



LICENSING COMMITTEE REPORT

Report Title	Street Trading Consent.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	21 January 2014
Policy Document:	Street Trading
Directorate:	Customers and Communities

1. Purpose

1.1 This report updates the Committee on the consultation regarding the proposed relocation of the existing street trading consent site on Gowerton Road, Brackmills, Northampton.

2. Recommendations

1.1. That the recommended consent site be adopted from 1st March 2014, and the current location be withdrawn.

(i) the existing street trading consent site in Gowerton Road, Brackmills, Northampton is withdrawn in favour of the new site nominated by the Senior Licensing Officer in agreement with Mr Chris Barker, Brackmills Industrial Estate Security Manager and the street trader Mr Podolczak.

The original recommendation suggested a commencement date of 1st February 2014 this will be delayed by a month to comply with the statutory regulations.

3. Issues and Choices

3.1 Report Background

3.1.1 At its meeting of 10 December 2013, the Licensing Committee agreed to consult on the withdrawal of the existing Street Trading Consent Site in Gowerton Road Brackmills in favour of a new suggested location shown on the map as at Appendix A.

- 3.1.2 The statutory advertisement was placed in the local press and on the council website setting out the proposed new location.
- 3.1.3 Consultations have taken place between the Police, Highways and the Brackmills site manager Mr Barker who has notified businesses in the area.
- 3.1.4 There have been no objections and those consulted have recognised the advantages of the suggested new location.
- 3.1.5 Street trading consents are regulated under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA) and authorise the selling, or offering for sale, of any article in a street. The term 'street' includes any road, footway or other area to which the public has access without payment.

This includes all hot and cold food vendors, for example:

All vendors of burgers, kebabs, doughnuts, ice cream, etc.

It also includes:

All vendors of non-food products who trade on static pitches from any vehicle, stall, barrow, trailer, or any other moveable construction.

- 3.1.6 The granting of street trading consent is a matter within the general discretion of the local authority.
- 3.1.7 All streets within Northampton Borough are prohibited streets, with specified pitches granted a street trading consent. There are currently 24 street trading pitches within the Borough.

3.2 Issues

There are no known issues with regard to this change of location.

3.3 Choices (Options)

- 3.3.1 To implement the recommendation.
- 3.3.2 To reject the recommendation.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There would be no change to the existing street trading policy regarding the prohibited streets and consent locations.

4.2 Resources and Risk

- 4.2.1 Resources would not be affected and there are no known risks.

4.3 Legal

- 4.3.1 The designation of streets / roads as consented streets is lawful within the meaning of the LGMPA Schedule 4 Section 2 (1) (c).
- 4.3.1 The proposed resolution is unopposed and hence the committee has discretion to adopt the said consent street as advertised.
- 4.3.2 The Council shall publish notice that they have passed such a resolution in two consecutive weeks in a local newspaper circulating in their area
- 4.3.3 The first publication shall not be later than 28 days before the day specified in the resolution for the coming into force of the designation

4.4 Equality

- 4.4.1 There are no equality issues to be addressed; any issues relating to public safety have been addressed during the consultation period.

4.5 Consultees (Internal and External)

- 4.5.1 The Police. Highways Department (Northamptonshire County Council). Environmental Health. Mr Barker (Brackmills Manager) and Mr Podolczak.

4.6 Other Implications

- 4.6.1 N/A

5. Background Papers

- 5.1 Local Government (Miscellaneous Provisions) Act 1982
- 5.2 Northampton Borough Council Street Trading Policy

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