

DURHAM COUNTY COUNCIL

At a Meeting of **General Licensing and Registration Committee** held in Council Chamber, County Hall, Durham on **Monday 14 March 2016 at 2.00 pm**

Present:

Councillor C Carr (Chairman)

Members of the Committee:

Councillors J Maitland (Vice-Chair), A Batey, D Bell, P Crathorne, I Geldard, B Graham, O Gunn, C Hampson, D Hicks, A Hopgood, K Hopper, I Jewell, L Marshall, P May, A Surtees and A Willis

Also Present:

C Rudman – Licensing Manager
B Smith – Legal Manager - Litigation

1 Apologies for Absence

Apologies for absence were received from Councillors E Bell, J Bell, B Glass, J Hart and T Nearney.

2 Declarations of Interest

There were no declarations of interest.

3 Proposal for the Re-Designation of Framwellgate and Elvet Bridges for Street Trading; Post Consultation Report

Consideration was given to the report of the Corporate Director Neighbourhood Services regarding a proposal for the re-designation of Framwellgate and Elvet Bridges for street trading (for copy see file of Minutes).

The Committee at its meeting on 14 January 2016 had agreed to support a proposal by Durham BID on changes to the designation of Framwellgate and Elvet Bridges in Durham City from prohibited to consent streets and Members were informed that this was a second post-consultation report. Three responses had been received during the statutory consultation period which were set out in Appendix 3 of the report.

Durham Market Company in their response had requested that the Council consult with them over any applications for street trading at these locations which may constitute rival markets in common law prior to any consent being granted. The Street Trading Policy did not include consultation with private individuals or organisations in relation to market rights issues. Such matters were not part of the

consent process and existed outside statutory processes. Therefore if Members were in support of the proposed re-designation, a street trading process would be adopted which would include the provision of information to applicants on market rights issues, and would recommend that applicants liaise with Durham Market Company if any potential market rights issues existed, prior to the submission of an application.

At the meeting on 14 January 2016 Members had requested that the proposed area to be re-designated be clearly defined by way of a map and this was produced at Appendix 5 in the report.

If Members supported the proposal a third statutory notice would need to be published announcing the resolution to alter the present designation and stating the date on which the re-designation would come into operation.

Councillor Graham referred to the pre-statutory consultation response from Strategic Traffic Management at Appendix 4 and was informed that the Officer's comments in respect of hours of trading had been taken into account.

Resolved:

That the Committee, having considered the proposal made by BID and the responses received from consultees, supports the proposed re-designation of Framwellgate and Elvet Bridges from prohibited to consent streets, and orders that a third statutory notice stating the resolution to alter the present designation be published.