

# **Report to the Licensing Committee**

**Date of meeting: 4 December 2012**



**Epping Forest  
District Council**

---

**Subject: Hurricane Way North Weald Essex**

**Responsible Officer: Kim Tuckey 01992 564034**

**Democratic Services: Gary Woodhall 01992 564470**

---

## **Decisions Required:**

**(1) To determine the application for a Street Trading Consent under the Local Government Miscellaneous Provisions Act 1982.**

## **Report:**

### Application for Grant of a Street Trading Consent

1. On 11 October 2012 the Authority received an application made by Mr I Polat for a street trading consent to trade at Hurricane Way North Weald Essex. A copy of the application is attached to this report. The public notice and the plans are also attached. The application sets out the relevant licensing activities applied for and times requested, i.e. Mondays to Sundays 16:00 to 23:00.

### Consultation

2. There is no requirement in the Local Government Miscellaneous Provisions Act 1982 Act to carry out any consultation. The Licensing Team notified Essex Police, Environmental Health, Highways Authority & the clerk of North Weald Parish. An item was also placed in the Council Bulletin and a public notice was placed in the local Guardian.

3. The authority has received emails of objection from Cllr Stallan. Copies of the emails are attached to this report.

4. Essex Police have no objections to the application. There were no responses from the other consultees.

### Conditions

5. The Sub-Committee may attach conditions to a street trading consent as it considers reasonably necessary. These can include conditions to prevent:

- (a) obstruction of the street or danger to persons using it; or
- (b) nuisance or annoyance (whether to persons using the street or otherwise).

6. The Consent can include permission to trade:

- (a) from a stationary van, cart, barrow or other vehicle; or
- (b) from a portable stall.

7. The Sub-Committee may decide that the Consent is subject to conditions:

(a) as to where the holder of the street trading consent may trade by virtue of the permission; and

(b) as to the times between which or periods for which the holder may so trade.

8. The street trading consent may be granted for a period not exceeding 12 months.

#### Appeal

9. The Act provides for no appeal against refusals although decisions have been challenged in the Courts by way of judicial review on the ground that the decision was not properly taken or that there was some procedural irregularity or breach of the rules of natural justice.

#### Attached Documents:

- Application for Street trading consent & Newspaper notice.
- Letter from Essex police.
- Emails from Cllr Stallan.
- Map showing the area.