)**

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 11 December 2018 at 2.00 pm.

Present:

Chairman: Councillor B W Butcher

Councillors: P S Le Chevalier
B Gardner
D P Murphy

Officers: Contentious and Regulatory Lawyer
Licensing Enforcement Officer
Democratic Services Officer

23 APOLOGIES

An apology for absence was received from Councillor P M Brivio.

24 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

25 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

26 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor B Gardner, duly seconded and

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the Act.

27 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Committee considered the report of the Licensing Team Leader on an application for a Joint Hackney Carriage and Private Hire Driver's Licence where an Enhanced Disclosure from the Disclosure and Barring Service (DBS) had shown previous convictions that were relevant to the decision as to the applicant's suitability as a fit and proper person to hold a licence to drive a taxi in the Dover district.

In accordance with the approved procedure Members offered the applicant the opportunity to present evidence concerning the circumstances surrounding the convictions.

The Committee withdrew to consider its decision and upon resuming the Contentious and Regulatory Lawyer explained that she had advised the Committee in relation to the Council's Policy guidelines and Sections 51 and 59 of the Local

Government (Miscellaneous Provisions) Act 1976 in so far as they related to the applicant's suitability as a fit and proper person.

RESOLVED: That the application for a Joint Hackney Carriage and Private Hire Driver's Licence be refused on the basis that the applicant was not currently considered a fit and proper person to be granted a licence under Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976.

28 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Committee considered the report of the Licensing Team Leader on an application for a Joint Hackney Carriage and Private Hire Driver's Licence. An enhanced disclosure from the Disclosure and Barring Service had shown previous convictions that were relevant to the decision as to the applicant's suitability as a fit and proper person to hold a licence to drive a taxi in the Dover district.

In accordance with the approved procedure, Members offered the applicant and his representative the opportunity to present evidence concerning the circumstances surrounding the convictions.

The Committee then withdrew to consider its decision. Upon resuming the Contentious and Regulatory Lawyer explained that she had advised the Committee in relation to the Council's policy on the relevance of convictions to applications and Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 in so far as they related to the applicant's suitability as a fit and proper person.

RESOLVED: That, having regard to the evidence the Committee considered that the applicant was a fit and proper person in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 and that the application for a Joint Hackney Carriage and Private Hire Licence be granted for 12 months.

The meeting ended at 2.53 pm.

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE PROCEDURE FOR HEARINGS

INTRODUCTIONS AND PRELIMINARIES		
1	Chairman	The Chairman invites all present to introduce themselves.
2	Legal Adviser	The applicant is asked to confirm receipt of: <ul style="list-style-type: none"> • the agenda • Licensing Officer's report • Council's policy guidelines • procedure for hearing
HEARING		
3	Licensing Officer	The Licensing Officer: <ul style="list-style-type: none"> • advises of the purpose of the hearing • presents the Licensing Officer's report • summarises any issues
4	Licensing Officer	The Licensing Officer may call any witnesses. Each witness in turn: <ul style="list-style-type: none"> • Will give evidence • May be questioned by the applicant or applicant's representatives • May be questioned by the Committee • May, if necessary, be re-questioned by the Licensing Officer
5	Applicant or applicant's representative	The applicant is asked to present his/her case and any particular issues (including whether the applicant accepts the facts presented or wishes to correct them).
6	Applicant or applicant's representative	The applicant or the applicant's representative may call any witnesses (including the applicant themselves). Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the Licensing Officer • may be questioned by the Committee • may, if necessary, be re-questioned by the applicant/applicant's representative.
7	Members	The Committee may ask further questions of any of the parties or any witnesses for the purpose of obtaining further relevant information or clarification.
8	Licensing Officer	The Licensing Officer may give their final submission.
9	Applicant or applicant's representative	The applicant/applicant's representative may give their final submission.

DETERMINATION		
10	Members	The Committee withdraws to consider in private. The Legal Adviser and Clerk may be invited to assist the Committee.
11	Members	<p>If the Committee requires any further information from any party or any further evidence, all parties will be recalled and the meeting reconvened.</p> <p>Any Member of the Committee who has not been present during the whole of the proceedings must not take part in the decision making.</p>
12	Legal Adviser	The Committee reconvenes. Any legal advice given to the Committee in private will be summarised to the Applicant.
13	Chairman	The decision of the Committee is given to all parties.

NOTES

1. The opportunities given to the parties within this procedure to ask questions should be used only for that purpose - to ask questions. The person asking the question will not be allowed to use this right as an opportunity to make statements.
2. Members of the Committee are, as a general rule, expected to ask questions of the various parties in accordance with this procedure. However circumstances may arise where it is desirable for a Member to seek immediate clarification or a point made by a witness or by a party during the course of giving evidence, answering questions being put to him by another party or making a submission. This should be permitted by the Chairman provided that the question is relevant and is conducive to the proper conduct of the hearing. Where additional questions are permitted after the Applicant's case has been summed up, the Applicant or his/her representative will always be given the final right of reply.
3. Under no circumstances must the parties or their witnesses offer members of the Committee information in the absence of the other party. Similarly Members must not attempt to gain information from any party at the hearing in the absence of the other. These are essential requirements of the proper application of the rules of natural justice.
4. The Chairman may vary this procedure as circumstances require but having full regard to adhering to the rules of natural justice.

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE PROCEDURE FOR HEARINGS **LICENSING OF A DRIVER, VEHICLES AND OPERATORS**

INTRODUCTIONS AND PRELIMINARIES		
1	Chairman	The Chairman invites all present to introduce themselves.
2	Chairman	The Chairman advises the applicant of the reason for the Hearing and the procedure.
3	Legal Adviser	The applicant is asked to confirm receipt of: <ul style="list-style-type: none"> • the agenda • Licensing Officer's report • Council's policy guidelines • procedure for hearing • extract from the Rehabilitation of Offenders Act 1974
HEARING		
3	Licensing Officer	The Licensing Officer: <ul style="list-style-type: none"> • presents the Licensing Officer's report • summarises any issues
4	Licensing Officer	The Licensing Officer may call any witnesses. Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the applicant or applicant's representatives • may be questioned by the Committee • may, if necessary, be re-questioned by the Licensing Officer
5	Applicant or applicant's representative	The applicant is asked to present his/her case and any particular issues (including whether the applicant accepts the facts presented or wishes to correct them).
6	Applicant or applicant's representative	The applicant or the applicant's representative may call any witnesses (including the applicant themselves). Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the Licensing Officer • may be questioned by the Committee • may, if necessary, be re-questioned by the applicant/applicant's representative.
7	Members of the Committee	The Committee may ask further questions of any of the parties or any witnesses for the purpose of obtaining further relevant information or clarification.
8	Licensing Officer	The Licensing Officer may give their final submission.
9	Applicant or applicant's representative	The applicant/applicant's representative may give their final submission.

