

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 HEARING
THURSDAY 26 JUNE 2025 at 09:30HRS
APPLICATION FOR THE REVIEW OF A STREET TRADING CONSENT

1. Trading Location: Broad Street (Outside Clarks – 105 Broad Street)
2. Applicant: Mr Robert Smalley - Reading Borough Council Licensing
3. Background: Mr Alami has held street trading consents on Broad Street for over 16 years and for the majority of that time sold leather goods, belts, scarves, sunglasses, gloves, hats and buckles. On renewal in 2021, Mr Alami applied to sell juices, smoothies, slushies, shakes and cakes. Upon the renewal of Mr Alami's street trading consent in 2023, a representation from Mr Robert Smalley, Reading Borough Council Licensing Enforcement Officer was received and a hearing held on 28/11/2023. Mr Smalley stated that the consent should not be renewed due to the failure of Mr Alami to avail himself to a reasonable extent of the street trading consent. On 28/11/2023 the Sub-Committee decided to grant the application for the renewal of the Street Trading Consent for the sale of: 'Juices, Smoothies, Slushies, Shakes, Cakes and Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council'. The minutes from this hearing are attached as <u>Appendix TS-1</u> On 15/10/2024 Mr Alami submitted a renewal application for the period of 01/11/2024 to 31/10/2025. In this application he stated that he wanted to sell: 'Burgers, Loaded Fries, Jacket Potatoes, Slushie, Lemonade, Mango Lassi' This consent was granted to include the above and 'Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council' Mr Smalley's representation in relation to this hearing is attached as <u>Appendix TS-2</u> and is focused on Mr Alami's failure to avail himself to a reasonable extent of the street trading consent. Mr Alami's current street trading consent is attached as <u>Appendix TS-3</u> The location of Mr Alami's pitch is attached as <u>Appendix TS-4</u> The current catering trailer is 12ft by 6ft and a photograph of the trailer is attached as <u>Appendix TS-5</u>

4. Current activities and hours:

The current street trading consent authorises:

Trading hours:

Monday to Saturday - 0900hrs to 1800hrs
Sunday - 1000hrs to 1700hrs.

Goods sold:

Burgers, Loaded Fries, Jacket Potatoes, Slushie, Lemonade, Mango Lassi, Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council'

6. Date of receipt of application: 08 May 2025**7. Date of closure of period for representation from Consent Holder:** 05 June 2025**8. Representation from Consent Holder**

During the 28 day period given by Reading Borough Council for the Consent Holder to make representation against the review application, no representation was received from Mr Salim Alami – Street Trading Consent Holder.

9. Powers of the Authority in determining an application for the review of a street trading consent

The Licensing authority, when determining an application for the review of a street trading consent may:

- Take no action
- Vary the times, conditions and goods to be sold
- Revoke the consent

9. The Local Government (Miscellaneous Provisions) Act 1982

The Local Government (Miscellaneous Provisions) Act 1982 is the legislation that governs Street Trading outside London.

Schedule 4, paragraph 7, sub-paragraph 6 of the Act states:

The council may at any time vary the conditions of a street trading consent.

Schedule 4, paragraph 7, sub-paragraph 10 of the Act states:

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

Schedule 4, Paragraph 9, sub-paragraph 5 of the Act states:

Where a consent is surrendered or revoked, the council shall remit or refund, as they consider appropriate, the whole or a part of any fee paid for the grant or renewal of the consent.

10. Appendices

Appendix TS-1: Minutes from the Sub-Committee Hearing held on 28/11/2023

Appendix TS-2: Representation by Mr Robert Smalley – Reading Borough Council Licensing

Appendix TS-3: Mr Salim Alami's Current Street Trading Consent

Appendix TS-4: Photograph showing Mr Salim Alami's trading location

Appendix TS-5: Photograph of Mr Salim Alami's trading unit

LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 28 NOVEMBER 2023

Present: Councillor Woodward (Chair), Edwards (Vice-Chair) and Keane

25. MINUTES

The Minutes of the meeting held on 16 November 2023 were confirmed as a correct record and signed by the Chair.

