

GENERAL LICENSING AND REGISTRATION COMMITTEE

9 July 2009

Street Trading - Nelson Street, Consett



Report of Terry Collins, Corporate Director, Neighbourhood Services

Purpose of the Report

- 1 To inform Members of the commencement of the process to change the designation of Nelson Street, Consett, Co Durham from a consent street to a prohibited street for the purposes of street trading.

Background

- 2 The Council is currently carrying out refurbishment works in Middle Street, Consett and the adjacent areas of the town centre in order to create a more attractive shopping environment and provide a boost to local trading confidence. A public consultation was carried out in the summer of 2008 and the proposals were met with approval by traders and residents of Consett. Sections of paving have been replaced with high quality paving materials, new street furniture and new trees planted.
- 3 The route along Nelson Street from Albert Street car park is a key pedestrian entrance into the heart of the town and improvement of this area has been given a high priority in the redesign. A plan of the area is attached at Appendix 1. New paving, bollards and re-enforcement of the Traffic Regulation Order with new line markings and signage will be completed shortly.
- 4 In the interests of maintaining a high quality public realm the situation has been reviewed regarding the resumption of trading on Nelson Street. It is considered that the newly paved and upgraded street will not be an appropriate location for street traders which are a temporary structure with no fixed sanitation or drainage facilities and therefore not commensurate with town centre activities.

Legislation

- 5 The Council has adopted schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 in order to control street trading within certain streets in Consett. This enables the Council to prohibit street trading completely in

some streets and/or designate other streets where trading is only permitted under a licensing regime.

Procedure

- 6 The power to resolve and change the designation of a street rests with the General Licensing and Registration Committee.
- 7 Changes to the designation of streets for the purposes of street trading will require the following steps:-
 - i) The publication (in a local newspaper) of the intention to pass a resolution to change the designation of Nelson Street from a consent street to a prohibited street for the purposes of street trading.
 - ii) A statutory consultation with the Chief Officer of Police for the area and the Highway Authority.
 - iii) Consideration of any representations or objections to the resolution by the General Licensing and Registration Committee.
 - iv) The passing of a resolution by the General Licensing and Registration Committee to change the designation of the street if appropriate.
 - v) The publication of the resolution in a local newspaper on three consecutive weeks, the first publication being not less than 28 days before the coming in to effect of the resolution.
- 8 Under the Council's Constitution there is a right of appeal to the Council's Appeals and Complaints Committee against any decision made by or on behalf of the Council.
- 9 Local Members will be consulted about the proposal to prohibit street trading in Nelson Street.

Recommendations and reasons

- 10 The General Licensing and Registration Committee is asked at this stage to note the report regarding the commencement of the process to designate Nelson Street a prohibited street by for the purposes of street trading. It is not being asked to make a decision at this stage.

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Appendix 1: Implications

Finance

The change of Nelson Street from a consent street to a prohibited street requires advertising by public notice at an estimated cost of £1500. All costs associated with this change are to be paid for by Urban and Rural Renaissance Initiative funding.

Staffing

None

Equality and Diversity

None

Accommodation

None

Crime and disorder

None

Sustainability

None

Human rights

None

Localities and Rurality

None

Young people

None

Consultation

A consultation exercise will take place as part of the procedure (outlined in paragraph 7 above).

Health

None