DETERMINATION		
10	Committee members/Legal Adviser	The Committee will withdraw to consider its determination. The Legal Adviser may be requested by the Chairman to accompany the Committee.
10	Committee members	<p>If the Committee requires any further information from any party or any further evidence, all parties will be recalled and the meeting reconvened.</p> <p>Any Member of the Committee who has not been present during the whole of the proceedings must not take part in the decision making.</p>
11	Legal Adviser	Any legal advice given to the Committee in private will be summarised to the Applicant.
12	Chairman	<p>The decision of the Committee is given to all parties.</p> <p>In the event of a decision to refuse, suspend or revoke an application, the applicant is told that he/she has the right of appeal through the Magistrates Court and then to the Crown Court.</p>

NOTES

1. The opportunities given to the parties within this procedure to ask questions should be used only for that purpose - to ask questions. The person asking the question will not be allowed to use this right as an opportunity to make statements.
2. Members of the Committee are, as a general rule, expected to ask questions of the various parties in accordance with this procedure. However circumstances may arise where it is desirable for a Member to seek immediate clarification or a point made by a witness or by a party during the course of giving evidence, answering questions being put to him by another party or making a submission. This should be permitted by the Chairman provided that the question is relevant and is conducive to the proper conduct of the hearing. Where additional questions are permitted after the Applicant's case has been summed up, the Applicant or his/her representative will always be given the final right of reply.
3. Under no circumstances must the parties or their witnesses offer members of the Committee information in the absence of the other party. Similarly Members must not attempt to gain information from any party at the hearing in the absence of the other. These are essential requirements of the proper application of the rules of natural justice.
4. The Chairman may vary this procedure as circumstances require but having full regard to adhering to the rules of natural justice.

Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES
Meeting and Date:	Regulatory Committee – 12 March 2019
Report of:	Licensing Team Leader
Classification:	Unrestricted
Purpose of the report:	To consider an application to grant a licence for a private hire vehicle outside of policy guidelines

1. Summary

- 1.1 Mr Adrian Bamblett has submitted an application to the Council asking for permission to licence a Vauxhall Zafira as a Private Hire Vehicle. This vehicle falls outside of the current vehicle age policy; being registered on 19 August 2009. The vehicle LY09 HMU has 7 passenger seats.

2. Introduction and Background

- 2.1 The regulation of Hackney Carriage & Private Hire Vehicles is a statutory duty of the Council under the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

- 2.2 The Dover District Council Hackney Carriage and Private Hire Policy states in paragraph 2.4.1 that:

“No application for a hackney carriage or private hire vehicle licence will be granted if the vehicle, when initial application is made, exceeds 5 years of age”.

- 2.3 Applicants wishing to licence vehicles outside of the policy should show sufficient reason for the Council to deviate from agreed policy.

- 3 Mr Bamblett has applied to licence a Vauxhall Zafira as a private hire vehicle. The vehicle was first registered on 19 August 2009 and therefore falls outside of the current vehicle age policy. The mileage on the vehicle at the time the application was made was 103,777 miles.

4 Identification of Options

Options:

- (a) To allow the application for the grant of Private Hire Vehicle licence to the vehicle notwithstanding that this would be a deviation from existing policy.
- (b) To allow the application for the grant of Private Hire Vehicle licence to the vehicle and give authorisation to the Licensing Team Leader to approve this vehicle for renewal in the future providing it remains to a good standard.
- (c) To reject the application as there are insufficient reasons to justify a deviation from existing policy.

5 **Evaluation of Options**

Options:

- (a) The vehicle is over the age defined in the policy for the grant of a licence. However, Mr Bamblett is requesting that the Committee consider whether the vehicle could be licensed as he feels that the vehicle is maintained to very high standard, and is in such good condition.
- (b) If such a deviation from policy were allowed then it would be necessary to make clear that this was outside of the Council's Policy and based on exceptional circumstances.
- (c) Members may like to consider authorising the Licensing Team Leader to approve this vehicle for renewal in the future without the need to come before the Regulatory Committee.
- (d) If the Committee felt that there were insufficient reasons to deviate from the Policy, then the application should be refused.

6 **Resource Implications**

There are no resource implications arising from this report.

7 **Appendices**

Appendix A – Application form and supporting papers submitted by Mr Bamblett

8 **Background Papers**

Hackney Carriage & Private Hire Licensing Policy
Local Government (Miscellaneous Provisions) Act 1976.

Contact Officer: Rebecca Pordage, Licensing Team Leader. Ext.2279


 PLATE
NUMBER

DOVER DISTRICT COUNCIL
APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE

 GRANT ☐ RENEWAL ☐ TRANSFER ☐ TEMPORARY TRANSFER ☐

TITLE	MR <input checked="" type="checkbox"/>	MRS <input type="checkbox"/>	MS <input type="checkbox"/>	MISS <input type="checkbox"/>
SURNAME	BAMBLETT		FORENAME/S	ADRIAN PAUL
ADDRESS (including postcode)	11 AYNSLEY COURT STRAND STREET SANDWICH KENT CT13 9DU			
HOME PHONE			MOBILE	
EMAIL	Lower CASE			

If a firm or partnership, the names of all proprietors or partners or any other person concerned in the keeping, employing or letting on hire of the vehicle.

Name and Address of Operator

VEHICLE DETAILS

Make:	VAUXHALL	Model:	ZAFIRA	Colour:	GREY
Date of first registration	19-08-2009			C.C.	
REGISTRATION NUMBER	LY09 HMU		Fuel Type:		
			Petrol <input checked="" type="checkbox"/>	Diesel <input type="checkbox"/>	Hybrid <input type="checkbox"/>
Is the vehicle adapted as wheelchair accessible?	YES <input type="checkbox"/>	Number of seats excluding the driver		7	
	NO <input checked="" type="checkbox"/>				
Is a meter fitted	YES <input type="checkbox"/>	If so please attach the tariff card			
	NO <input checked="" type="checkbox"/>				

INSURANCE DETAILS

Is the vehicle insured for the carriage of passengers for hire Or reward

YES

☐

NO

☐

Name of insurance company

Axa

Policy number:

301-411-452

Date insurance expires

28-09-19.

