

# **REPORT OF THE DIRECTOR OF COMMUNITY AND CULTURAL SERVICES**

**REGULATORY COMMITTEE – 2 FEBRUARY 2009**

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

**Mr. Ben Hope**

### **1.0 PURPOSE OF THE REPORT**

- 1.1 To consider an application received from Mr. Ben Hope for grant of consent to trade in a designated area in respect of a site situated in Market Square, Sunderland.

### **2.0 DESCRIPTION OF DECISION (RECOMMENDATION)**

- 2.1 The Committee is recommended to give consideration to the grant or refusal of Mr. Hope's 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 sandwiches, Monday to Saturday 08:00 to 18:00 from a catering trailer. Attempts have been made to contact the applicant regarding the size of his trailer without success.

### **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 Members may recall that in previous years the City's Christmas market has been held at this location.

## **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 Traffic section will object to this application on the grounds that Market Square is the main display area for the City. Christmas markets have been held there in the past and this year a festive carousel is to be placed in the area, which Mr. Hope wishes to use.

Throughout the year the area is used for exhibitions and displays and to allocate this area to one person would mean the City losing a valuable and much needed asset.

The City centre is short of open spaces, which are readily accessible to the public, that can be used for events. Whilst the Market Square does have limitations, loss of such an amenity would be a great disadvantage to the City'.

- 7.2 Representations have been received from the Director of Community and Cultural Services Food Section as follows: -

'My Section has to tried to contact the applicant by visiting his house and leaving messages on his telephone. As he has failed to contact ourselves to secure registration of his business I wish to object to the issuing of this consent'.

- 7.3 A copy of the representations have been forwarded to the applicant and to date no reply has been received.

- 7.4 A map showing the location of the site is attached as Appendix 1.

## **8.0 GLOSSARY**

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

## **9.0 APPENDICIES**

- 9.1** Appendix 1 Plan showing location.

## **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

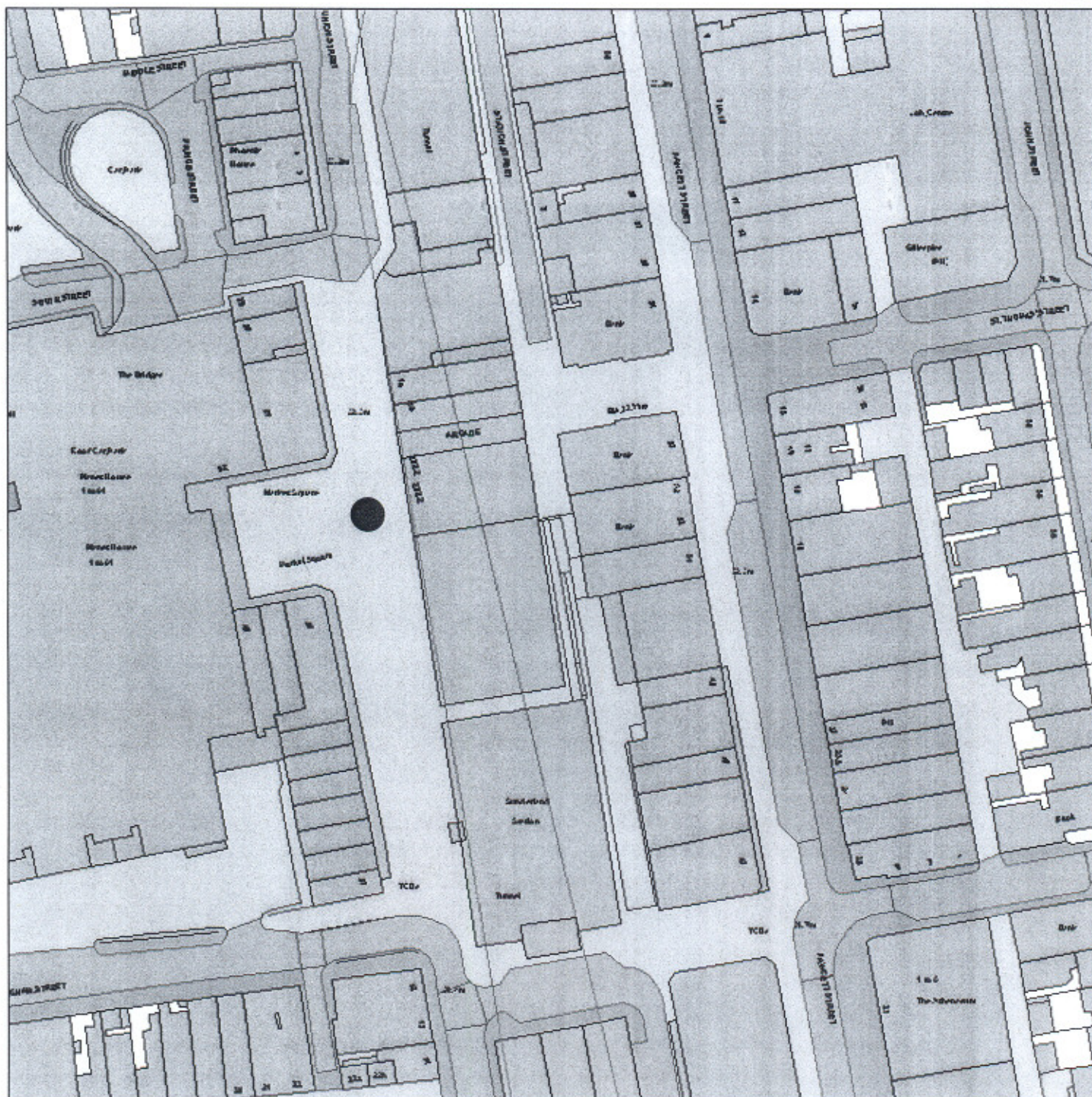


# Street Trading Consent

Mr. Ben Hope



GIS by ESRI (UK)



Scale : 1:1250

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Department	Community and Cultural Services
Comments	
Date	15 January 2009
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