

Rother District Council

Report to: General Licensing Panel

Date: 29 April 2022

Title: Street Trading Application for Consent

Report of: Head of Service Environmental Services, Licensing and Community Safety

Ward(s): Ticehurst

Purpose of Report: To consider whether to grant a consent to trade in the Village Square, Ticehurst

Officer

Recommendation(s): It be **RESOLVED**: That:

- 1) a consent to trade, subject to conditions set out in Appendices B and C, be issued to the applicant; and
- 2) the Head of Service Environmental Services, Licensing and Community Safety be granted delegated authority to issue further consents, if no complaints are received.

1. Introduction

The Council has designated certain streets in Ticehurst as consent streets under the Local Government (Miscellaneous Provisions) Act 1982, this means trading is prohibited unless a consent has been granted.

2. Application Details:

Reference: 2021 13964

Name: Justin Scales

Location: Village Square, Ticehurst

Trading: Fish and Chips

Date and times: Thursday: 11:30 to 14:00; Friday: 11:30-19:00

Appendix A - application received.

3. Consideration

The following options (if any) are available to the Panel:

- a) to grant consent subject to conditions, set out in Appendices B and C;
- b) to grant consent subject to conditions, determined by the Panel; or

- c) to refuse consent.

Conclusion

4. Having considered the application, the Panel shall determine the matter.

Legal Implications

5. The applicant or other interested parties could seek a judicial review of the decision.

Human Rights

6. Article 1 of the first protocol, Part II of the Act refers to the peaceful enjoyment of possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law. The Council's actions must therefore be necessary and proportionate and be in the public interest.
7. The Panel's decision making is guided by the principles of proportionality which require, amongst other things, the Panel to strike the appropriate balance between the competing interests of the applicant and the wider community.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	Yes	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	No	Access to Information	No
Risk Management	No	Exempt from publication	No

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Appendices:	Appendix A: Application Appendix B: Standard conditions Appendix C: Additional conditions
Relevant Previous Minutes:	None
Background Papers:	None
Reference Documents:	None