If changing vehicle, please give details of existing vehicle

Are you requesting an exemption from displaying private hire plates on the vehicle?

Is the vehicle a prestige vehicle?

(A prestige vehicle is defined as any vehicle currently licensed with the Dover District Council as a Hackney Carriage or Private Hire Vehicle. The residual value of which if sold privately exceeds £5,000, 6 years after the date of its first registration)

If so, is the vehicle used exclusively for the provision of prestige chauffeur services?

Check list for applicant use

Please tick the appropriate boxes of which you have completed for this application.

Grant/Renewal £259.00 ☐ Transfer £54.00 ☐ Temporary Transfer £34.00 ☐ Change of Owner £21.00 ☐

Receipt Number

Completed Application form ☐

Copy of MOT ☐

Proof of Tax ☐

Copy of Insurance ☐

Declaration:

I apply for a licence for the private hire vehicle stated and enclose the relevant fee

I confirm that I have read and understand the notes supplied to me with this form and declare that the particulars I have supplied are correct to the best of my knowledge and belief.

I understand that Dover District Council may share this information with other agencies for the prevention and detection of crime.

SIGNATURE

[Redacted Signature]

DATE

6-2-2019

NOTE: Section 57(3) of the Local Government (Miscellaneous Provisions) Act 1976: "If any person knowingly or recklessly makes a false statement or omits any material particular in giving information under this Section he/she shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100.00."

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.dover.gov.uk/Corporate-Information/Audit/Fair-Processing-Notice.aspx> or contact corporateservices@dover.gov.uk.

Fee	£ 259.00
Receipt Number	02219623
Insurance Received	✓
Proof of Tax	✓
Mot Received	✓
MOT next Due	
Signed by officer	
Date received	

DOVER DISTRICT COUNCIL
NOTES OF PRIVATE HIRE VEHICLE LICENCE

1. It is an offence to operate a vehicle for private hire unless a valid private hire vehicle licence is held by the owner of such vehicle and a licensed private hire vehicle may only be used as such when in the charge of and driven by a person holding a current private hire driver's licence.

2. **ACCOMPANYING DOCUMENTS**

The applicant is required to submit for examination:

- (a) a valid Certificate of Insurance for Hire and Reward
- (b) a valid Department of Transport Vehicle Test Certificate (not more than 14 days old) or a pre-delivery inspection report in lieu of MOT for new vehicles
- (c) a Vehicle Excise Act 1971 Registration Document
- (d) proof of vehicle tax

All vehicles shall also be presented to the Licensing Officer for additional inspection. Prior to submitting the vehicle for examination, proprietors shall ensure that the vehicle is in good condition, i.e. mechanically sound, bodywork satisfactory and the engine and full chassis steam cleaned.

Please note that in accordance with the Hackney Carriage and Private Hire Licensing Policy, you are required to present **evidence that the vehicle is taxed**, along with the application form, V5, insurance, MOT and fee.

3. **VEHICLE TESTS**

The Authority needs to be satisfied that licensed vehicles operating within its area are safe.

All hackney carriage and private hire vehicles shall be subject to the current MOT standard test at licence renewal. The vehicle must pass a further MOT test at 6 monthly intervals once the vehicle is over three years old. The Licensing Team Leader has delegated authority to require further, more frequent testing up to a maximum of 3 tests per year where concerns over safety standards have been identified.

Licensed vehicles that fail an inspection and/or MOT test and are deemed unsuitable for use as a passenger vehicle by the vehicle examiner or Licensing Officer, will result in the vehicle proprietor being issued with a suspension notice in order to prevent the vehicle being used to carry passengers until the defect(s) is/are remedied. Once the defects have been satisfactorily remedied then the proprietor may seek the lifting of the suspension notice by the Licensing Officer.

When a licensed vehicle sustains serious accident damage it shall be subjected to a further satisfactory MOT test prior to it being presented back into service.

4. **VEHICLE EXAMINATION**

Any authorised officer of the Council or any constable has the power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any private hire vehicle licensed by a District Council, or any taximeter affixed to such a vehicle, and if he is not satisfied as to the fitness of the private hire vehicle or as to accuracy of its taximeter he may by notice in writing require the proprietor of a private hire vehicle to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such authorised officer or constable is so satisfied.

5. **TAXIMETERS**

Private Hire Vehicles do not have to be fitted with a 'Taximeter' but if one is fitted it must be checked and, where possible, sealed by the Council prior to use.

Private Hire Vehicles that are fitted with Taximeters must also display a Tariff Card and provide a copy to the Licensing Authority for reference.

If at anytime after the grant of a licence a different type of tyre is fitted to the vehicle, and/or any alterations are carried out to the vehicle which might affect the reading on the face of the taximeter, and/or the seal of the taximeter is broken, whether accidentally or otherwise, the vehicle must be submitted for re-examination and/or sealing of the taximeter.

6. **ACCIDENT DAMAGE**

The proprietor of a private hire vehicle must report to the Council as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, any accident to the vehicle causing damage materially affecting the safety, performance or appearance of the private hire vehicle or the comfort or convenience of persons carried therein.

7. **DISPLAY OF PLATE**

The proprietor of a private hire vehicle shall fix to the vehicle licence identification plates of size, colour, design and type supplied by the Authority.

LY09 HMU

✓ Taxed

Tax due:

01 April 2019

► Incorrect tax status?

✓ MOT

Expires:

17 October 2019

► Incorrect MOT status?

If you've just bought this vehicle the tax (<https://www.gov.uk/vehicle-tax>) or SORN (<https://www.gov.uk/sorn>) doesn't come with it. You'll need to tax it before driving it.

Vehicle details

- Vehicle make: VAUXHALL
- Date of first registration: August 2009
- Year of manufacture: 2009
- Cylinder capacity (cc): 1598 cc
- CO₂Emissions: 172 g/km
- Fuel type: PETROL
- Euro Status: Not available
- Export marker: No
- Vehicle status: Tax not due
- Vehicle colour: GREY
- Vehicle type approval: M1
- Wheelplan: 2 AXLE RIGID BODY
- Revenue weight: Not available
- Tax rates:

[View tax rates](#)

- Tyre slightly damaged/cracking or perishing Nearsi
- Tyre worn close to legal limit/worn on edge Nearsi

③b Date of the test

28.09.2018

⑧ Expiry date

17.10.2019

To preserve the anniversary of the expiry date, the earliest yo
18.09.2019.

