

## SLOUGH BOROUGH COUNCIL

### REPORT TO LICENSING SUB-COMMITTEE

13<sup>th</sup> OCTOBER 2011

#### LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 APPLICATION FOR A NEW STREET TRADING APPLICATION FOR KONDAL CATERING, LONDON ROAD, SLOUGH

### 1. The Application

An application for a Street Trading Consent has been submitted by Mr Inder Singh Kondal for Tasty Bunz on London Road, Langley. (**Appendix 'A'**)

The application is for the sale of hot and cold food and drinks at the specified pitch between the following days and hours;

Monday to Wednesday	07:00 to 14:30
Thursday to Friday	07:00 to 14:30 and 17:30 to 23:00
Saturday	17:00 to 23:00

### 2. Background

- 2.1 In February 2011 the Licensing Committee recommended changes to the Council's Street Trading Protocol and Guidance. This would make all streets in Slough, Consent Streets, allowing anyone to apply for a Street Trading Consent and have it granted subject to consultation with local residents and in line with the Council's Policy.
- 2.2 On 19<sup>th</sup> April 2011, a meeting of the Full Council approved the recommendation of the Licensing Committee and made all streets within the Borough Consent Streets.
- 2.3 The whole area of London Road is subject to parking restrictions, (double yellow lines), apart from a small section of about 7 car lengths on the South side of the road, opposite number 413.  
It is this area that the applicant wishes to be permitted to trade from.
- 2.4 In addition, there is a cycle lane running along the length of the North side of London Road.
- 2.5 There have been no objections from the Police or any other Responsible Authority.
- 2.6 The Licensing Office has however received 9 objections from local residents and businesses, which are attached at **Appendix 'D'**

### 3. The Sub-Committee must have regard to:

- The Local Government Miscellaneous Provisions Act 1982
- Slough Borough Council Street Trading Consent Policy

- Slough Borough Council Street Trading Consent Standard Conditions.
- The Parking Restrictions in the Area
- The nature of the business e.g. product sold
- The appearance and suitability of the trading unit.
- Any other condition the members may feel necessary
- The overriding principle is that each application will be determined on its merits.

#### 4. **Human Rights Act 1998**

Article 6 of the Human Rights Act 1998 applies:

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

#### 5. **Options Available**

The Sub-Committee may

1. Grant the application with standard conditions
2. Grant the application with standard conditions and any other conditions members feel necessary which are reasonable and proportionate.
3. Refuse the application.

#### 6. **Appeals**

Any party to the hearing may appeal against a decision of the licensing authority by giving notice to the Clerk to the Magistrates within 21 days of being notified of the decision.

#### 7. **Appendices**

- A. Application
- B. Map of the location
- C. Food Hygiene Certificate
- D. Representations against the application
- E. Slough Borough Council Street Trading Consent guidance
- F. Slough Borough Council Street Trading Consent standard conditions

#### 8. **Background Papers**

1. The Local Government Miscellaneous Provisions Act 1982.

Contacts for further information

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