26. APPLICATION FOR THE RENEWAL OF A STREET TRADING CONSENT, BROAD STREET, READING

The Sub-Committee considered a report on an application for the renewal of a street trading consent from Mr Salim Alami in respect of Broad Street, Reading.

The report stated that Mr Alami (the applicant) had held a street trading consent on Broad Street for over 15 years and for the majority of that time had sold leather goods, belts, scarves, sunglasses, gloves, hats and buckles. Upon renewal of his street trading consent in 2021 Mr Alami had successfully applied to sell juices, smoothies, slushies, shakes and cakes. The report stated that Mr Alami had submitted a renewal application for street trading consent on 10 October 2023 for the following:

Proposed trading hours:

Monday to Saturday - 0900hrs to 1800hrs.
Sunday - 1000hrs to 1700hrs.

Proposed goods to be sold:

Juices, Smoothies, Slushies, Shakes and Cakes.

A copy of the application was attached to the report at Appendix TS-1. A photograph of the location of the pitch applied for (location outside 105 Broad Street) was attached to the report at Appendix TS-2. The size of the proposed catering trailer was 12ft by 6ft and a photograph of the proposed catering trailer was attached to the report at Appendix TS-3.

The report explained that during the 28-day consultation period for the renewal application a representation had been received from Mr Robert Smalley, Reading Borough Council (RBC) Licensing Team. A copy of the representation was attached to the report at Appendix TS-4. The following appendices were attached to the representation:

- Appendix RS-1 – Street Trading Consent Application Form
- Appendix RS-2 – Photo of Trading Location
- Appendix RS-3 – Photo of Trailer
- Appendix RS-4 – Days Mr Alami Witnessed Not Trading
- Appendix RS-5 – Letter Requesting Explanation from Mr Alami
- Appendix RS-6 – Mr Alami's Response to Explanation Request

Information provided by the applicant to support the application was attached to the report at Appendix TS-5. The applicant and the applicant's representative had also submitted

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further information after the publication of the agenda which had been circulated to the Sub-Committee and had been published as a supplement agenda pack, marked as Additional Information 1 and Additional Information 2. The Additional Information included an undertaking from the applicant.

Tabitha Shaw, RBC Licensing Team, presented the report to the Sub-Committee. Peter Narancic and Ben Williams from the RBC Licensing Team also attended the meeting and asked and answered questions.

Mr Salim Alami (the applicant) attended the meeting with his representative, Mr Jon Payne of Licensing Lawyers. Both addressed the Sub-Committee and responded to questions from Councillors and the Licensing Team.

Robert Smalley, RBC Licensing Team, attended the meeting to present the representation he had submitted on behalf of the Licensing Team. He addressed the Sub-Committee and responded to questions.

The Sub-Committee considered the Licensing Team's concerns about the application which revolved around Mr Alami's failure to trade in the past. However, the Sub-Committee also heard Mr Alami's assertions that he was now ready and able to trade, subject to favourable weather conditions, having completed the refitting of the trailer and having arranged access to water. The Sub-Committee also heard that Mr Alami had been trading for 20 years, was committed to trading regularly and was willing to amend his application to include some hot drinks in order to increase when he might trade. The Sub-Committee understood the delays caused to the trailer refitting process and that items like juices and smoothies were in demand on a seasonal basis.

Resolved –

- (1) That, having given due consideration to the written evidence contained in the paperwork and the oral evidence at the meeting, to the relevant legislation, guidance, and policies of Reading Borough Council, and, in particular:
 - The Powers of the Authority in determining an application for the grant/renewal of a street trading consent;
 - The Local Government (Miscellaneous Provisions) Act 1982, and Schedule 4 in particular;
 - All representations;
 - All of the documents provided for the meeting; and,
 - The Reading Borough Council Street Trading Policy 2023-2028, and Annex 2 – Street Trading Standard Terms and Conditions:

The Sub-Committee grant the application for the renewal of the Street Trading Consent, incorporating all of the Street Trading Standard Terms and Conditions (set out at Annex 2 of the Reading Borough Council Street Trading Policy 2023-2028) for the sale of:

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 28 NOVEMBER
2023**

Juices, Smoothies, Slushies, Shakes, Cakes and Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council.