③a Location of the test

UNIT 51, SANDWICH INDUSTRIAL ESTATE, SANDWICH, C

⑨ Testing organisation and inspector name

**1ALI94 TOTAL MOTOR CARE LIMITED
J. A. BUTLER**

MOT test number

6583 3941 2933

Duplicate certificate issued by R. N. KEATING on 01 February

Check that this document is genuine by visiting **www.gov.uk**

If any of the details are not correct, please contact DVSA by
enquiries@dvsa.gov.uk or by telephone on 0300 1239000.

Receive a free annual MOT reminder by subscribing
at **www.gov.uk/mot-reminder** or by telephone on 0300 123



redefining / standards

Policy number
301.411.452

Help: 0330 024 1158
help@axainsurance.com
Claims: 0330 024 1305

Certificate of Motor Insurance

Certificate number:

301.411.452

CW075

1. Registration mark of vehicle:

- a) LY09HMU - VAUXHALL ZAFIRA
b) Any motor car supplied to the policyholder under the courtesy car section (Section J) of this policy or any motor car supplied to the policyholder under an agreement between the insurers and a recommended repairer while the car described above is being repaired by that repairer as a direct result of damage covered by this policy.

2. Name of policyholder:

Mr Adrian Bamblett

3. Effective date of the commencement of insurance for the purposes of the relevant law:

15:38hrs 24/01/2019

4. Date of expiry of insurance:

23:59hrs 28/09/2019

5. Persons or classes of persons entitled to drive:

Mr Adrian Bamblett (main driver)
Miss Naomi Holmes

Provided the person driving holds a licence to drive the car or has held and is not disqualified from holding or obtaining such a licence.

6. Limitations as to use:

- a) Use for social domestic and pleasure purposes.
b) This policy does not cover use for commercial travelling.
c) This policy does not cover use on the Nurburgring Nordschleife, racing, competitions, speed testing, rallies, track days, 4x4 off road events or trials, any purpose in connection with the motor trade, hiring or carrying of passengers for profit.
d) This policy may not be used to secure the release of a motor vehicle other than the vehicle identified above by its registration mark, which has been seized by or on behalf of any government or public authority.
e) This policy does not cover use for any business purposes.

We hereby certify that the policy to which this Certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isle of Man, the Islands of Guernsey, Jersey and Alderney.

Claudio Gienal
CEO AXA UK & Ireland
Authorised Insurers

Important Notes

- * This certificate gives evidence of insurance cover to comply with the law. For full details of the cover, reference should also be made to the policy wording and schedule.
- * Unless stated otherwise in paragraph 5 above this policy does not cover the policyholder to drive any car other than those listed in paragraphs 1a and 1b. If paragraph 5 allows the policyholder to drive a car not belonging or hired to them cover will be limited to Third Party only. There is no cover for loss or damage to the car being driven.
- * This certificate of motor insurance takes the place of an International Motor Insurance Card (green card) and is evidence that the insurance extends to include the compulsory motor insurance requirements of any member country of the European Union, Andorra, Croatia, Iceland, Liechtenstein, Norway, Serbia and Switzerland.
- * Advice to third parties: Nothing in this certificate affects your right as a third party to make a claim.

Subject:	Local Government (Miscellaneous Provisions) Act 1982 – Application for Street Trading Consent
Meeting and Date:	Regulatory Committee – 12 March 2019
Report of:	Rebecca Pordage – Licensing Team Leader
Classification:	Unrestricted
Purpose of the report:	To consider an application for a Street Trading Consent
Recommendation:	That the Committee consider the report

1 Summary

- 1.1 Mr Jamie Smith has applied to the Council for permission to trade from a 10 x 7ft food trailer in Biggin Street, Dover.

2. Introduction and Background

- 2.1 The Council controls street trading having adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

- 2.2 Paragraph 1 of Schedule 4 to the Act states

that: “street” includes –

(a) any road, footway, beach or other area to which the public have access without payment”

- 2.3 With effect from 1 April 1994 Dover District Council passed a resolution to designate a number of streets within the district as ‘Consent Streets.’

In a Consent Street, street trading is prohibited without the consent of the district council.

The area requested is Biggin Street, Dover which is designated a Consent Street. A list of all the designated consent streets within the District is included within the Street Trading Guidance Notes shown at **Appendix A**.

- 2.4 In relation to s trading consents, Paragraph 7(2) of Schedule 4 of the Act

states that: “...the Council may grant consent if they think fit.”

Paragraph 7(10) goes on to say that:

“a street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.”

- 2.5 Mr Jamie Smith has applied to the Council for permission to trade from a food trailer in Biggin Street, Dover.

The application is to trade every day from 10:00 hrs to 18:00 hrs.

The application is to sell Thai food.

A copy of the application is shown at **Appendix B**.

A copy of the location plan is included at **Appendix C**.

- 2.6 Following receipt of a valid application on 24 January 2019, a 28 day consultation exercise was conducted with notices posted to properties in the vicinity of the proposed site and consultation with the Highways Authority, Dover Town Council, Kent Fire & Rescue, Kent Police and various internal Council departments
- 2.7 1 representation was received during the consultation period objecting to the application. The representation was received from Price Less Furniture who strongly disapprove of this application as they are concerned about the smell of Thai food coming into their shop, and the unit blocking out light within their premises.
- 2.8 A copy of the representation is included at **Appendix D**.
- 2.9 **Options available to the Committee:**
- (a) To grant the street trading consent to be issued for a period not exceeding 12 months (with or without conditions)
 - (b) To refuse street trading consent

Members should have regard to criteria at page 6 of Appendix A in coming to their decision. The Committee may choose to issue the consent for a period shorter than 12 months.

3 Appendices

Appendix A – Street Trading Guidance Notes including a list of designated consent streets
Appendix B – Application
Appendix C – Location plan
Appendix D - Representation

4 Background Papers

Local Government (Miscellaneous Provisions) Act 1982
Dover District Council Street Trading Guidance Notes

Contact Officer: Rebecca Pordage, Licensing Team Leader. Ext.2279



DOVER DISTRICT COUNCIL

STREET TRADING GUIDANCE NOTES

STREET TRADING

Statutory Powers

Street trading is controlled by an adoptive code contained in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. The code was adopted by the Council on 12 October 1963. Having adopted Schedule 4 the Council may by resolution designate any street (a) a prohibited street, (b) a licensed street or (c) a consent street.

