
OUTCOME OF LEGAL PROCEEDINGS

Purpose of Report

1. To advise Members of the outcome of recent court proceedings in relation to a licensing matter.

Information and Analysis

2. The schedule attached to this report gives details of an offence of an individual acting as a street trader without the appropriate consent.

Legal implications

3. This report has been considered by the Assistant Director, Law and Governance, for legal implications in accordance with the Council's approved procedures. There are no issues which the assistant Director considers needs to be brought to the specific attention of Members other than those highlighted in the report.

Crime and Disorder Act 1998 Section 17

4. The contents of this report have been considered in the context of the requirements placed on the Council by section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. The contents of this report refer to a criminal matter.

Recommendation

5. Members are invited to note the contents of this report.

**Ian Williams
Director of Economic Growth**

Background Papers

The Local Government (Miscellaneous Provisions) Act 1982

Appendices

Appendix 1 Stephen Pollock

APPENDIX 1

Name of Defendant: Stephen Pollock

Dates of Offences: 20 October 2015 and 06 November 2015

Details of Offence: On both dates a Licensing Enforcement Officer discovered him trading from a stall in a fixed location on High Row, Darlington. He was engaged in selling wooden flowers. He was not operating as a Pedlar and he did not hold a street trading consent to trade in Darlington. When challenged by the Officer on 20 October 2015 he became aggressive and grabbed the Officer's identification badge which hung around the Officer's neck. He also used extremely abusive language towards the Officer.

On 06 November 2015 he was approached by the same Officer and also a Police officer. He attempted to video both officers while they spoke to him. The officer subsequently checked with the Council's CCTV section who confirmed Mr Pollock had remained stationary for periods of time on both dates. Mr Pollock failed to attend for interview about these matters and was referred for prosecution.

Prosecution Outcome: On 09 May 2016 at Darlington Magistrates Courts he pleaded guilty by letter to two offences of illegal street trading. He was fined £40 for each offence and ordered to pay costs of £358.25.