

General Licensing and Registration Committee

15th January 2015



A proposal for the removal of the current street trading designation – Collier Wood Lay-by, A68, Crook

Report of Terry Collins, Corporate Director Neighbourhood Services

Purpose of the Report

1. The purpose of this report is to ask Members whether they would support a proposal for removing the current street trading designation for the Collier Wood Lay-by on the A68 near Crook and to go out to public consultation on the same in accordance with statutory procedures.

Background

2. On the 15th October 1997 the former Wear Valley District Council adopted a number of street trading designations for licensed streets under the Local Government (Miscellaneous Provisions) Act 1982.
3. From the 1st January 1998 the agreed designations for the streets to be licensed including Collier Wood lay-by on the A68 and the Park Head / Westerton lay-by on the Coundon bypass, Bishop Auckland came into operation.
4. These two lay-bys remain designated as licensed streets and the Council continues to allow only controlled 'licensed' trading at these locations. Only one licence to trade from each location is presently allowed.

Details

5. A request has been made by Mr Christopher Pounder who currently holds a street trading licence to trade from the Collier Wood layby on the A68 asking the Council to consider removing the current street trading designation of licensed street for this lay-by.
6. If Mr Pounder's request is supported and his proposal is accepted by Members of this committee, a statutory consultation process would take place involving the publishing of a notice in a local newspaper stating the intention to remove the designation of the licensed street and informing the relevant authorities e.g. Planning, Highways, Durham Constabulary.

7. The consultation period would be 28 days allowing members of the public or relevant authorities to submit any written representations either in support of or in opposition to the proposal.
8. Following the consultation period, any relevant representations received regarding the intention to remove the designation would be subject to further consideration by Members of the General Licensing and Registration Committee.
9. If no representations were received, the Council would publish another notice stating when the removal of the designation would come into effect.

Current representations

10. Following Mr Pounder's recent request for the removal of the designation and following a previous request of a similar nature, informal consultation with relevant organisations and departments of the Council took place including Durham Constabulary and DCC Highways. The Police have not objected to this proposal however the proposal is not supported by Mr Keith Jameson, Neighbourhoods Services Traffic Asset Manager and is also opposed by Licensing Services.
11. DCC Neighbourhood Services consider that the control of street trading at this location should continue. Should the designation be removed, it is possible that many traders could seek to occupy this layby which could adversely affect road safety at this location. Uncontrolled street trading activities at this layby could also lead to littering in the area.

For Decision

12. To ask members whether to go out to public consultation on removing the current street trading designation for the Collier Wood Layby on the A68 near Crook.

Background Papers

Local Government (Miscellaneous Provisions) Act 1982

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Appendix 1: Implications

Finance

If the removal of the designation is approved, the Licensing Authority would no longer control this location and any the fees currently taken for this location would no longer apply.

Staffing

There are no human resource implications.

Equality and Diversity

There are no equality and diversity implications.

Accommodation

There are no accommodation implications.

Crime and disorder

There are no crime and disorder implications

Human Rights

There are no human rights implications

Consultation

Prior to the intention to remove of any streets as prohibited, licence or consent, a consultation process will have to take place which could influence the final decision.

Procurement

There are no procurement implications

Disability Discrimination Act

There are no Disability Discrimination Act Implications

Legal Implications