Definitions

Prohibited Street:	This is a street in which trading is prohibited.
Licensed Street:	This is a street in which street trading is prohibited without a licence granted by the District Council.
Consent Street:	This is a street in which street trading is prohibited without the consent of the District Council.
Street:	Includes any road, footway, beach or other area to which the public have access without payment.
Street Trading:	Means, subject to certain exemptions, the selling or exposing or offering for sale of any article.

Exemptions

The following types of trading are excluded from the definition of street trading and those traders are not required to obtain a licence or consent. They may also trade in a street designated as a prohibited street:-

- (a) Trading by a person acting as a pedlar.
- (b) Anything done in a market or fair the right to hold which was acquired by virtue of a grant, enactment or order.
- (c) Trading in a trunk road picnic area.
- (d) Trading as a news vendor subject to a restriction upon articles sold and the type of stall used.
- (e) Trading which is carried on at petrol filling stations or at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop.
- (f) Roundsmen
- (g) The use for trading under the Highways Act 1980 of an object or structure placed on, in or over a highway (pavement cafes etc.).
- (h) The operation of facilities for recreation or refreshment under the Highways Act 1980.
- (j) Street collection.

Essential Differences

The main differences between the two types of street designation are as follows:-

<u>Licensed</u>	<u>Consent</u>
(1) District Council obliged to grant a licence unless the application ought to be refused on one or more of the grounds specified in the Act.	District Council under no duty to grant a street trading consent and need not specify statutory grounds for refusal.
(2) District Council may only revoke or refuse to renew a licence on the statutory grounds relating to principle terms (i.e. days, times, articles for sale).	No statutory limitation on a District Council's power to revoke or refuse to renew a street trading consent.
(3) Before a District Council may vary a principle term of a street trading licence or before it may refuse to grant or renew or revoke a street trading licence it must first invite the applicant/licence holder to make representations and then afford that person a reasonable opportunity to make those representations.	No notice requirements apply to a street trading consent.
(4) Statutory grounds of appeal against the refusal, revocation or variation of a principal term of a street trading licence are contained in the Schedule.	There is no right of appeal against the refusal to grant or renew a consent or against the revocation or variation of a consent.
(5) A licence holder may be prosecuted for a breach of the "principle terms" which relate to the street in which the days and times upon which and the articles in which the holder trades.	A street trading consent holder may only be prosecuted for a breach of a condition where he trades from a stationary van, cart, vehicle or from a portable stall in a place or at a time not included in the consent, or for breach of the condition relating to the positions and times in which he may trade but not for a breach of a condition relating to the type of article to be sold.
(6) A District Council may recover from a licence holder such reasonable charges as they may determine for the collection of refuse and the cleansing of streets etc.	A District Council may not charge the holder of a street trading consent for the collection of refuse and cleaning of streets etc.
(7) Where a licence is surrendered or revoked the Council has a discretion to remit or refund any fee paid to it.	Where a consent is surrendered or revoked a Council is under a duty to remit or refund the whole or part of any fee paid for the consent.
(8) The consent of the Highway Authority is necessary for the designation of a street as a licensed street.	Highway Authority consent is not required before the designation of a street as a consent street

Street Trading Licences (Street Markets)

Broadly speaking the licensing system is designed to cover street markets. It is rather complex and has been designed in an attempt to maintain a balance between the needs of stallholders who are dependent upon street trading for their livelihood and those of the Council.

Unless previously revoked or surrendered a street trading licence remains valid for a determined period not exceeding 12 months.

Street Trading Consents (Itinerant Traders)

Street trading consents provide a separate form of control than the licensing system with no rights of appeal for the trader. It is intended to cover the activities of itinerant traders ranging, for example, from the single flower seller with a basket to the ice-cream vendor or hot dog stall.

The Council may attach to a consent such conditions as they may consider reasonably necessary including conditions designed to prevent obstruction of the street or danger to persons using it or nuisance or annoyance (whether to persons using the street or otherwise).

If a street trading consent includes permission for its holder to trade in a consent street either (a) from a stationary van, cart or other vehicle or (b) from a portable stall it may be made subject to conditions as to where and the times between which or periods for which trading may take place.

A street trading consent may be granted for any period not exceeding 12 months and may be revoked at any time.

General Provisions

The holder of the street trading licence or consent may employ any other person to assist him in his trading without a further licence or consent being required subject to no such person being under 17 years of age.

A decision by the Council to designate a street is not irrevocable if one form of control or the absence of it proves inappropriate a new resolution may be made.

Designation Procedure

Before designating a street under any of the three categories mentioned notice of such intention has to be published in a local newspaper and a copy served on the Chief Officer of Police and the Highway Authority, the consent of the Highway Authority being required in the case of licensed streets. A period of not less than 28 days must be given for the submission of representations and these have to be considered by the Council before proceeding, if they think fit, to pass the proposed resolution. Public notice has also to be given of the passing of the resolution and the date specified for the coming into force of the designation must be not less than 28 days after the first publication of that notice.

Fees

The level of fees set by the District Council for the grant or renewal of a street trading licence or consent need not be restricted to the recovery of the cost of administration. The Council may set different fees relating to the duration of a licence or a consent and relating to the street and articles to be sold recognising that market forces may be taken into consideration to a certain extent in determining the different fee levels. Whilst there is no requirement to publish notice of fees payable for the issue of a licence or consent a District Council must give notice to the licence holders and publish notice of fees to be charged for the cleansing etc. of street and any variations thereof.

Offences

A person who:-

- (a) Engages in street trading in a prohibited street.
- (b) Engages in street trading in a licensed street or a consent street without being authorised to do so.
- (c) Contravenes any of the principal terms of a street trading licence.
- (d) Being authorised by a street trading consent to trade in a consent street:
 - (i) trades from a stationary van, cart, barrow or other vehicle
 - or
 - (ii) from a portable stallwithout first having been granted permission to do so.
- (e) Contravenes certain conditions shall be guilty of an offence, subject to a statutory defence.

In addition a person who, in connection with an application for a street trading licence or consent, makes a false statement which he knows to be false in any material respect or which he does not believe to be true shall also be guilty of an offence.

LICENCE\MISC\ST-GN

DOVER DISTRICT COUNCIL - PRESENT POSITION

In order to obtain the benefit of greater flexibility the District Council has designated those streets or parts thereof, together with any road, footway, beach or other area detailed in Appendix A to which the public has access without payment which is adjacent to the street or part of it.

