
Subject: **Local Government (Miscellaneous Provisions) Act 1982
Application for Street Trading Consent**

Meeting and Date: **Regulatory Committee – 18 July 2017**

Report of: **Licensing Team Leader**

Classification: **Unrestricted**

Purpose of the report: **To consider an application for a Street Trading Consent**

1. **Summary**

1.1 Mr Taha Sadiq has applied to the Council for permission to trade from a towable catering trailer in Beaconsfield Road, 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 Council.

The area requested is the Promenade 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 Street Trading Consents, Paragraph 7(2) of Schedule 4 states that:

“...the Council may grant a 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 Taha Sadiq has applied to the Council for permission to trade from a towable catering trailer in Beaconsfield Road, Dover.

The application is to trade from Monday to Saturday from 11:00hrs to 21:00 hrs.

The application is to sell burgers, shawarma, chips, falafel, drinks, rice and sauces.

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 17 May 2017, 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 3 representations were received objecting to the application during the consultation period:
- 1 **Mr Hakan Babaoglan** has objected to the application. He is the owner of Pizza Plus and does not think it is fair to have a catering trailer when there are so many empty shops along London Road. He is concerned about smells, people hanging around on the pavement obstructing pedestrians, and noise.
 - 2 **Tim Overall** objects to this application as he resides close to the car wash and is worried that there may be an increase in trade, noise and the cooking smells. He has already experienced high fat cooking smells, and is worried that as the trailer is requesting to open until 21:00 hrs, this will spoil his enjoyment sitting in his garden.
 - 3 **Martin Atkins** objects to this application as he feels there are already adequate premises in the area offering food and drink (both hot and cold). Mr Atkins feels that this trailer would be unwelcome in view of the fact there are a number of empty shops currently to be found in Dover.
- 2.8 Copy of the representations are included at **Appendix D**.
- 2.9 **Options available to the Committee:**
- (a) To grant permission for the Street Trading Consent to be issued for a period not exceeding 12 months (with or without conditions)
 - (b) To refuse permission

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 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 -
Representations

4 **Background Papers**

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