

Meeting: GENERAL PURPOSES

Agenda Item:

Date: 15 July 2008

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REVIEW OF STREET TRADING SCHEME

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1 PURPOSE

To agree or make modifications to the proposals for changes to the street trading regime prior to the consultation period.

2 RECOMMENDATIONS

- 2.1 To agree the proposals for changes to the street trading regime.
- 2.2 To agree that formal consultation is undertaken regarding the proposed modification of the Street Trading regime.
- 2.3 If any adverse comments are received during the consultation period, the matter will be reported to a future meeting of General Purposes Committee.

3 BACKGROUND

- 3.1 The Local Government (Miscellaneous Provisions) Act 1982 permits Local Authorities to control street trading within their districts, by defining streets as either prohibited or consent streets for this purpose. Street trading is defined as "the selling or exposing of articles for sale in any street".
- 3.2 Under the Act, certain types of trading are exempt, such as :
 - trading as a pedlar with a valid pedlar's certificate, granted by the police.
 - trading as a newspaper vendor
 - trading in or around shops
- 3.3 A trader wishing to operate either from a vehicle or mobile stall or on a fixed site must apply to the Council for permission. Mobile traders apply for a consent and are advised where they may not trade. Traders requiring a fixed site must apply for a

consent specifying the location from which they wish to trade. Consultations are then undertaken with the police and highways authority along with relevant Officers of the council and applications are considered on their merits.

3.4 Street traders who do not have a valid consent can be prosecuted for trading illegally. The Council can withdraw a street trading consent or not grant a street trading consent, if a trader does not fulfil his obligations. In this way the Council retains control over who can trade.

3.5 In 1998, a review of the street trading in the town centre was carried out which resulted in four streets being changed from prohibited to consent streets.

4 REASONS FOR RECOMMENDED COURSE OF ACTIONS AND OTHER OPTIONS

4.1 The purpose of the proposed revisions are to take account of housing and other development that has arisen in the intervening years since the scheme was first devised in 1982. In addition there is a need to secure peripheral areas adjacent to leisure facilities from opportunistic trading. The list of proposed changes and maps of the neighbourhoods and the scheme as a whole are to be found in the appendices. Detailed maps will be made available at the meeting.

4.2 The basis of the scheme for Stevenage originally was to make the areas around neighbourhood centres prohibited streets, to protect the interests of businesses in these areas. This policy has also been used to determine arrangements for the more recent neighbourhood centres, those that have been developed since the scheme started. It is also proposed to include Fairlands Valley within the scheme, in order to assist with the control of illegal traders. This has been a particular issue over recent years.

4.3 Another change is to extend the Town Centre street trading consent area to cover the area where the Outdoor Market currently operates. This is to allow a burger stall or other hot food use to trade from a pitch in this area for up to 6 days a week.

4.4 Various statutory consultation and notification requirements apply. These include consultation with the Police and the Highways Authorities and the publication of a Public Notice in a local newspaper, giving details of the proposed changes and inviting written representation within 28 days.

4.5 Once the consultation process has been completed any adverse representations will be considered by General Purposes Committee. The decision must then be advertised in the local press for two consecutive weeks, with the changes coming into force twenty-eight days after the date of the first advertisement.

5 IMPLICATIONS

5.1 Financial Implications

These comprise advertising costs which can be contained in existing budgets.

5.2 Legal Implications

The power to licence street trading under Part 3, Schedule 4 of the Local Government (Miscellaneous Provisions)Act 1982 is delegated to General Purposes Committee.

BACKGROUND PAPERS

APPENDICES

- Appendix 1- Proposed changes to Local Street Trading
- Appendix 2- Prohibited Street Trading Map- whole of Stevenage

- Appendix 3-Archer_Road

- Appendix 4 - Austin Paths

- Appendix 5- Bedwell Crescent

- Appendix 6- Burwell Road

- Appendix 7- Canterbury Way

- Appendix 8- Emperors Gate

- Appendix 9- Filey Close

- Appendix 10- Hydean Way

- Appendix 11-Kenilworth

- Appendix 12-Lonsdale Road

- Appendix 13- Marymead

- Appendix 14-Mobbsbury Way

- Appendix 15- Oaks Cross

- Appendix 16-Old Town

- Appendix 17 -Poplars

- Appendix 18-Popple Way

- Appendix 19 - Rockingham Way

- Appendix 20- Roebuck

- Appendix 21- The Glebe

- Appendix 22 - The Hyde

- Appendix 23 - The Oval

- Appendix 24- Town Centre