The Applicant's undertaking was accepted. The logistics of how and when the trading log would be given to Licensing officers was left to the Applicant and the Licensing Team to finalise and was not a condition made by the Sub-Committee.

(The meeting started at 5.00 pm and closed at 6.19 pm)

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Appendix TS-2



Name of Officer	Robert Smalley						
Type of Application	Street Trading Consent - Review – Local Government (Miscellaneous Provisions) Act 1982						
Applicant	Mr Salim Alami						
Address	Broad Street (Outside Clarks – 105 Broad Street) Reading						
Items Sold	Burgers, Loaded Fries, Jacket Potatoes, Slushie, Lemonade, Mango Lassi, Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council						
Proposed Trading Times	Mon 0900- 1800	Tue 0900- 1800	Wed 0900- 1800	Thu 0900- 1800	Fri 0900- 1800	Sat 0900- 1800	Sun 1000- 1700
Content of Application: I am submitting this application to bring about the review of the street trading consent held by Mr Salim Alami for a street trading pitch located on Broad Street outside Clarks, 105 Broad Street. Mr Alami has failed to avail himself to a reasonable extent of the street trading consent for the following consent periods: 01/11/2022 to 31/10/2023 01/11/2023 to 31/10/2024 01/11/2024 to Date							
Licensing Officer's Comments: Mr Alami has held street trading consents on Broad Street for over 16 years and for the majority of that time sold leather goods, belts, scarves, sunglasses, gloves, hats and buckles. On renewal in 2021, Mr Alami applied to sell juices, smoothies, slushies, shakes and cakes. On his most recent consent for the period 01/11/2024 to 31/10/2025 Mr Alami has listed on his consent: Burgers, Loaded Fries, Jacket Potatoes, Slushie, Lemonade, Mango Lassi, Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council							
 I submit this review application on behalf of the Licensing department to address the failure of Mr Alami to avail himself of the street trading consent for the majority of 4.5 years. It has been noted by a number of council officers that since							

2020, Mr Alami has not been regularly trading from his pitch on Broad Street. In February 2023 the Licensing team decided to investigate this matter to establish: 1) If Mr Alami is trading and 2) How often he is trading out of the 7 days that he applied for. This investigation involved officers going to Mr Alami's pitch location on Broad Street to observe if he was trading as well as checking the town centre CCTV recordings. All checks were done between the trading hours stated on the street trading consent as applied for by Mr Alami. The findings of this investigation were included in the hearing held on 28/11/2023 and showed that, since February 2023, Mr Alami failed to trade on at least 45 days. Mr Alami did send proof to the Licensing team that he traded on 1 day, specifically 07/10/2023. This was the only known day of trading between February and November 2023.

At the hearing held on 28/11/2023, Mr Alami explained that, despite being the person making the application, he had applied to sell products that were not commercially viable all year round, and, therefore, did not trade during the winter or on cold days during any other part of the year. I raised the point that it is for Mr Alami to propose the goods that he wishes to sell, and, if they are not commercially viable, then he should have applied to sell something else, rather than not use his consent, and, in turn, deny another trader from utilising the pitch. Mr Alami then proposed that, if he was able to sell other food and drink, then his pitch would be commercially viable all year round. On this basis, the Sub-Committee decided to renew Mr Alami's consent stating that he could sell: 'Juices, Smoothies, Slushies, Shakes, Cakes and Hot Food and Drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council'.

