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# **Application for Street Trading Consent**

Licensing and Enforcement Sub Committee

Decision to be taken by: Licensing and Enforcement Sub  
Committee

Decision to be taken on/Date of meeting: 24<sup>th</sup> June 2025

Lead director/officer: Rachael Derry

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### **Useful information**

- Ward(s) affected: Rushey Mead
- Report author: Valentina Cenic
- Author contact details: valentina.cenic@leicester.gov.uk
- Report version number: 1

## **1. Summary**

- 1.1 To determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for Raykdi LTD. The applicant is Mrs Dhaval Tank.

## **2. Recommended actions/decision**

- 2.1 The Sub-Committee may determine the application in one of the following ways:-
- (a) Grant the application, or
  - (b) Refuse the application.
- 2.2 A licensing authority may attach such conditions as they consider reasonably necessary when granting or renewing a street trading consent. This may include conditions to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance (whether to persons using the street or otherwise). The authority may at any time vary the conditions of a street trading consent.
- 2.3 The authority may include in a street trading consent permission for its holder to trade in a consent street:-
- a) from a stationary van, cart, barrow or other vehicle; or
  - b) from a portable stall.
- 2.4 If the authority includes such a permission, it may make the consent 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 he may so trade.
- 2.5 A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.
- 2.6 There is no right of appeal against a determination of the Licensing Authority in this instance, but as a matter of good practice Members should give reasons for their decision at the time it is announced.
- 2.7 It is recommended that the application be refused in accordance with the City Council's Street Trading Policy:-

*The policy says that there will be a general presumption in favour of granting consents for street trading by ice cream vans and by mobile operators who remain stationary at a particular location only long enough to serve customers at that location, provided that they conform to any code of practice issued by the City Council.*

*The policy provides for certain exceptions, including:*

- a) The immediate vicinity of Leicester City Football Club and Leicester Tigers, for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs.*
- b) Operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.*
- c) Limited period consents in respect of particular types of operations in conjunction with specific events in the City.*

None of these exceptions are relevant to this application.

Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:

- Public nuisance
- Crime and disorder
- Road safety
- Health and safety at schools and for their pupils
- Likely demand for goods being sold
- Availability of goods being sold in other fixed premises in the vicinity
- Objections received from nearby residents, businesses and statutory agencies

### **3. Scrutiny / stakeholder engagement**

- 3.1 Details of the application have been passed to the Police, Highways, Noise Control, Food Team, Festivals Team and the City Centre Director. Notices were placed at the location concerned for two weeks inviting anyone affected by the proposal to submit representations to the Licensing section.
- 3.2 Representations have been received from the Highways Team, Leicestershire Police and members of the public.
- 3.3 The Highways Team are stating that the applicant has indicated that the food trailer would be on a grass verge – hence the concerns regarding damage to the grass verge when the trailer is pulled on and off as well as the verge being unsuitable for a trailer in wet weather. Highways Team added that the application is very close to a very busy junction where there are already parking issues and double yellow lines and could be a potential distraction to drivers.
- 3.4 The Leicestershire Police are stating that the location is a public green space/grass section of the pavement and putting the trailer on here will destroy the grass which is going to be under it and people will congregate on the grass area/pavement next to

the trailer to eat their food which will destroy that grass area too. It will also destroy the habitat for the wildlife that live and visit those grassy areas. People congregating and purchasing food from the trailer will block the pavement for persons, pushchairs and wheelchairs passing by.

The location is currently known as being a hotspot location by the local neighbourhood policing team for persons congregating and drinking alcohol on the street. They purchase their alcohol from “Veerta’s Off Licence and Superstore” which is opposite the proposed location and either stand outside the off licence to drink the alcohol or at the proposed location site on the opposite corner. Concerns are that with the food trailer being in situ it could attract even more persons to congregate near the trailer and buy alcohol from the shop to drink on the street while eating their food. Residents who live opposite the proposed location have been spoken to by a local officer on 24th May 2025 and the residents spoke to them about the fly tipping, Litter, ASB and street drinking occurring in the location and raised concerns to the officer about the trailer being in situ and the ASB/street drinking getting worse.

Police add that the proposed location of the food trailer and the surrounding area is prone for littering and fly tipping (photos provided).

Police also emphasize that there is not ample parking in the location. It is a residential area with on street parking only, there are no car parks in the area. Placing the trailer here would increase the number of vehicles using the road and parking on the street would take away on street parking spaces for the residents who live in the houses surrounding the location.

The application says there are no other fixed premises nearby which sell the same goods, however, there is a nearby take away restaurant “Jamavat”. There are also Indian food premises in close proximity to the proposed location and nearby on Melton Road, Belgrave Road and Catherine Street.

