

NORTHAMPTON BOROUGH COUNCIL

Licensing Committee

Your attendance is requested at a meeting to be held at The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE. on Tuesday, 31 July 2012 at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

1. Apologies
2. Minutes
3. Deputations / Public Addresses
4. Declarations of Interest
5. Matters of Urgency which by reason of special circumstances the chair is of the opinion should be considered
6. Street Trading Report
7. Exclusion of Public and Press

The Chair to Move:

“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

SUPPLEMENTARY AGENDA

Exempted Under Schedule, 12A of L.Govt Act 1972, Para No: -

8. Taxi Driver Report ()

<TRAILER_SECTION>

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Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

Appendices



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Street Trading Consents.
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AGENDA STATUS: PUBLIC

Committee Meeting Date: 31st July 2012

Directorate: Customers and Communities

1. Purpose

That the Committee formally agree to publish a notice of intention to pass a resolution designating two additional sites as Street Consent Sites and to include the roads and streets that have been adopted since 6 October 2005 as prohibited.

2. Recommendations

- 2.1 That with effect from 1st November 2012 and entirely subject to representations received after publication of relevant notices that:
- (i) the existing street trading regulations for the Borough be updated to allow the Council to designate additional street trading consents as set out in the Notice attached.
 - (ii) the roads and streets in the Borough that did not exist in 6 October 2005 be designated as prohibited streets
- 2.2 (A copy of the formal resolution is attached to this Report)

3. Issues and Choices

3.1 Report Background

For your information Street trading consents authorise mobile street trading such as the sale of hot dogs and other mobile snack bars.

The granting of a street trading consent is a matter within the general discretion of the Local Authority.

The council may attach such conditions as they consider reasonably necessary to consent. Such conditions can include requirements that would help to prevent the obstruction of the street or danger to persons using it; or nuisance or annoyance, whether to persons using the street or otherwise. This relates specifically to street trading licenses, unless the consent allows them to trade from a stationary van/cart barrow or other vehicle or a portable stall.

3.2 Issues

To agree to publish a notice in the local newspaper of the proposed resolution

3.3 Choices (Options)

To consider any representations in respect of the proposed resolution

4. Implications (including financial implications)

4.1 Policy

4.1.1 There would be no change to the existing policy.

4.2 Resources and Risk

4.2.1 There is a fee payable to the authority from those trading from all consent sites.

4.2.2 The costs of advertising are as follows:

Initial Notice – approximately £350

Two consecutive weeks notices if any resolution where appropriate - approximately £700

4.3 Legal

4.3.1 The designation of streets / roads as consented streets is lawful within the meaning of the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 Section 2 (1) (c)

4.3.2 There is a mandatory requirement to advertise a notice of intention to pass a resolution in a local newspaper circulating in the area and to serve a copy of the notice on :

The chief officer of police for the area in which the street to be designated by the resolution is situated; and

On any highway authority responsible for that street and

Obtained the necessary consents where the resolution relates to a street which is owned or maintainable by a relevant corporation and

Where a resolution designates as a licence street any street maintained by a highway authority

4.4 Equality

4.4.1 There are no equality issues to be addressed any issues relating to public safety will be addressed during the consultation period.

4.5 Consultees (Internal and External)

4.5.1 The Police, Highways Department (Northamptonshire County Council) and the Environmental Health Department will be consulted prior to adoption.

4.6 Other Implications

4.6.1 N/A

5. Background Papers

5.1 Licensing Committee Report dated 27th September 2005.

5.2 Northampton Borough Council Street Trading Consent Policy.

Report Author Philip Bayliss
Title Senior Licensing officer
Ext: 7099

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**STREET TRADING**

NOTICE IS HEREBY GIVEN under Paragraph 2 (3)(a) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act, 1982 of Northampton Borough Council's intention to pass the following resolution:-

"That with effect from 1st November 2012

- (1) The following streets shall be designated as consent streets for the purposes of Schedule 4 to the Local Government (Miscellaneous Provisions) Act, 1982.

STREET	TRADING CONSENT AREA	TRADING HOURS	DAYS	AND
Gladstone Road	Service Road. 26 Metres from its junction with the Gladstone Road access road near to Park Drive .	5.00am x 2.00pm	Mon-Fri	
Bedford Road	Laybv on the East side near to the Great Houghton Village Turn. 40 metres from the entrance (Northampton Side).	8.00am x 2.00pm	Mon – Fri	

Interpretation

In this Schedule a "consent street" means a street in which street trading is prohibited without the consent of the district council.

The "street trading consent area" will be defined by reference to a plan.

The Remainder of the Highway Network in the Borough of Northampton.