The Local Government (Miscellaneous Provisions) Act 1982 is the legislation that governs Street Trading outside London:

Schedule 4, paragraph 7, sub-paragraph 6 of the Act states:

*The council may at **any time** vary the conditions of a street trading consent.*

Schedule 4, paragraph 7, sub-paragraph 10 of the Act states:

*A street trading consent may be granted for any period not exceeding 12 months **but may be revoked at any time.***

The above excerpt clearly explains that the Council can vary and revoke a street trading consent for any reason and at any time. Although this review application relates to a street trading consent, one of the statutory reasons that a council can refuse a street trading licence application is 'that the applicant has without reasonable excuse failed to avail himself to a reasonable extent of a previous street trading licence'. This point amplifies that, although the Council may refuse a street trading consent application as they see fit, the reason given in this

representation for recommending the revocation of the trading consent is, in fact, one which may be used to refuse a street trading licence application, which itself is a more entrenched authorisation.

On 12/02/2025 I sent an e-mail containing a letter to Mr Alami to request from him an explanation as to why he has not been seen trading. This letter goes on to explain that if Mr Alami continues to fail to use his consent, then further enforcement action will be considered, including the possibility of applying to the Licensing Committee to revoke the consent. This letter is attached as **Appendix RS-1.**

Appendix RS-2 contains all of the subsequent e-mails following the initial e-mail sent on 12/02/2025 between myself and Mr Alami. In summary, Mr Alami states that his current unit is not suitable to sell the hot food items listed on his consent. In response to this, I explained that if he made the application and stated that he would be using his current unit to trade from, then he should follow through and trade with said unit. I emphasised that, if a new trader applied for a consent but did not have a trading unit, then we would not accept the application. I believe Mr Alami has 'kept his foot in the door' by renewing his consent with the intention of, one day, trading in the town centre, again. I consider this to be an abuse of the system and denies the pitch being given to another trader who will utilise it. It is appreciated that, from time to time, a trader may be unable to trade due to faults with their unit or for medical reasons etc, however, Mr Alami has had, at the very minimum, 18 months to secure a suitable unit to trade from, which, based on what I have been told from other traders, is plenty of time. Regardless of this, Mr Alami has not been forthcoming with his reason for not trading, as we would reasonably expect of a trader who is not turning up to work, instead, it has required correspondence to be sent to him informing him of the possibility of further enforcement action.

Appendix RS-3 contains a list of dates that Mr Alami has not been trading since December 2024. As per the visits in 2023, all checks were done between the trading hours stated on the street trading consent. You will note that Mr Alami has not been trading on at least 41 days, however, I believe that Mr Alami has not traded at all since at least the grant of his current consent in November 2024.

This is the second time Mr Alami has been in front of the sub-committee for the same reason; failing to trade from his consent pitch. The first time he attended a hearing he explained that the items he chose to sell were not saleable in all weathers and therefore requested to sell other food and drink items that will be marketable in all weathers. Now he is before you, again, for the same reason of failing to trade from his consent pitch, however, this time with the explanation that he hasn't been able to find a suitable unit to trade from in the 18 months since he was authorised to sell a greater range of items. If allowed to continue to hold a consent, I do not have faith that Mr Alami will utilise it to its fullest extent, that is, if he uses it at all.

It is the view of the Licensing department that the failure of Mr Alami to avail himself of the consent issued to him results in a negative impact on Broad Street. Those visiting Broad Street are being denied the opportunity to shop at one of the limited designated street trading pitches in the town centre, leading to less options and variety.

It is the recommendation of the Licensing department that the street trading consent be revoked in order that a new trader may be sought that will bring variety and interest to Broad Street and will utilise any consent issued by the Council to its full extent. There is no right of appeal against the decision of the Council.

Appendices:

1. **Appendix RS-1 – Letter Requesting Explanation from Mr Alami**
2. **Appendix RS-2 – E-mails between Robert Smalley & Salim Alami**
3. **Appendix RS-3 – List of dates that Mr Alami was not trading**

Date	09	05	2025
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Emma Gee
Interim Executive Director of
Economic Growth & Neighbourhood
Services
Reading Borough Council, Civic
Offices, Bridge St, Reading, RG1 2LU

Our Ref: 124700

Direct: ☎ 0118 9373 762
E mail: robert.smalley@reading.gov.uk

12 February 2025

E-mailed to: [REDACTED]

Your contact is: Robert Smalley, Licensing

Dear Sir,

I am writing to you to request an explanation of your current situation in relation to the street trading consent that you hold for a pitch on Broad Street, outside Clarks. On numerous occasions during the period of your consent for 2023-2024 you were observed not trading. You are reminded that you are supposed to trade on the days and times you have listed on your street trading consent.

