

Report for: Licensing Sub Committee 12th April 2018

Item number:

Title: Revocation of a street trading licence.

Report

authorised by : Daliah Barrett-Licensing Team Leader – Regulatory Services.

Ward(s) affected NP

Report for Key/

Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 This report relates to a matter for the revocation of a street trading licence for the following reasons under section 28 of the London Local Authorities Act 1990:

“(e) – that since the grant or renewal of the licence, the licence holder has for a period of four weeks or more failed to pay fees or charges due to the borough council in connection with the street trading licence”

2 Recommendation

2.1 The street trading licence of the reported trader identified in Appendix A (as identified in the closed report) be:

- 1) revoked on the grounds of non payment of licence fee.

3 Background

3.1 The Act asks that the Council serve on the trader a notice stating that revocation is proposed and offering the opportunity to appear before the LSC. The notice gives the trader 21 days notice to make any representations, the notice was sent on 6th March 2018.

3.2 Under the Act revocation and variation are the only sanctions open to the committee, i.e it cannot suspend the licence.

3.3 If the committee do decide to revoke or vary a licence, the licence holder then has rights of appeal to the magistrates court, and thereafter to the Crown Court. The licence holder is entitled to continue trading until such time as any such appeal has been determined.

3.4 The trader was sent a statutory notice under Section 29 of the London Local Authorities Act 1990 (as amended) notifying him/her of the intention to revoke his/her licence.

4 Policy implications

4.1 To advise the committee of traders non compliance with his/her street trading licence conditions, non exercising of trading rights and to seek the Committee's authority to revoke his/her street trading licence.

4.2 Effect of proposed changes on those effected

The Street Trading account is ring fenced, operating on a break even basis. The fees are kept as low as financially possible, but this can only happen if all traders adhere to the