In addition every other street adjoining any street referred to in Appendix A for a distance of 20 metres from its junction with each such designated street have also been designated as consent streets.

The Council has, on individual application, also designated additional streets as consent streets for specific dates in connection with Deal and Dover carnivals and Deal braderie.

Criteria

All applications for consent will be considered on their merits but regard will be had to the following criteria:-

- (a) In the case of persons wishing to trade on a commercial basis the goods to be sold should usually be restricted to food, beach goods and souvenirs.
- (b) Consents should not be granted when there already exists sufficient retail outlets in the area.
- (c) Consent should not be granted if there is insufficient space and undue inconvenience and interference to pedestrians or road users will be caused or where to do so would be prejudicial to highway safety.
- (d) The Council should be satisfied as to the suitability of the applicant.
- (e) That street trading should only be permitted to take place between specified hours.

Roundsman

For the purposes of exemption "Roundsman" has been defined as follows:-

A person who regularly travels a set route making deliveries to regular customers at their home.

Consent Conditions

Details of the general conditions applying to a consent are attached at Appendix B.

Fees

The Council has established the following criteria in respect of fees.

- (i) The annual fee should be such that the costs of the service are met by the users thereof.
- (ii) A daily fee is also payable in respect of one off applications.
- (iii) Local carnivals, braderies and tourism promotions - to be determined by Officer in consultation with Co-Chairmen of the Technical Services Committee.
- (iv) Registered charities - no charge.

In the event of an application being refused the whole fee is refunded and in those cases where consent is prematurely surrendered or revoked a proportion of the fee relating to the unexpired completed months is refunded upon request.

Determination of Applications

Applications must be made on the correct form (Appendix C) and be accompanied by the appropriate fee.

The Council will seek the views of the Chamber of Trade, Town Council, Local Police and any other organisation that may be deemed appropriate prior to the matter being placed before the relevant Committee of the Council. As meetings of the Committee are some weeks apart time scales should be discussed with the relevant member of staff.

Consents

Consents are issued for a maximum of 12 months and applications for renewal should be made in good time.

If you sell the business that has the benefit of a street trading consent you must notify the Council immediately. The new owner of the business must apply to the Council for consent.

A consent holder may employ other persons to assist in his trading without further consents being required.

Enforcement

The Licensing Manager is empowered to revoke consents in the event of a breach of conditions or institute legal proceedings against anyone trading in a designated consent street without the benefit of a valid consent.

The submission of an application for consent does not permit trading.

White Cliffs Business Park
Dover
Kent
CT16 3PJ

1 March 1995

DOVER DISTRICT COUNCIL

DESIGNATED CONSENT STREETS

Deal

Albert Road
Alfred Square (High Street to Alfred Row)
Beach Street
Broad Street
Court Road
Cornwall Road
Deal Castle Road
Dover Road (Ripple Road to The Strand)
Duke Street (High Street to Robert Street)
Farrier Street (High Street to Middle Street)
George Alley
Gilford Road
Godwyn Road
Golf Road (Godwyn Road to Western Road)
Granville Road
Griffin Street (High Street to George Street)
Hamilton Road
High Street
Ivy Place
King Street
Kingsdown Road
London Road (Queen Street to Sholden New Road)
Manor Road
Marine Road
Marina, The
Market Street (High Street to Middle Street)
Middle Deal Road
Middle Street (King Street to Market Street
King Street to Middle Street Car Park
Broad Street in southerly direction for 20 metres
South Street in northerly direction for 20 metres)
Mill Hill
Mill Road
Mongeham Road (London Road to St Richards Road)
New Street
Oak Street (High Street to Middle Street)
Park Avenue
Park Street (High Street to eastern boundary of No. 4)
Peter Street
Prince of Wales Terrace
Promenade (From junction of The Marina/Beach Street to southern boundary of Deal Castle)
Queen Street
St George's Road (High Street to western boundary of Town Hall Car Park)
St Georges Passage
St Richards Road
Salisbury Road
Sondes Road

South Court
South Parade
South Street
Stanhope Road (High Street to eastern boundary of Astor Theatre)
Station Road (Dover Road to Court Road)
Strand, The
Union Road (High Street to western boundary wall of Union Road Car Park)
Victoria Parade
Victoria Road
Water Street (High Street to Robert Street)
Wellington Road (High Street to eastern boundary wall of No. 27)
Western Road

Dover

A20 (Eastern Dock to Court Wood Interchange)
Alkham Road (Abbey Road to London Road, Temple Ewell)
Astor Avenue
Barton Road
Beaconsfield Avenue
Beaconsfield Road
Bench Street
Biggin Street
Bridge Street
Brookfield Avenue (Whitfield Avenue to Buckland Avenue)
Buckland Avenue
Cambridge Road
Camden Crescent
Cannon Street
Castle Hill Road (Maison Dieu Road to Upper Road)
Castle Street
Chapel Lane
Charlton Green (Frith Road to Maison Dieu Road)
Cherry Tree Avenue
Chilton Way
Church Street
Coombe Valley Road
Connaught Road
Crabble Hill
Crabble Road
Dieu Stone Lane (Cannon Street to bridge over the River Dour)
Dolphin Lane
Dolphin Passage
Dolphin Place
Duoro Place
Eaton Road
Edwards Road
Effingham Crescent
Elms Vale Road (Elms Hill to Folkestone Road)
Esplanade
Fishmongers Lane
Flying Horse Lane
Folkestone Road (Little Farthingloe Farm to Priory Road)
Frith Road
Gaol Lane
High Street

Honeywood Road
 King Street
 Ladywell
 Last Lane
 Lewisham Road
 London Road, Dover
 London Road, River
 London Road, Temple Ewell (Railway Bridge to London Road, River)
 Maison Dieu Place
 Maison Dieu Road
 Marine Parade (Waterloo Crescent to Townwall Street)
 Market Square
 Market Street
 Melbourne Avenue
 Mill Lane
 New Bridge
 New Street
 Park Avenue
 Park Place
 Pencester Road
 Peter Street
 Priory Hill (High Street to the western boundary of the United Reformed Church)
 Priory Road
 Priory Street
 Queen Street
 Queens Gardens
 Russell Street
 St James Lane
 St James Street
 St Mary's Passage
 Snargate Street (Service Road)
 Stembrook
 Tavernors Lane
 Tower Hamlets Road
 Tower Hamlets Street
 Unnamed road between Cambridge Terrace and Waterloo Crescent
 Victoria Crescent
 Waterloo Crescent
 Wellesley Road
 Whitfield Avenue
 Whitfield Hill
 Wood Street
 Woolcomber Street
 Worthington Street
 York Street

NB. The promenade of Dover has been specifically excluded from consent street provisions but the prior approval of the Dover Harbour Board is required.