Please note that officers shall be monitoring your activity on Broad Street in the coming weeks. If we believe you are not trading to the days and times on your consent, then further enforcement action will be considered.

Please respond to this letter by 28/02/2025 with a full explanation as to why you have not been trading.

The Licensing Department will consider all enforcement powers available to us, and this includes applying to the Licensing Committee to revoke your consent. If I do not hear from you by 28/02/2025, then I will consider that you no longer wish to continue trading on Broad Street and I shall write to the Licensing Committee seeking the revocation of your consent.

Yours faithfully



Robert Smalley
Licensing Enforcement Officer

Appendix RS-2

From: Smalley, Robert <Robert.Smalley@reading.gov.uk>
Sent: 09 April 2025 12:52
To: salim alami
Subject: RE: Request for Information - Street Trading Consent - Broad Street, Reading

Good afternoon,

Please see my response to your e-mail, in bold, below:

I've been trying to get a trailer more suited to selling food. Because the current one is not set up for selling hot food well – **I appreciate this but you renewed your consent with the trailer you have and therefore should be trading from. As and when a new trailer is purchased, then we would discuss updating the consent with the new unit. If a new trader came to us requesting a consent without a trading unit, their application would be refused.**
Furthermore, it has almost been 18 months since you attended a sub-committee in relation to your consent and, save for a handful of days, you have continued not to trade with the unit you have and were granted a consent for.

Also now the council is asking all town centre licenses to have a certain type of trailer it's made it more difficult. I was in the process of just about to buy a new one when the council decided to ask licenses get these types of trailers. But I would like to ask a question. Why would a normal catering trailer if its nice and clean , not be suitable? – **The change is to improve the street scene image. The example units we sent over are not an exhaustive list. Another trader has proposed an airstream unit which has been deemed acceptable, an example is below:**



If you have an idea for a unit, please forward the details to me.

Kind regards,

Robert Smalley

Enforcement Officer

Licensing | Public Protection

Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council

From: salim alami

Sent: 07 March 2025 06:37

To: Smalley, Robert <Robert.Smalley@reading.gov.uk>

Subject: Re: Request for Information - Street Trading Consent - Broad Street, Reading

Hi

I've been trying to get a trailer more suited to selling food.

Because the current one is not set up for selling hot food well .

Also now the council is asking all town centre licenses to have a certain type of trailer it's made it more difficult.

I was in the process of just about to buy a new one when the council decided to ask licenses get these types of trailers.

But i would like to ask a question.

Why would a normal catering trailer if its nice and clean , not be suitable ?

Normal standard catering trailers are set up to accommodate the user of a catering business to make it easier for them and be more hygienic.

The ones that the council are suggesting may look more retro from the outside. But they do nothing for the people working inside to make it more comfortable to do their job.

Would you like a person serving you food to be in a comfortable environment which helps to make the food better or a uncomfortable environment where they are frustrated?

You should ask people who use these types of trailers which ones they would prefer to use rather than thinking aesthetically from the outside only.

Because it's what happens on the inside that counts.

Salim alami

From: Smalley, Robert <Robert.Smalley@reading.gov.uk>
Sent: Tuesday, March 4, 2025 8:54:34 PM
To: salim alami
Subject: RE: Request for Information - Street Trading Consent - Broad Street, Reading

Good evening,

Thank you for your response, please see my responses in bold:

Are you requesting this because I am requesting a certain type of unit on my pitch – **No, the fact that we are investigating you for not utilising your consent is not related to your current unit's appearance.**

I would like a bit a clarity because I what to start trading more throughout the year and a unit similar to the one I forwarded you would allow me to use the pitch more effectively. – **You are already supposed to be trading with the unit you hold a consent for.**

As I would be able to set everything up and leave it there , then all I would have to worry about is my stock . **All traders must remove their units when not trading, so this is not a possibility.**

Please may you explain why you have not been trading.

