



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Street Trading Consents- Becket's Park
---------------------	---

AGENDA STATUS: PUBLIC

Committee Meeting Date:	29 April 2014
Policy Document:	Street Trading
Directorate:	Customers and Communities

1. Purpose

That the Committee, formally agree to pass a resolution, to adopt a Street Trading Consent Site within Becket's Park. (As at Appendix B.)

2. Recommendations

2.1 That with effect from: 1 August 2014

- (i) a street trading consent site is adopted in Becket's Park, Northampton near to the junction of Nunn Mills Road and Bedford Road, and designated a 'Premium' consent site. (A copy of the formal resolution is attached to this Report)

3. Issues and Choices

3.1 Report Background

3.1.1. Over recent years local ice cream traders have requested that the Council adopt a street trading site within Becket's Park similar to that recently adopted within Abington Park.

3.1.2. Although within the perimeter of the park the requested location is within 15 meters of the highway and would come within the jurisdiction of the Licensing Department. There are two sites within the same vicinity currently being investigated as suitable trading pitches. Both sites are shown in Appendix D,E & F

- 3.1.3. Traditionally an ice cream van has located on the road, in Nunn Mills Road near to its junction with Bedford Road.
- 3.1.4. Due to the imminent development in the area double yellow lines have now been repainted and no parking is allowed.
- 3.1.5. The granting of a Street Trading Consent is a matter within the general discretion of the Local Authority and the council may attach such conditions as they consider reasonably necessary to a Street Trading Consent.
- 3.1.6. 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.
- 3.1.7. 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

- 3.2.1. A number of traders may wish to sell from a newly adopted location, if the recommendation is agreed then the location would be suitable to issue more than one consent.
- 3.2.2. The option for a trader selling an alternative to ice cream would also be considered.

3.3 Choices (Options)

- 3.3.1. To agree to publish a notice in the local newspaper of the proposed resolution. (Appendix A).
- 3.3.2. To refuse to publish the notice.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There would be no change to the existing policy.
- 4.1.2 There is the cost of advertising the new location in a local newspaper.

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. There may be objections to the proposal those objections, if forthcoming, would be considered at the next meeting of the committee.
- 4.2.3. Costs of advertising will be met from the Licensing Departments advertising/legal budget.

4.2.4. Street trading fees generated from these pitches will initially contribute towards the cost of providing these pitches. Additional funding may also be sourced from elsewhere.

4.2.5. This would be a no cost option to the council.

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 if the Committee decide to proceed to the designation 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 obtain 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 that would have a derogatory effect on protected groups.

4.5 Consultees (Internal and External)

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

4.6 Other Implications

4.6.1 N/A

5. Background Papers

5.1 Northampton Borough Council Street Trading Consent Policy.

5.2 Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 Section 2 (1) (c)

Report Author: Philip Bayliss
Title: Senior Licensing Officer
Ext: 7099

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
PART III

STREET TRADING

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

"That with effect from 1st August 2014

- (1) the following location shall adopted as a designated consent site for the purposes of Schedule 4 to the Local Government (Miscellaneous Provisions) Act, 1982.

Becket's Park near to the pedestrian entrance in Nunn Mills Road meters from its junction with Bedford Road.

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.

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.

Any representations or objections must be made in writing to the Council at The Guildhall, St Giles Square, Northampton, NN1 1DE or by email to licensing@northampton.gov.uk no later than 28 days of the advertisement being published in the local paper.