Sandwich

All streets within area bounded by The Butts, Millwall, Ropewalk, The River Stour and The Guestling Stream

The Ash Road (A257) (Town Wall to Sandwich Bypass)

Deal Road (Dover Road to Sandwich Bypass)

Dover Road (Town Wall to Deal Road)

Ramsgate Road (High Street to Sandwich Bypass)

Woodnesborough Road (Town Wall to Sandwich Bypass)

CCGENIST-GN

STANDARD CONDITIONS APPLICABLE TO STREET TRADING CONSENT

1. The consent is personal to the trader and is not transferable.
2. The holder may only site the permitted structure at the approved location(s).
3. A plate bearing THE NAME OF THE HOLDER AND THE NUMBER OF HIS CONSENT or a copy of the consent, shall be shown in a conspicuous place.
4. The holder may only trade between the approved times.
5. The holder may only sell articles approved by the Council.
6. The holder shall indemnify the District Council against any claims in respect of injury damage or loss arising out of the grant of this consent (except insofar as any claim in respect of injury damage or loss is attributable to the negligence of the Council) and shall if required maintain a public liability insurance policy with a limit of indemnity of up to 5 million. The holder shall produce the certificate of insurance and any renewal thereof within 24 hours of the original expiry date.
7. The name and address of all employees shall be notified to the relevant local Police Station at least 48 hours before the commencement of the period of employment.
8. All employees must be issued with an identification/authority card.
9. No person under the age of 17 years shall engage or be employed in street trading.
10. Suitable fire extinguishers shall be provided in appropriate cases.
11. A suitable first aid box shall be provided.
12. The prior consent of the Council shall be obtained to the use of temporary electrical fittings and such fittings are to be correctly wired and powered via recognised standard electrical outlets. Electrical leads to such fittings are to be run out of reach of the public and all electrical lampholders within reach of the public shall be kept fitted with lamps or otherwise protected.
13. The holder shall take all reasonable and proper precautions for the safety of all other persons using the street(s) and to prevent danger to persons using the street(s).
14. The consent holder shall not cause any nuisance or annoyance howsoever arising to the occupiers of the adjoining properties or to any person using the said properties or adjoining streets, nor shall he cause any obstruction of the highway.
15. The consent holder shall comply with the reasonable requests of a duly authorised officer of the Council to take such action as is considered necessary to abate any nuisance or obstruction.
16. Public highways shall be maintained in a clean condition during each days trading and all rubbish and waste paper accumulated throughout the daily operation of this consent shall be removed at the end of each days trading.

17. The consent holder shall observe perform and comply with all relevant statute law, common law and bye law provisions, including Road Traffic Regulation Orders made by the Highway Authority.
18. The prior approval of the local police is needed in connection with the entry into pedestrian areas of any vehicle associated with the consent.
19. Any vehicle or stall etc. used in connection with the operation of this consent shall comply with all relevant food hygiene and health and safety legislation.
20. Any vehicle used in connection with the operation of this consent shall be properly taxed, have a valid certificate of motor insurance and, where appropriate, a valid M.O.T. Certificate.
21. The consent holders vehicle shall not wait for the purposes of loading in any residential street for a period of longer than 30 minutes in any period of 3 hours.
22. The issue of a street trading consent shall purport to grant to the holder any other licence or permission required under any other enactment or requirement.
23. A consent may be surrendered at any time.

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Useful contacts:

Environmental Health Food Safety Team: 01304 872216

http://www.dover.gov.uk/environment/environmental_health/food_safety.aspx

Kent County Council Highways: 08458247800

www.kent.gov.uk

Trading standards: <http://www.tradingstandards.gov.uk/kent/contact.htm>

For information on starting up a business: <https://www.gov.uk/>

DOVER DISTRICT COUNCIL
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
APPLICATION FOR STREET TRADING CONSENT

APPLICANT

SURNAME:	SMITH		
FIRST NAME(S) in full	JAMIE		
TRADING AS	THAILICIOUS		
PERMANENT ADDRESS	43 Kitchener Road, Dover		
COUNTY	POST CODE	CT17 9PD	
TELEPHONE NO:	Code ()		
DATE OF BIRTH:	16 FEB 1974		

TRADING DETAILS

NAME OF STREET(S):	BIGGIN ST, DOVER		
DATES OF TRADING:	WHOLE YEAR		
BETWEEN THE TIMES:	10am	AND	6pm
DESCRIPTION OF ARTICLES TO BE SOLD:	THAI FOOD		

Is any cart, barrow, stationary van or other vehicle or portable stall to be used in connection with the trading of the above articles:

YES/NO

IF YES (i) SPECIFY TYPES:	FOOD TRAILER		
(ii) GIVE DETAILS INCLUDING DIMENSIONS:	10x7 FT		
(iii) DETAIL PRECISE LOCATION REQUIRED:			
(iv) REGISTRATION NO. (if appropriate):			

HAVE YOU SOUGHT THE ADVICE OF THE ENVIRONMENTAL
HEALTH OFFICER IN RESPECT OF FOOD HYGIENE
AND HEALTH AND SAFETY MATTERS

YES/NO

IF YES, PLEASE ATTACH COPIES OF RELEVANT CORRESPONDENCE

HAVE YOU EVER BEEN REFUSED A STREET TRADER'S
LICENCE OR CONSENT IN THIS OR ANY OTHER AREAS?