3.5 Copies of these representations are attached at **Appendices B1 – B2**.

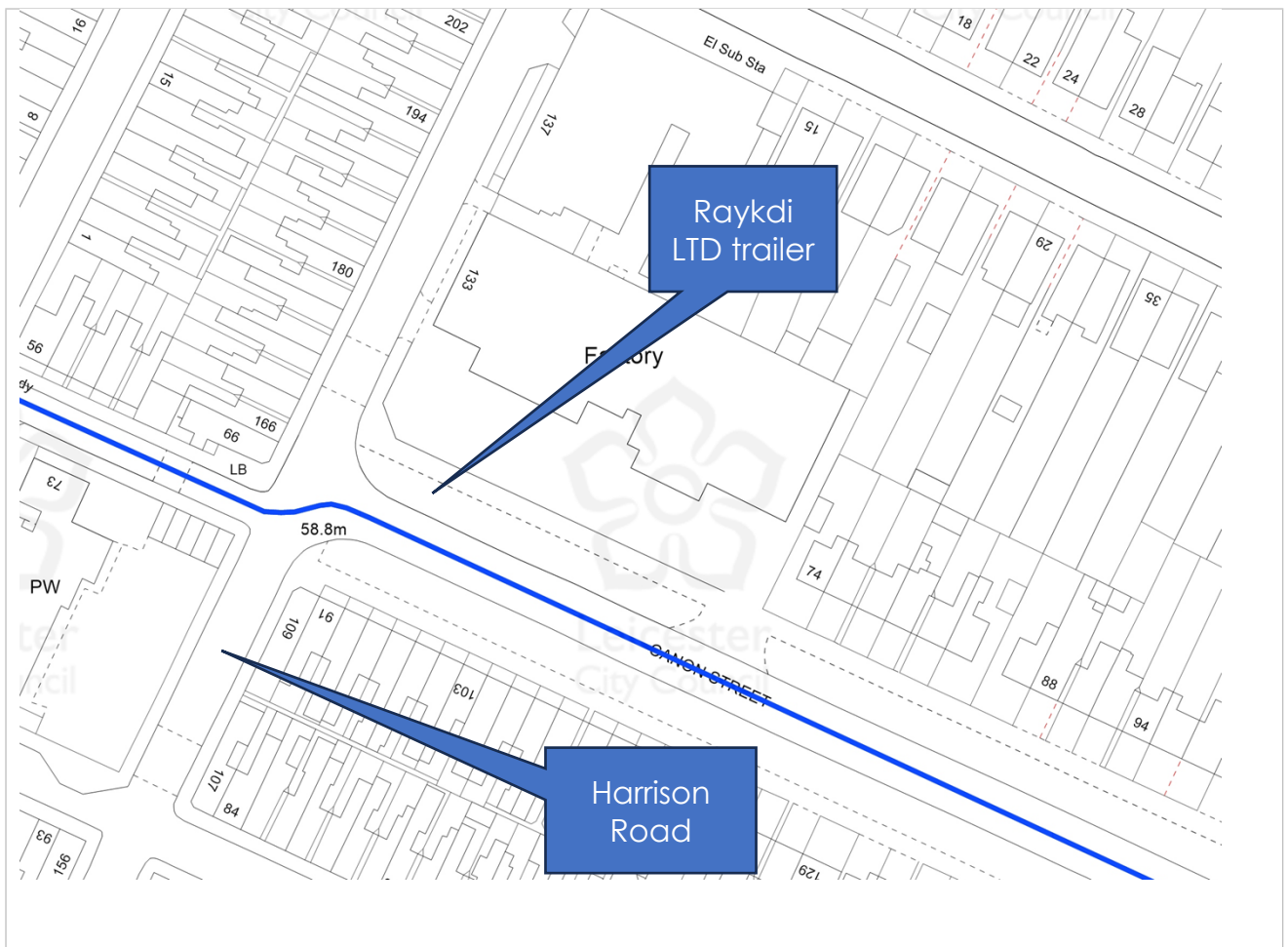
3.7 Five representations have been received from members of the public, as well as a petition signed by sixteen members of public. Copies of these are attached at **Appendices B3 – B7**.

#### **4. Background and options with supporting evidence**

4.1 Mrs Tank has applied for the grant of a street trading consent for Raykdi LTD, Canon Street, Leicester, under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. A copy of the application is attached at **Appendix A**.

4.2 Mrs Tank would like to sell Indian chaat, Wednesday to Monday 14:00 – 22:00

#### **Proposed Location**



## 5. Financial, legal, equalities, climate emergency and other implications

### 5.1 Financial implications

There are no significant financial implications arising from the contents of this report.

Signed: Jade Draper, Principal Accountant

Dated: 13<sup>th</sup> June 2025

### 5.2 Legal implications

Legal advice specific to the application will be provided at the meeting by Legal Officers

Signed: Deborah Bragg, Licensing Manager (Policy and Applications)

Dated: 13<sup>th</sup> June 2025

### 5.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

There are no direct equalities implications arising from the report. However it is important to consider issues of accessibility to the application process and its associated activities (such as lodging an appeal); The criteria used during determination of an application and its associated activities (such as lodging an appeal). It is also important to ensure that street trading activity does not hinder accessibility to public areas and that street trading is conducted professionally (for example, ensuring that members of the public are treated with an absence of discrimination, harassment, victimisation and any other conduct prohibited by The Equality Act 2010).

Signed: Surinder Singh, Equalities Officer

Dated: 13<sup>th</sup> June 2025

#### 5.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.

Signed: Aidan Davis, Sustainability Officer

Dated: 13<sup>th</sup> June 2025

#### 5.5 Other implications

Crime and Disorder - One matter for consideration as part of the application process is the impact a successful application may have on crime and disorder.

### **6. Background information and other papers:**

Leicester City Council Street Trading Policy

<https://www.leicester.gov.uk/media/186563/street-trading-policy-code-of-practice-mar-2020.pdf>

### **7. Summary of appendices:**

Appendix A – Application

Appendices B1 – B7 Representations

### **8. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

### **9. Is this a “key decision”? If so, why?**

No