

# REPORT OF THE DIRECTOR OF COMMUNITY AND CULTURAL SERVICES

REGULATORY COMMITTEE – 30 MARCH 2009

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 APPLICATION FOR GRANT OF CONSENT TO TRADE IN DESIGNATED AREA – CROWTREE ROAD, SUNDERLAND

Mr. Mark Eggleston

### 1.0 PURPOSE OF THE REPORT

- 1.1 To consider an application received from Mr. Mark Eggleston for grant of consent to trade in a designated area in respect of a site situated in Crowtree Road, Sunderland.

### 2.0 DESCRIPTION OF DECISION (RECOMMENDATION)

- 2.1 The Committee is recommended to give consideration to the application for grant of consent to trade in a designated area as highlighted in paragraph 1.1 above, under the terms of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

### 3.0 INTRODUCTION/BACKGROUND

- 3.1 The site has been designated by the Council as a consent street for street trading purposes under Part III and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The Council has discretion to grant such consent "if it thinks fit".
- 3.2 The applicant has indicated that the site is proposed to be used for the sale of Lavazza Coffee and other hot drinks and snacks from a custom built Piaggio Ape (see Appendix 1 for details). The proposed hours are Monday to Saturday 8:00 a.m. until 6.00 p.m., Sunday 10:00 a.m. until 4:00 p.m. and Christmas trading 19 December until 24 December 6:00 p.m. until 9:00 p.m.
- 3.3 For Members' information, the vehicle mentioned in paragraph 3.2 above will be available for inspection outside the Members' car park from 1:30 p.m. on Monday 30 March 2009.

### 4.0 CURRENT POSITION

- 4.1 The current policy for street trading in Sunderland City Centre is that consents be limited to eight sites, which are situated in High Street West, Back Middle Street, Thomas Street/Fawcett Street and Athenaeum Street where daytime trade is currently permitted. Any deviation from this policy should only be made in exceptional circumstances that will benefit the City Centre.

4.2 The site for which application is now made by Mr Eggleston is not one designated under this policy.

## 5.0 REASONS FOR THE DECISION

5.1 Paragraph 7 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 allows the Council to grant consent if it sees fit to do so. The Council may impose conditions upon the consent.

## 6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

## 7.0 RELEVANT CONSIDERATIONS

7.1 Representations have been received from the Director of Development and Regeneration with regard to Traffic Matters as follows: -

'The section of road between Holmeside and South Back Blandford Street is a very busy pedestrian area throughout the day. It is the access route for delivery vehicles attending Savannah P.H. and those premises in Maritime Terrace, between Maritime Place and Crowtree Road, which have no other vehicular access. Although the vehicle is relatively small, if it were trading from this area and another delivery vehicle attended or attempted to get passed, it may pose a dangerous situation for pedestrians'.

7.2 A copy of the representations has been forwarded to the applicant and the following reply has been received: -

'With reference to the comments made by the Traffic section, I would like to reiterate the size and mobility of the vehicle. It could easily be moved in seconds if necessary, without having to move anything as the gas bottle will be kept in the vehicle, hence there would be no objects to be moved or disconnected in order to move the Piaggio quickly.

It would fit between the benches with ample room around the vehicle and in no way interferes with the road access for delivery to Savannah. The benches alone prevent pedestrians from having a clear route in the proposed trading area and therefore the vehicle parked between them would not cause any more of an obstruction than the benches themselves. In addition, it would be no wider than the benches and would not block the access at both sides.

If possible I would like to bring the vehicle along to the Civic Centre before the Regulatory Committee meeting in order to allow everyone to see the vehicle working and sample the quality hot drinks which I will be producing using such a fantastic brand'.

7.3 A map showing the location of the site is attached as Appendix 2.

## 8.0 GLOSSARY

8.1 No acronyms or abbreviations have been used in this report.

## 9.0 APPENDICES

9.1 Appendix 1 – Detailed description of the Piaggio Ape Vehicle.  
Appendix 2 – Location plan of site.

## 10.0 BACKGROUND PAPERS

10.1 Report and minutes of the Licensing Committee on 25 November 2002 approving a policy on street trading and street entertainment in Sunderland City centre.

These will be available at the meeting.

# Appendix 1



## PIAGGIO

*The Piaggio Ape is a tiny three-wheel vehicle known in Italy as the Bee due to its distinctive sound. It is 1.26m in width and 2.5m in length, allowing it to fit into almost any space. Piaggio is also an Italian company, renowned worldwide for its production of motorcycles and scooters.*



*The fully fitted, self-contained Piaggio Ape mobile espresso units can be offered to any destination they are required. There is no necessity for power, water or waste, as they have a water capacity allowing for 1000 cups of coffee, and can be powered by gas.*

*Ensuring our customers' experience the best taste possible is the Fracino coffee machine, an award winning cappuccino and espresso machine manufacturer.*

*The luxury and quality Lavazza brand, with the functionality of the Fracino machine combined with the Piaggio Ape's quirky, cool looks, and mobility would prove to be a unique asset to any cultured city.*

*Cities including Dublin, London, and Newcastle boast the Piaggio Ape selling takeaway coffee, with the support of their council, as their originality provides a welcome change from the typical trailers and stalls in city centres.*



# Appendix 2