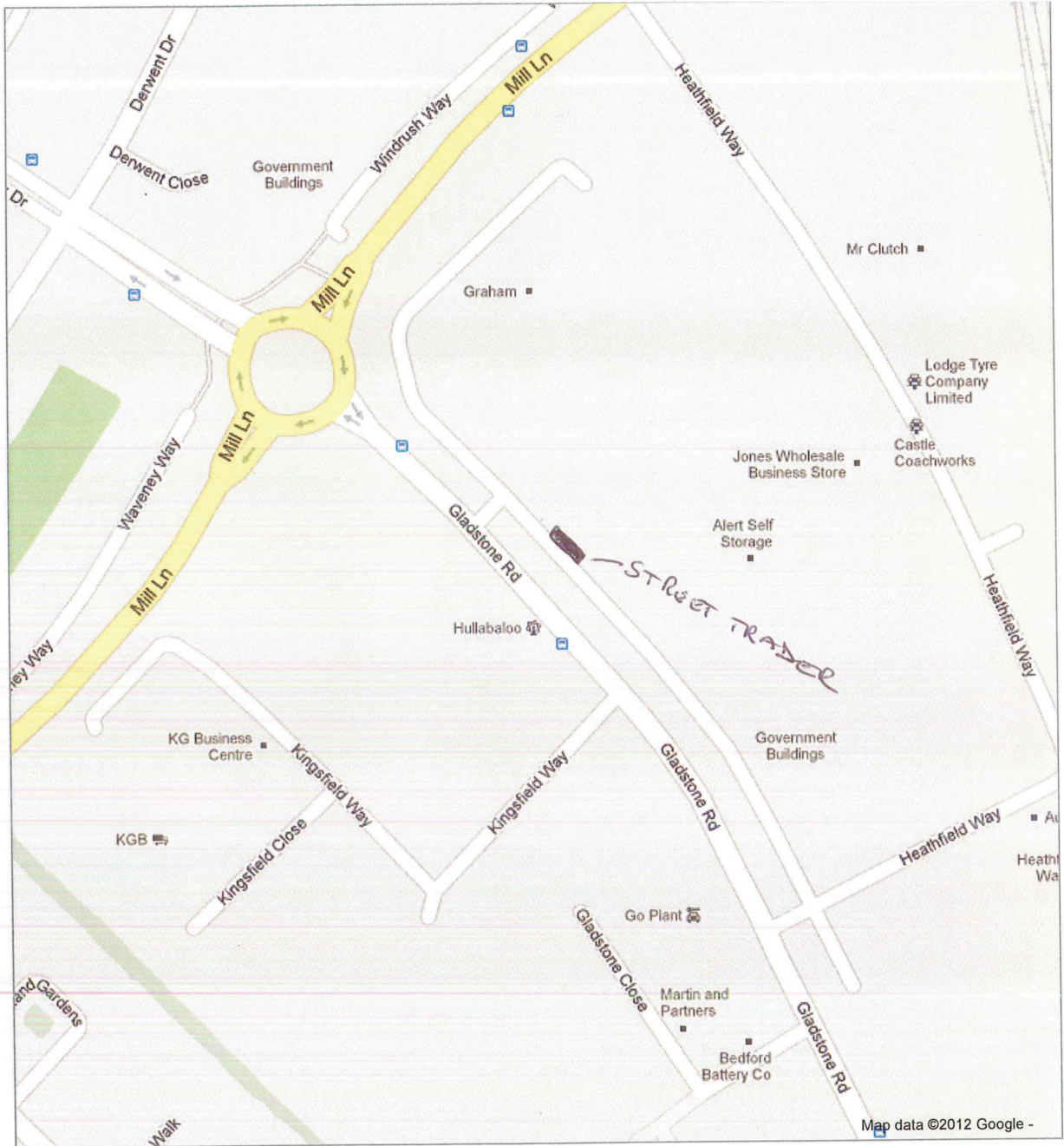
That with effect from 1st November 2012 the roads and streets, including any forecourts, roads, footways, laybys or other areas adjacent thereto within a distance of 10 metres in the Borough of Northampton and not included in the resolution passed by Northampton Borough Council on 27th September 2005 shall also be designated as prohibited streets for the purposes of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.

In this Schedule a "consent street" means a street in which street trading is prohibited without the consent of the district council.

The "street trading consent area" will be defined by reference to a plan.

A list of those sites already licensed are available for inspection at the offices of the Northampton Borough Council between 9am and 5pm Monday to Friday or can be viewed on the council website.

Any representations or objections must be made in writing to the Council within 28 days of the advertisement being published in the local newspaper.





Little Houghton

Great Houghton

Brackmills

SUSSEX
LORRAINE

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Agenda Item 8

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