Kind regards,

Robert Smalley

Enforcement Officer

Licensing | Public Protection

Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council

From: salim alami

Sent: 12 February 2025 18:39

To: Smalley, Robert <Robert.Smalley@reading.gov.uk>

Subject: Re: Request for Information - Street Trading Consent - Broad Street, Reading

Hi

Are you requesting this because I am requesting a certain type of unit on my pitch.

I would like a bit a clarity because I what to start trading more throughout the year and a unit similar to the one I forwarded you would allow me to use the pitch more effectively.

As I would be able to set everything up and leave it there , then all I would have to worry about is my stock .

I'm sure it's a headache pulling the trailer back and forth every day as I've done already for years prior, also now with the equipment in a trailer, I have to make sure everything is stable in the trailer before moving.

So 2 times a day I'm having to almost build a new kitchen and then take it down again.

Instead of just concentrating on what I'm selling.

I hope you understand what I mean.

Thanks

Salim alami

From: Smalley, Robert <Robert.Smalley@reading.gov.uk>
Sent: Wednesday, February 12, 2025 5:35:07 PM
To: salim alami
Subject: Request for Information - Street Trading Consent - Broad Street, Reading

Good evening,

Please see the attached letter and respond to me by 28/02/2025.

Kind regards,

Robert Smalley

Enforcement Officer

Licensing | Public Protection

Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council

Appendix RS-3

Mr Salim Alami - Street Trading Observations - February 2025 to March 2025

Reading Borough Council officers visited the location that Mr Alami holds a street trading consent to trade from and it was noted that Mr Alami was not trading on the following days:

December 2024:

04/12/2024
11/12/2024
18/12/2024

April 2025:

01/04/2025
02/04/2025
04/04/2025

January 2025:

08/01/2025
15/01/2025
22/01/2025
29/01/2025

08/04/2025
09/04/2025

10/04/2025
14/04/2025
16/04/2025
23/04/2025

February 2025:

05/02/2025
06/02/2025
12/02/2025
13/02/2025
17/02/2025
18/02/2025
19/02/2025
25/02/2025
26/02/2025
27/02/2025
28/02/2025

May 2025:

06/05/2025

March 2025:

03/03/2025
04/03/2025
06/03/2025
11/03/2025
12/03/2025
14/03/2025
17/03/2025
18/03/2025
19/03/2025
20/03/2025
24/03/2025
27/03/2025



No 870631

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
STREET TRADING CONSENT

**Reading Borough Council, being the Licensing Authority
under Part 3 of the above Act, hereby grant a Street Trading Consent to:**

Consent Holder

Salim Alami



To trade at the following location only:

Broad Street-Outside Clarks

On the following days:

Monday to Saturday from 0900 hours to 1800 hours

Sunday from 1000 hours to 1700 hours

Trade Vehicle:

12ft Street Stall Catering Trailer

Goods to be sold:

Burgers, loaded fries, jacket potatoes, slushi, lemonade mango lassi, hot food & drink not specifically listed on any existing street trading consent/licence previously granted by Reading Borough Council

Commencement Date: **01/11/2024** Expiry Date: **31/10/2025**

Please note – The sale of goods under this Consent is strictly restricted to the above-named goods only. No other goods are permitted to be sold at any time.

**This Licence is subject to the General Conditions
and Special Conditions attached**

James Crosbie

Assistant Director, Planning, Transport Public Protection
Directorate of Economic Growth & Neighbourhood Services

**THIS CONSENT MUST BE DISPLAYED CONSPICUOUSLY
ON THE STALL OR VEHICLE SPECIFIED**

Appendix TS-4