YES/NO

IF YES, PLEASE GIVE DETAILS

HAVE YOU EVER BEEN CONVICTED OF ANY OFFENCE INVOLVING
DISHONESTY, VIOLENCE OR FOOD MATTERS. IF YES, PLEASE
GIVE DETAILS

YES/NO

- * I DECLARE THAT I HAVE CHECKED THE INFORMATION GIVEN ON THIS APPLICATION
FORM AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS CORRECT.
- ~ I ENCLOSE £490.00 BEING THE APPROPRIATE FEE (£130 FOR AN OCCASIONAL)
- ~ TWO RECENT PHOTOGRAPHS OF MYSELF (PHOTOS CAN BE TAKEN AT THE OFFICES
BY PRIOR APPOINTMENT)
- ~ WRITTEN APPROVAL FROM THE OWNER OR OCCUPIER OF ANY PRIVATE LAND
FORMING PART OF THE APPLICATION

SIGNED:

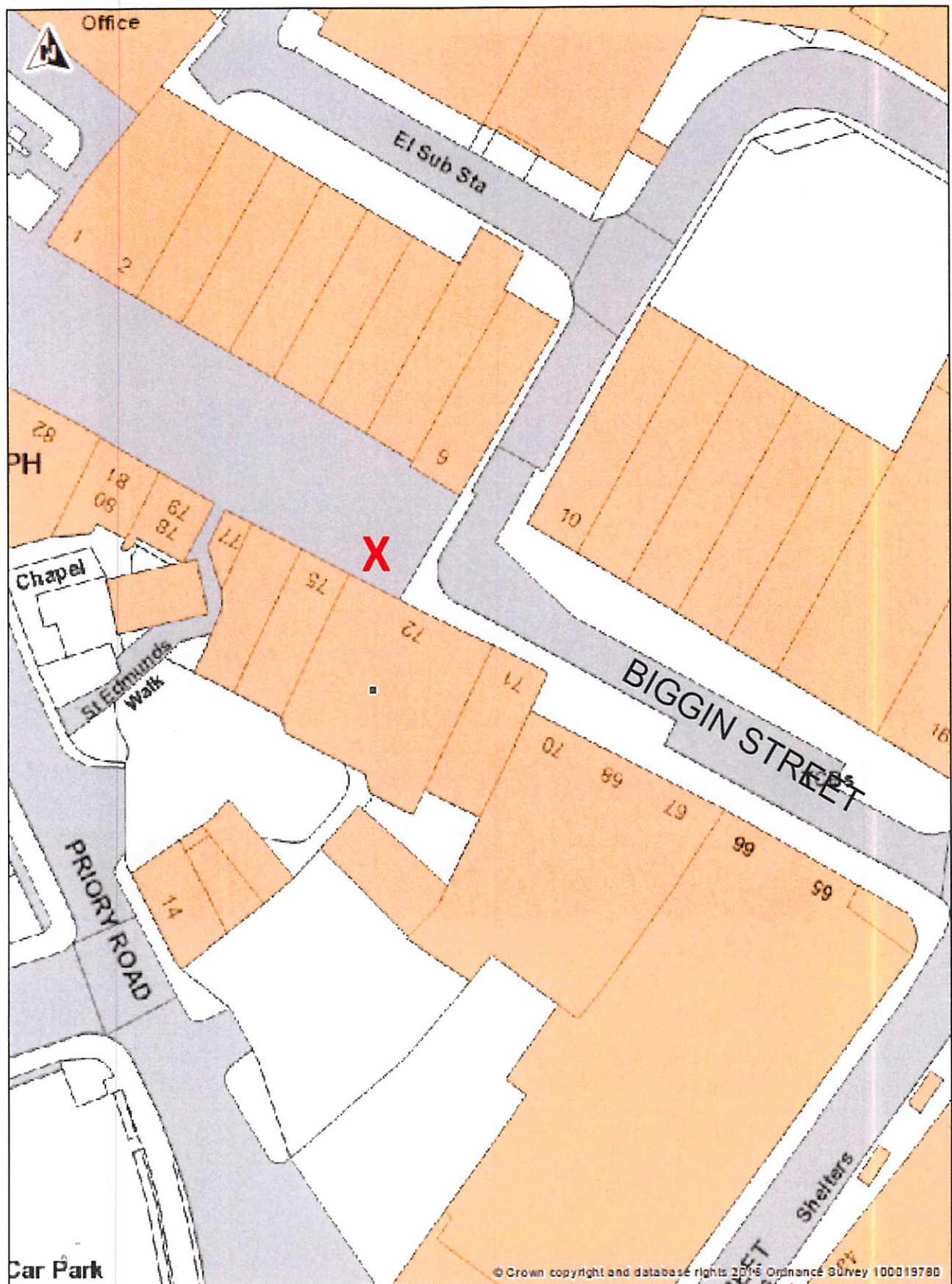


NOTE:

If any person makes a false statement or omits any material particular in giving the foregoing information knowingly he shall be guilty of an offence under Paragraph 10 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, and shall be liable on summary conviction to a fine not exceeding four hundred pounds.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on the form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

LICENCEWISCSTAPPL



Title: Dover District Council

Author: Dover District Council

Scale 1:500

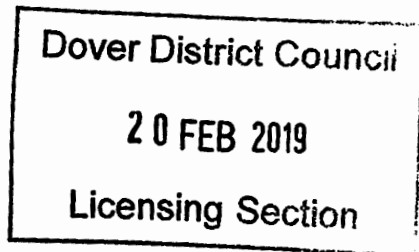
Map Dated: 24/01/2019

Dover District Council
 Honeywood Close
 White Cliffs Business Park
 Whitfield
 DOVER
 CT16 3PU





PRICE LESS FURNITURE
72-74 BIGGIN STREET
DOVER
KENT
CT16 1BS.



DEAR SIR OR MADAM,

I am informing the Licensing section of Dover District Council that we strongly disapprove for an application for street trading of Thai Food by Jamie Smith outside our premises of PRICE LESS FURNITURE (72-74 BIGGIN STREET) DOVER.

Firstly the smell coming from the Thai food comes into the shop especially when we leave the door open to encourage customers to come in, also when we had the burger van outside the smell of burgers and onions was overpowering and even leaving an odour on our upholstery by the entrance door so we do not want this happening again.

Secondly it blocks out light and hides our window display from passing potential customers, and as our window is a ZONE 'A' on our business rates that is not acceptable, As trade in the town is on the decline, we hope you take our concerns seriously as we know this⁴³ type of application will not be good for ...

You to turn down the application to grant a licence to sell food outside our premises.

On the original application of 6/11/2018 the Thai food was to be situated further down Biggin Street where he would not be outside any shop premises, which I thought this was fine as it would not impact any businesses so I find it strange why the current application has been moved outside our premises.

I hope you agree with our concerns.

Yours faithfully

S. Timmings

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE – 12 MARCH 2019

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in the paragraph of Part I of Schedule 12A of the Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Item 8	1	Information relating to an individual
Item 9	1	Information relating to an individual

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item No 8

Document is Restricted

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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of the Local Government Act 1972.

Agenda Item No 9

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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